



PUBLIC NOTICE

**U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT**

BUILDING STRONG®

APPLICATION FOR PERMIT
Vulture Mountain Recreation Area

Public Notice/Application No.: SPL-2019-00338

Project: Vulture Mountain Recreation Area

Comment Period: February 4, 2020 through March 4, 2020

Project Manager: Kathleen Tucker; (602) 230-6956; Kathleen.A.Tucker@usace.army.mil

Applicant

Lydia Warnick
Maricopa County DOT
2901 W. Durango Street
Phoenix, Arizona 85009
Lydia.warnick@maricopa.gov

Agent

Betsi Phoebus
Jacobs Engineering Group, Inc
101 North 1st Avenue, Ste 2600
Phoenix, Arizona 85003
Betsi.phoebus@jacobs.com

Location

The project is located approximately 6 miles and 11 miles southwest of the US 93/US 60 intersection in the town of Wickenburg in unincorporated Maricopa County, Arizona. The cadastral location is Sections 6, 7, 30, and 31 of Township 6N, Range 5W and Sections 1, 12, 25, 36 of Township 6N, Range 6W (Gila and Salt River Meridian and Baseline). The northern parcel contains Box Wash and 73 unnamed waters that eventually flow into Box Wash, Star Wash, or Syndicate Wash (33.884568°N, -112.829716°W, NAD83). The southern parcel contains 15 unnamed waters that eventually flow into Star Wash (33.825048°N, -112.827125°W, NAD83). Both parcels are located in the Jackrabbit Wash watershed (HUC 1507010304) in northwestern Maricopa County.

Activity

To The Maricopa County Department of Transportation (MCDOT) and the Maricopa County Parks and Recreation Department (Parks) are planning to realign Vulture Mine Road and develop the Vulture Mountains Recreation Area about 6.0 miles southwest of the town of Wickenburg in unincorporated Maricopa County, Arizona in association with Vulture Mountain Recreation Area Roads (TT0491) (see attached drawings). For more information see Additional Project Information section below.

Interested parties are hereby notified an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). We invite you to review today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that supports the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision. This permit will be issued, issued with special conditions, or denied under Section 404 of the Clean Water Act. Comments should be mailed to:

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
ATTN: Kathleen Tucker
3636 N CENTRAL AVENUE, SUITE 900
PHOENIX, ARIZONA 85012-1939

Alternatively, comments can be sent electronically to: Kathleen.A.Tucker@usace.army.mil

The mission of the U.S. Army Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands. The Regulatory Program in the Los Angeles District is executed to protect aquatic resources by developing and implementing short- and long-term initiatives to improve regulatory products, processes, program transparency, and customer feedback considering current staffing levels and historical funding trends.

Corps permits are necessary for any work, including construction and dredging, in the Nation's navigable water and their tributary waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects, and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.

During the permit process, the Corps considers the views of other Federal, state and local agencies, interest groups, and the general public. The results of this careful public interest review are fair and equitable decisions that allow reasonable use of private property, infrastructure development, and growth of the economy, while offsetting the authorized impacts to the waters of the United States. The permit review process serves to first avoid and then minimize adverse effects of projects on aquatic resources to the maximum practicable extent. Any remaining unavoidable adverse impacts to the aquatic environment are offset by compensatory mitigation requirements, which may include restoration, enhancement, establishment, and/or preservation of aquatic ecosystem system functions and services.

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR Part 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made an environmental impact statement is not required for the proposed work.

Water Quality- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the Arizona Department of Environmental Quality. Section 401 requires any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

Cultural Resources- Based on BLM's cultural resource inventory, there are potentially eligible sites, but they will be avoided. SHPO concurred with the no adverse effect to historic properties on August 15, 2018. The cultural resource inventory addendum yielded new findings regarding an ineligible site. Consultation with Arizona SHPO will occur to confirm no effect based on the new findings.

Endangered Species- Preliminary determinations indicate the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

Basic Project Purpose- The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent (i.e., requires access or proximity to or siting within the special aquatic site to fulfill its basic purpose). Establishment of the basic project purpose is necessary only when the proposed activity would discharge dredged or fill material into a special aquatic site (e.g., wetlands, pool and riffle complex, mudflats, coral reefs). Because no fills are proposed within special aquatic sites, identification of the basic project purpose is not necessary. The basic project purpose for the proposed project is recreation and transportation. The project **is not** water dependent.

Overall Project Purpose- The overall project purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose for the

proposed project is to provide expanded recreational opportunities for the public in the Vulture Mountains vicinity.

Additional Project Information

Baseline information- The project area is located within the Arizona Upland subdivision of the Sonoran desertscrub biotic community, at approximately 2,000 to 2,600 feet above mean sea level. Box Wash is the only named waterway within the project limits and is characterized as intermittent by the National Hydrography Dataset. In addition, the Natural Resources Conservation Service's (NRCS) *Hassayampa River Watershed, Arizona, Rapid Watershed Assessment* categorizes Box Wash as a "major stream." The remainder of the washes identified within the project limits are ephemeral. Overall, the washes in the northern parcel generally flow east or south toward Box Wash, but they are also influenced by the local, hilly terrain. The washes in the proposed campground, in particular, create intricate braided systems as they flow toward Box Wash and through the local terrain. The terrain in the southern parcel is flatter than in the northern parcel and the washes generally flow north-to-southeast. All washes in the project limits have loose, sandy bottoms with relatively sparse vegetation. Soils throughout the project area are gravelly and well-drained to excessively drained. The vegetation in the project area is characteristic of upland species such as saguaro (*Carnegiea gigantea*), teddy bear cholla (*Cylindropuntia bigelovii*), creosote (*Larrea tridentata*), cat claw acacia (*Senegalia greggii*), triangle leaf bursage (*Ambrosia deltoidea*), and foothill paloverde (*Parkinsonia microphylla*).

Urban growth on the outskirts of the Phoenix metropolitan area and in Wickenburg has fueled the desire for more recreational opportunities in the Vulture Mountains southwest of Wickenburg. Several Wickenburg planning documents have identified the need for a regional park and more all-terrain and off-highway vehicle (ATV/OHV) routes. The few existing recreation facilities in the project area are managed by the Bureau of Land Management (BLM) and include dry-camping, vault toilets, unpaved parking areas, motorized and non-motorized routes, and the Vulture Peak Trail.

The existing facilities are mostly located within the area proposed for the proposed Vulture Peak day-use area. The proposed campground would be constructed in the currently undeveloped Box Wash Valley, nestled in the foothills of the Vulture Mountains. The OHV day-use area will be constructed in another generally undeveloped area that contains an abandoned airstrip and is currently used as a staging area for OHV races. Maricopa County Park and Recreation Department (MCPRD) is leasing the land for the VMRA from BLM. BLM conducted an Environmental Assessment (EA) and signed a Finding of No Significant Impact (FONSI) for MCPRD's Recreation and Public Purposes Act (R&PP) lease on January 31, 2019.

Project description- MCPRD proposes to construct the Vulture Mountains Recreation Area (VMRA), an approximately 98-acre public recreation facility that would include picnic and camping facilities, restrooms, trails and trailheads, off-highway vehicle (OHV) use, day-use facilities, and parking areas. VMRA construction would occur in two parcels along Vulture Mine Road, referred to as the northern and southern parcels. The proposed Vulture Peak day-use area and campground would be constructed within the northern parcel, and the OHV day-use area would be constructed within the southern parcel. Maricopa County Department of Transportation (MCDOT) would widen Vulture Mine Road and construct the park roads to provide motor vehicle access to the proposed VMRA to and from Vulture Mine Road. All construction activities will occur within MCPRD's Recreation & Public Purposes (R&PP) Act lease areas, MCDOT's right-of-way (ROW), and temporary construction easements.

Construction of the proposed VMRA would proceed in four phases which would take approximately 4 years. The majority of impacts to waters of the U.S. would occur during grading, paving, road construction and utility installation in Phase I. Ancillary construction includes seeding; guardrail ion; intermittent curb construction; roadway striping, and removing and replacing signs as needed.

Proposed Mitigation– The proposed mitigation may change as a result of comments received in response to this public notice, the applicant's response to those comments, and/or the need for the project to comply with the 404(b)(1) Guidelines. In consideration of the above, the proposed mitigation sequence (avoidance/minimization/compensation), as applied to the proposed project is summarized below:

Avoidance: Because of the braided nature of the washes and the size of the development avoidance was not feasible.

Minimization: MCPRD have minimized permanent and temporary impacts to Waters of the US as the project design has been refined between the 60 and 100 percent plan set. For example, the permanent impacts to jurisdictional waters from the 60 percent design were approximately 1.80 acres. The design was revised in the 100 percent plan set to reduce total permanent impacts to jurisdictional waters to 1.42 acres. Specifically, the Park Road A dip section through Box Wash was revised to reduce cut and fill impacts, which reduced overall permanent impacts from 0.130 acre (60 percent design) to 0.051 acre (100 percent design). Other minimization efforts included:

- Limiting the construction footprint within jurisdictional washes to the minimum area needed for new structures and contractor maneuvering (approximately 20' upstream and downstream of structures and 10' around fence and utility lines)
- Limiting all uses of Box Wash to only the segments necessary to access and construct Park Road A
- Adding or extending dip sections and grading the roadway to drain to prevent truncating the washes that flow through the proposed campground
- Shifting the proposed walk-in campground and associated access paths west and north to avoid and reduce impacts to adjacent jurisdictional washes
- Installing the sewer and water lines beneath the park roads and the electrical conduits alongside and generally parallel to the park roads
- Relocating most of the ET beds to avoid jurisdictional washes
- Moving the RV dump station away from the park entry and jurisdictional washes
- Designing non-motorized trails to avoid jurisdictional waters as much as possible
- Restricting non-motorized trail and OHV re-route grading/construction to upland areas to minimize temporary and permanent impacts to jurisdictional waters

Compensation: Because project construction would result in new, permanent impacts to approximately 1.43 acres of jurisdictional waters, compensatory mitigation will be required in the form of an in-lieu fee payment to the Arlington Wildlife Area to support water conservation and habitat reestablishment projects in the Gila River watershed.

Proposed Special Conditions

Currently being evaluated.

For additional information please call Kathleen Tucker of my staff at (602) 230-6956 or via e-mail at Kathleen.A.Tucker@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.



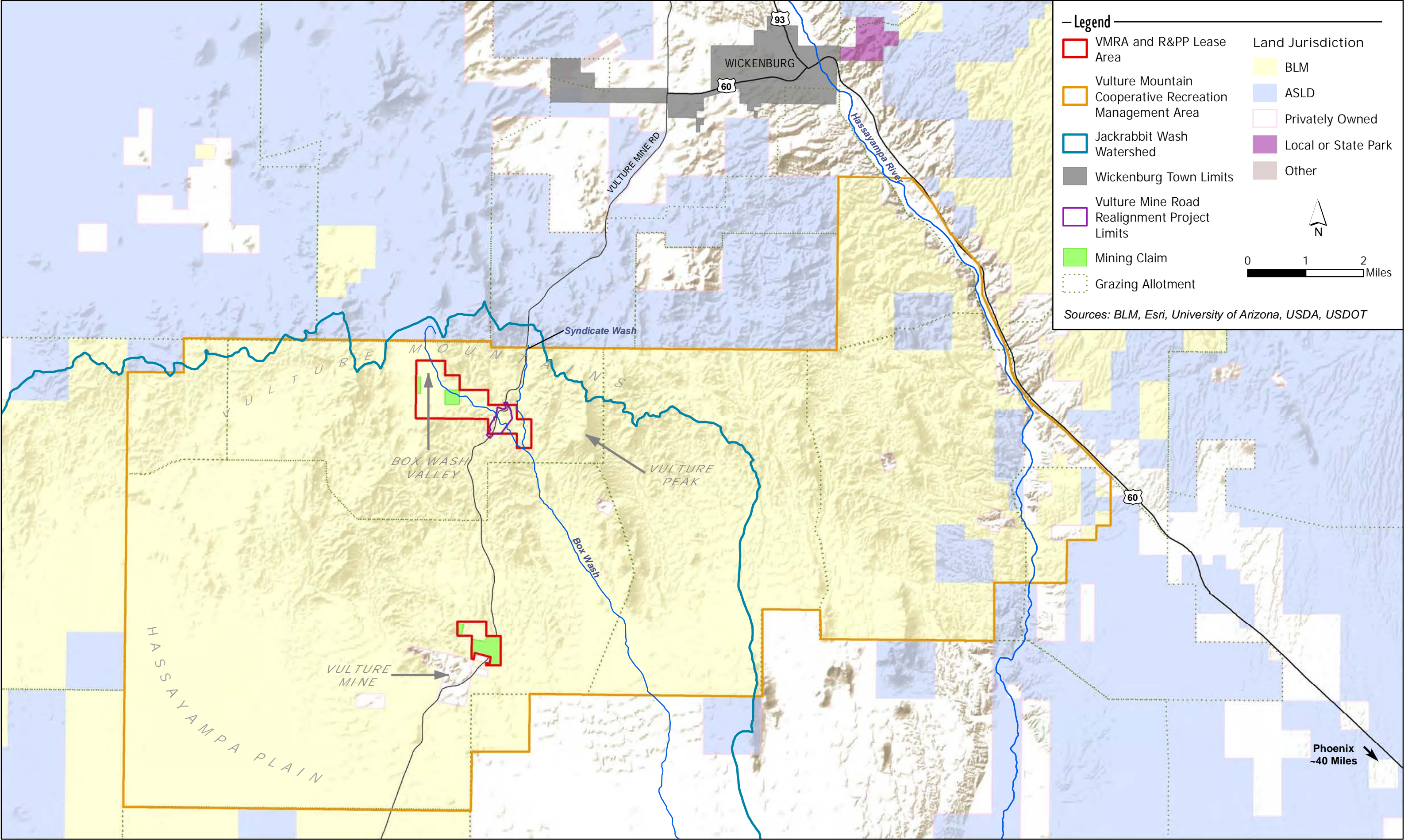
Regulatory Program Goals:

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

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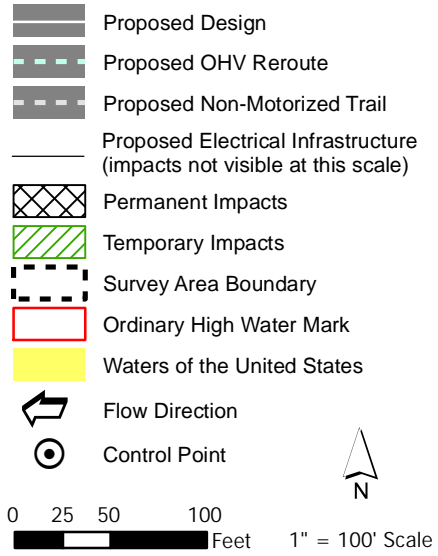
WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY

Figure 6. Section 404 Individual Permit Vicinity Map



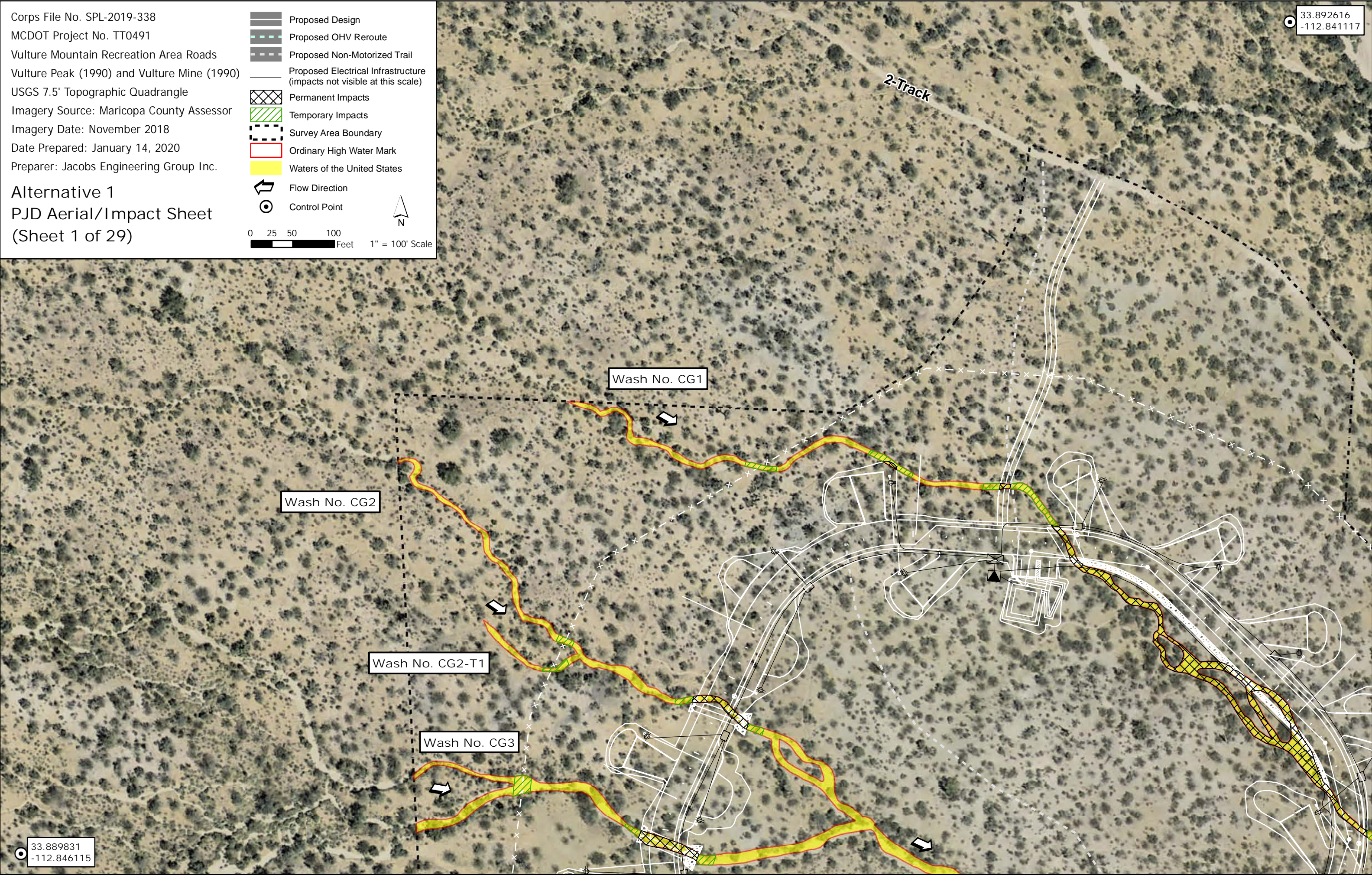
Corps File No. SPL-2019-338
MCDOT Project No. TT0491
Vulture Mountain Recreation Area Roads
Vulture Peak (1990) and Vulture Mine (1990)
USGS 7.5' Topographic Quadrangle
Imagery Source: Maricopa County Assessor
Imagery Date: November 2018
Date Prepared: January 14, 2020
Preparer: Jacobs Engineering Group Inc.

Alternative 1
PJD Aerial/Impact Sheet
(Sheet 1 of 29)



33.892616
-112.841117

33.889831
-112.846115





33.889833
-112.846120

Wash No. CG3

Wash No. CG3-T1

Wash No. CG6-T2

Wash No. CG4

Wash No. CG6-T1

Wash No. CG5

Wash No. CG6

Wash No. CG7-T7

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-112.841174

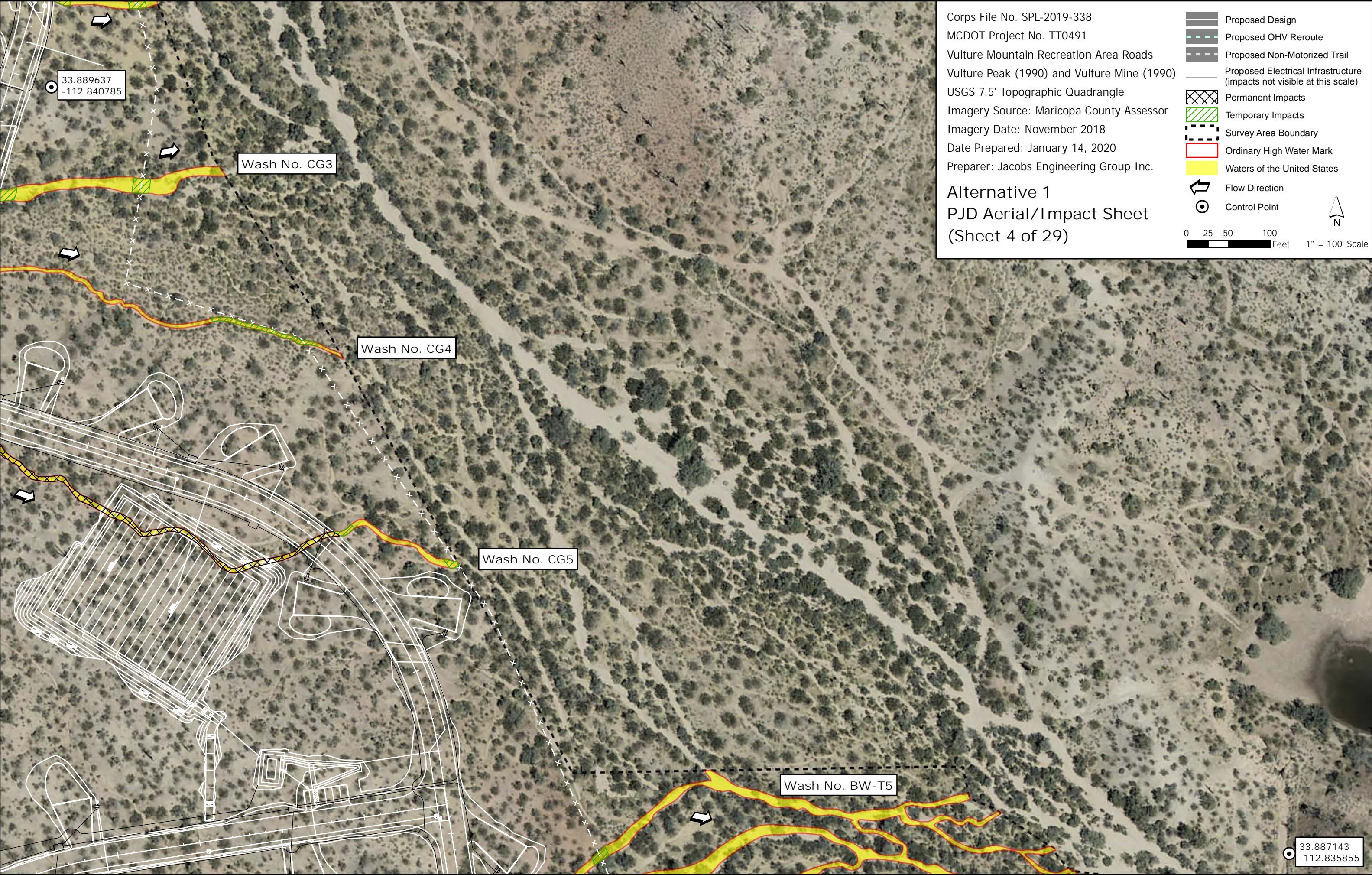
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Alternative 1
PJD Aerial/Impact Sheet
(Sheet 3 of 29)

	Proposed Design
	Proposed OHV Reroute
	Proposed Non-Motorized Trail
	Proposed Electrical Infrastructure (impacts not visible at this scale)
	Permanent Impacts
	Temporary Impacts
	Survey Area Boundary
	Ordinary High Water Mark
	Waters of the United States
	Flow Direction
	Control Point

0 25 50 100 Feet 1" = 100' Scale

N



Corps File No. SPL-2019-338
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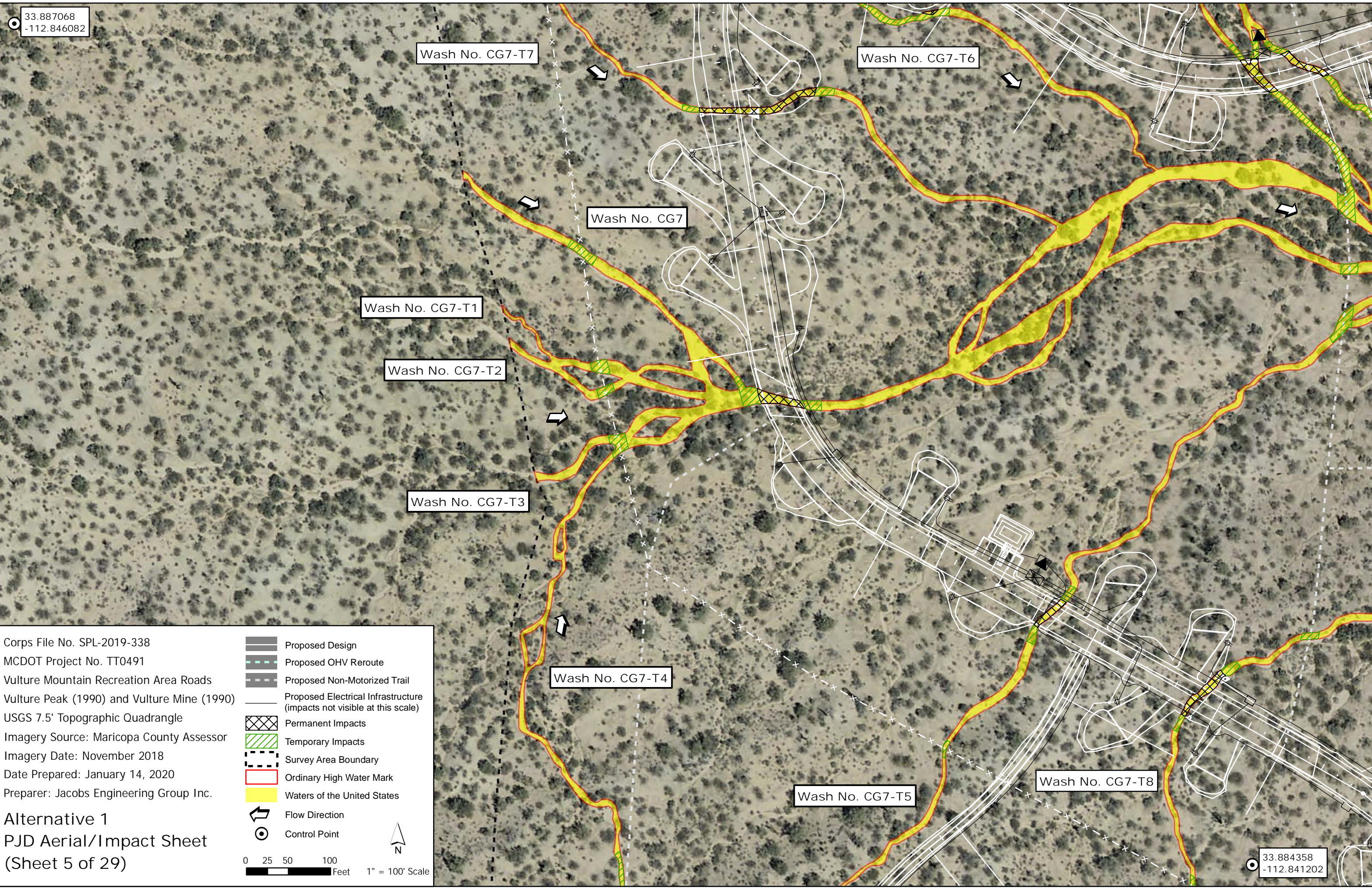
Alternative 1
PJD Aerial/Impact Sheet
(Sheet 4 of 29)

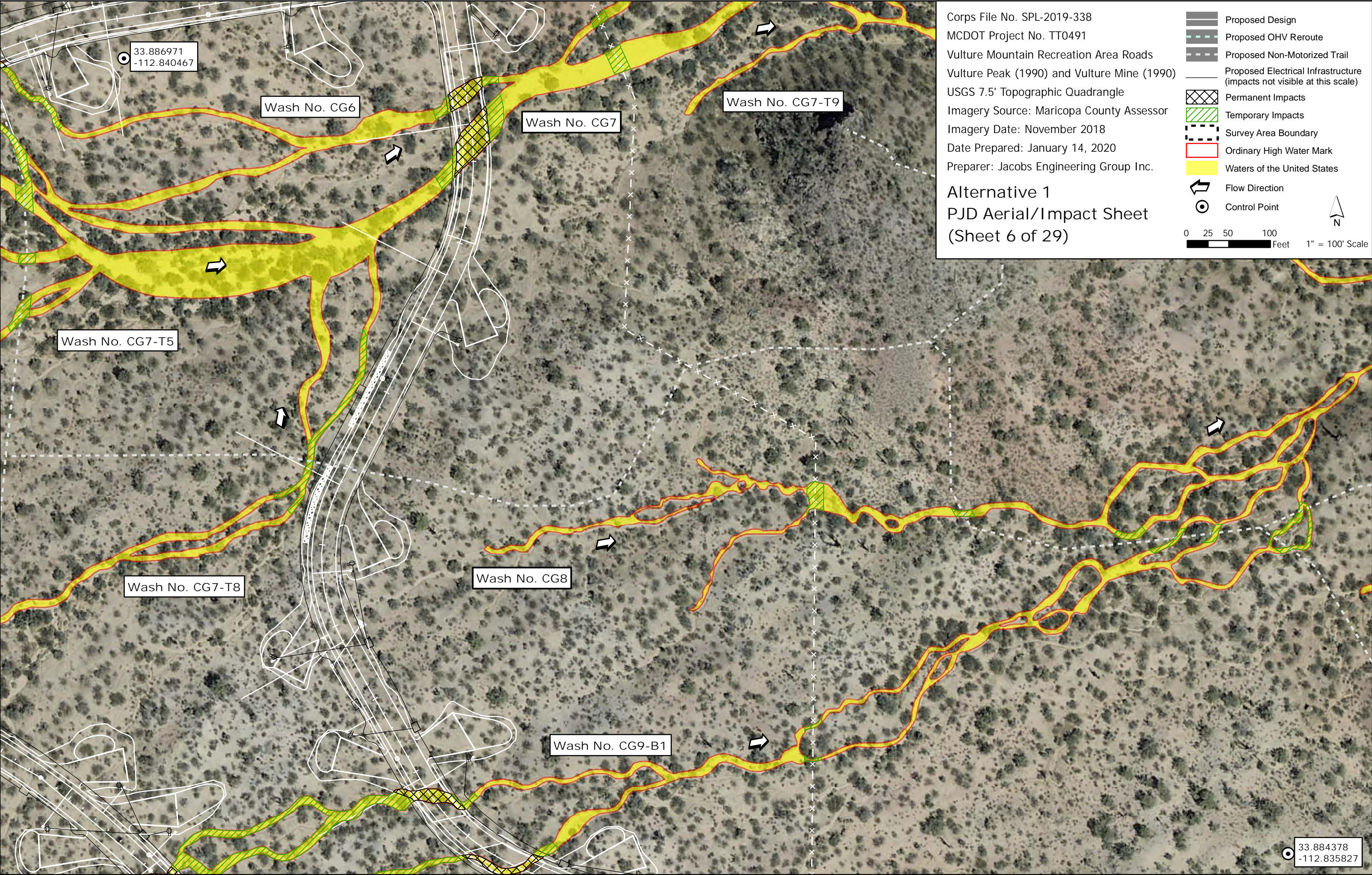
	Proposed Design
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	Permanent Impacts
	Temporary Impacts
	Survey Area Boundary
	Ordinary High Water Mark
	Waters of the United States
	Flow Direction
	Control Point

0 25 50 100 Feet 1" = 100' Scale

N

33.887143
-112.835855





33.884447
-112.846051

Wash No. CG7-T5

Wash No. CG7-T4

Wash No. CG7-T8

Wash No. CG9-B1

Wash No. CG9-T1

Wash No. CG10-T1

33.881732
-112.841191

Corps File No. SPL-2019-338

MCDOT Project No. TT0491

Vulture Mountain Recreation Area Roads

Vulture Peak (1990) and Vulture Mine (1990)

USGS 7.5' Topographic Quadrangle

Imagery Source: Maricopa County Assessor

Imagery Date: November 2018

Date Prepared: January 14, 2020

Preparer: Jacobs Engineering Group Inc.

Alternative 1

PJD Aerial/Impact Sheet

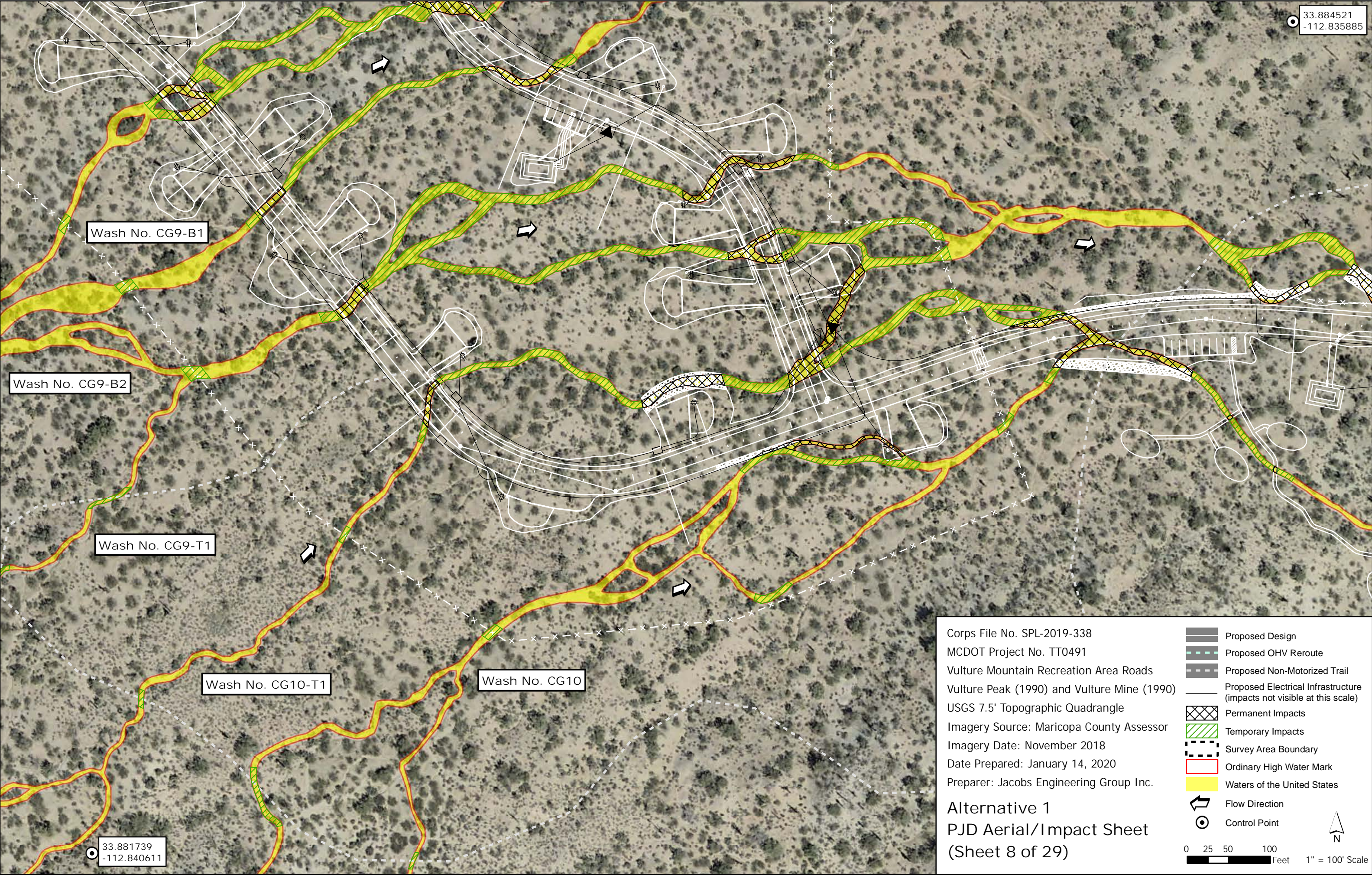
(Sheet 7 of 29)

- Proposed Design
- Proposed OHV Reroute
- Proposed Non-Motorized Trail
- Proposed Electrical Infrastructure (impacts not visible at this scale)
- Permanent Impacts
- Temporary Impacts
- Survey Area Boundary
- Ordinary High Water Mark
- Waters of the United States
- Flow Direction
- Control Point

0 25 50 100
Feet

1" = 100' Scale





33.881822
-112.846028

Wash No. CG9-B1

Wash No. CG14

Wash No. CG10-T1

Wash No. CG13

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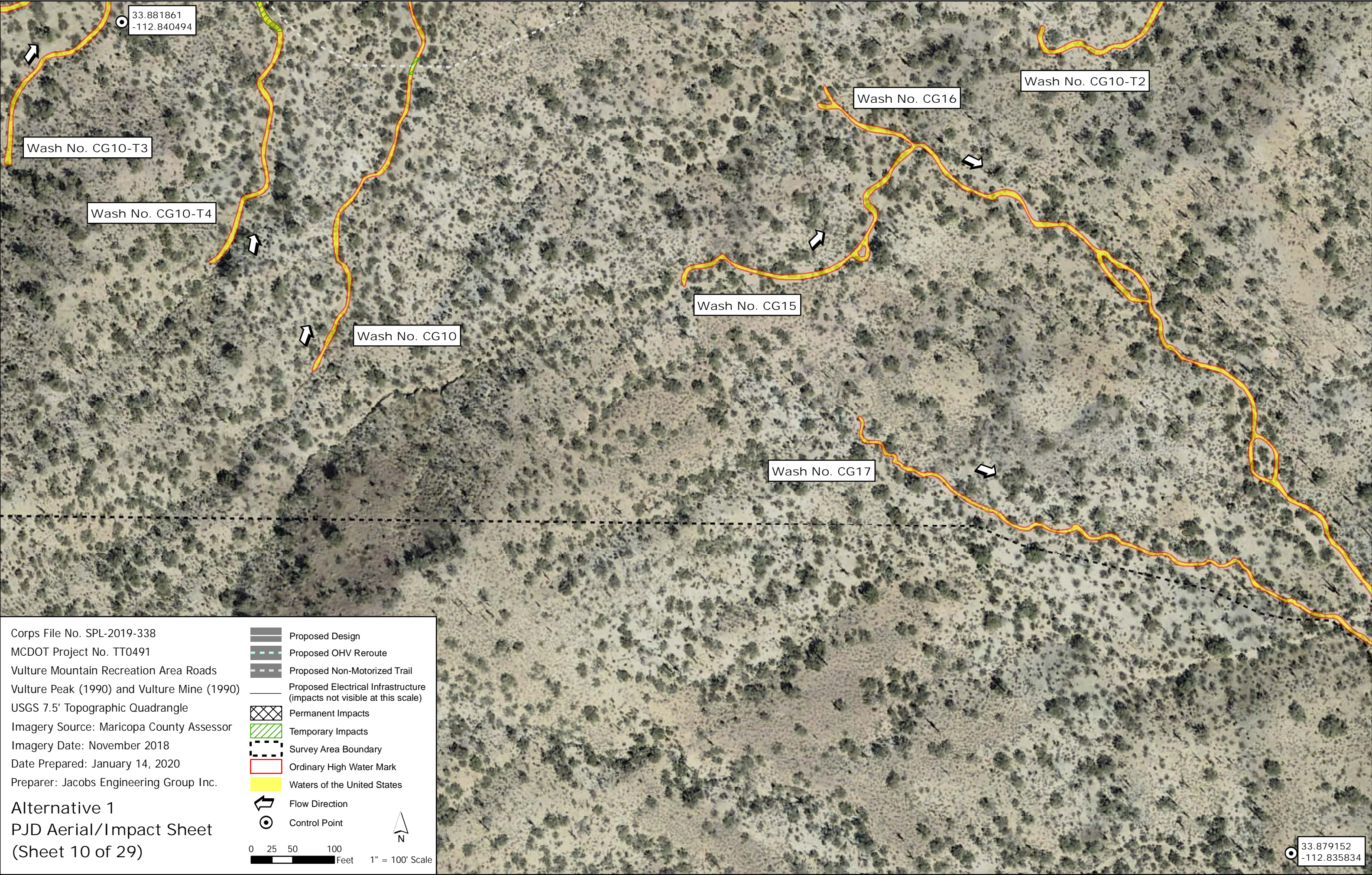
Alternative 1
PJD Aerial/Impact Sheet
(Sheet 9 of 29)

	Proposed Design
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	Proposed Non-Motorized Trail
	Proposed Electrical Infrastructure (impacts not visible at this scale)
	Permanent Impacts
	Temporary Impacts
	Survey Area Boundary
	Ordinary High Water Mark
	Waters of the United States
	Flow Direction
	Control Point

0 25 50 100 Feet 1" = 100' Scale

N

33.879111
-112.840952



33.889919
-112.830896

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Alternative 1
PJD Aerial/Impact Sheet
(Sheet 11 of 29)

Proposed Design

Proposed OHV Reroute

Proposed Non-Motorized Trail

Proposed Electrical Infrastructure
(impacts not visible at this scale)

Permanent Impacts

Temporary Impacts

Survey Area Boundary

Ordinary High Water Mark

Waters of the United States

Flow Direction

Control Point

0

25

50

100

Feet

1" = 100' Scale

N

Wash No. PA14

Wash No. PA14-T1

Wash No. PA17

Wash No. PA14-T2

Wash No. PA14-T3

33.887210
-112.825846

33.887142
-112.835847

Corps File No. SPL-2019-338
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Preparer: Jacobs Engineering Group Inc.

Alternative 1
PJD Aerial/Impact Sheet
(Sheet 12 of 29)

Proposed Design

Proposed OHV Reroute

Proposed Non-Motorized Trail

Proposed Electrical Infrastructure
(impacts not visible at this scale)

Permanent Impacts

Temporary Impacts

Survey Area Boundary

Ordinary High Water Mark

Waters of the United States

Flow Direction

Control Point

0

25

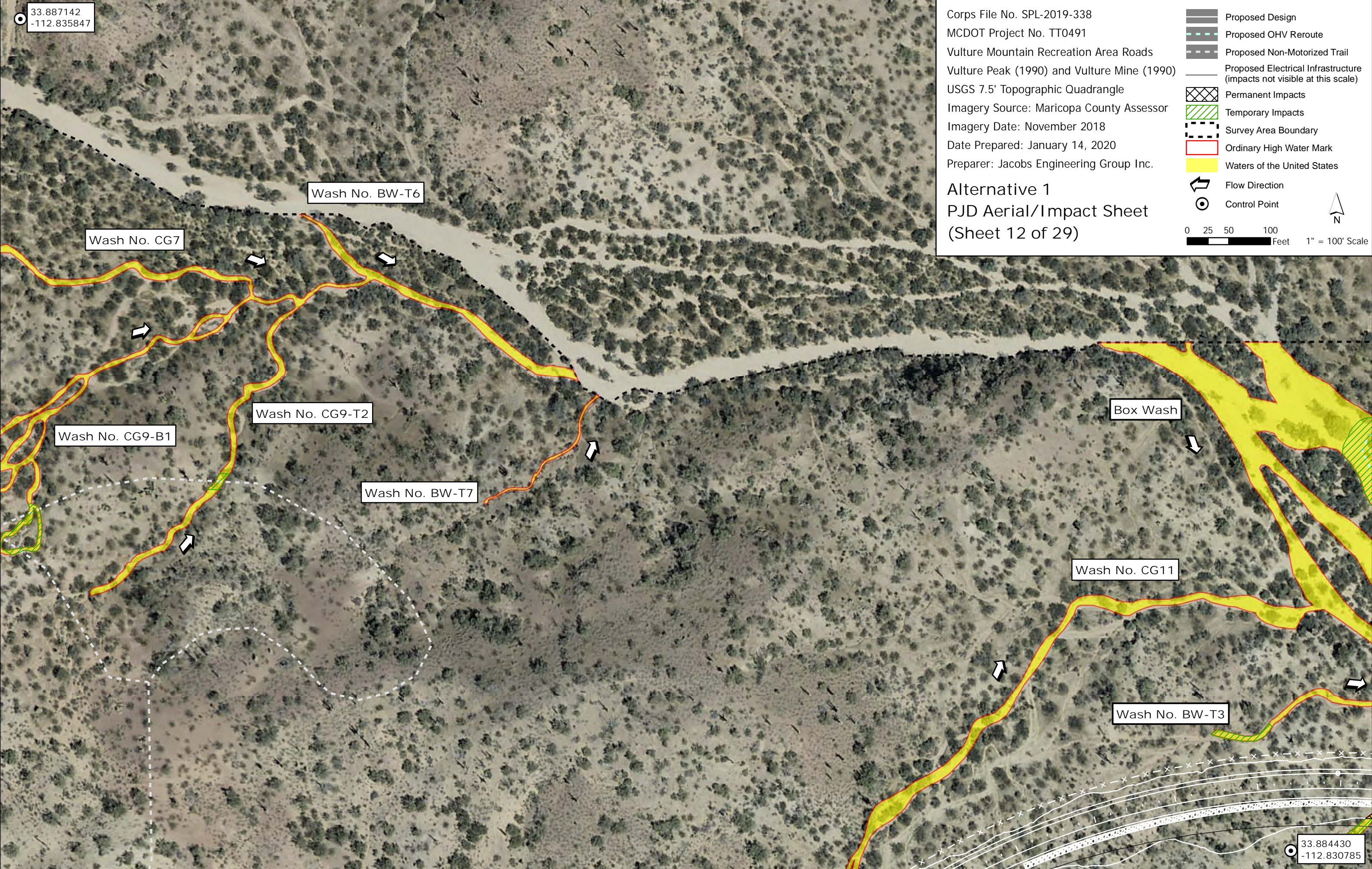
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100

Feet

1" = 100' Scale

N



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33.887175
-112.830850

Wash No. PA17-T1

Corps File No. SPL-2019-338
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(Sheet 13 of 29)

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- Permanent Impacts
- Temporary Impacts
- Survey Area Boundary
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- Waters of the United States
- Flow Direction
- Control Point

0 25 50 100 Feet 1" = 100' Scale



Box Wash

Wash No. PA17-T2

Wash No. PA8

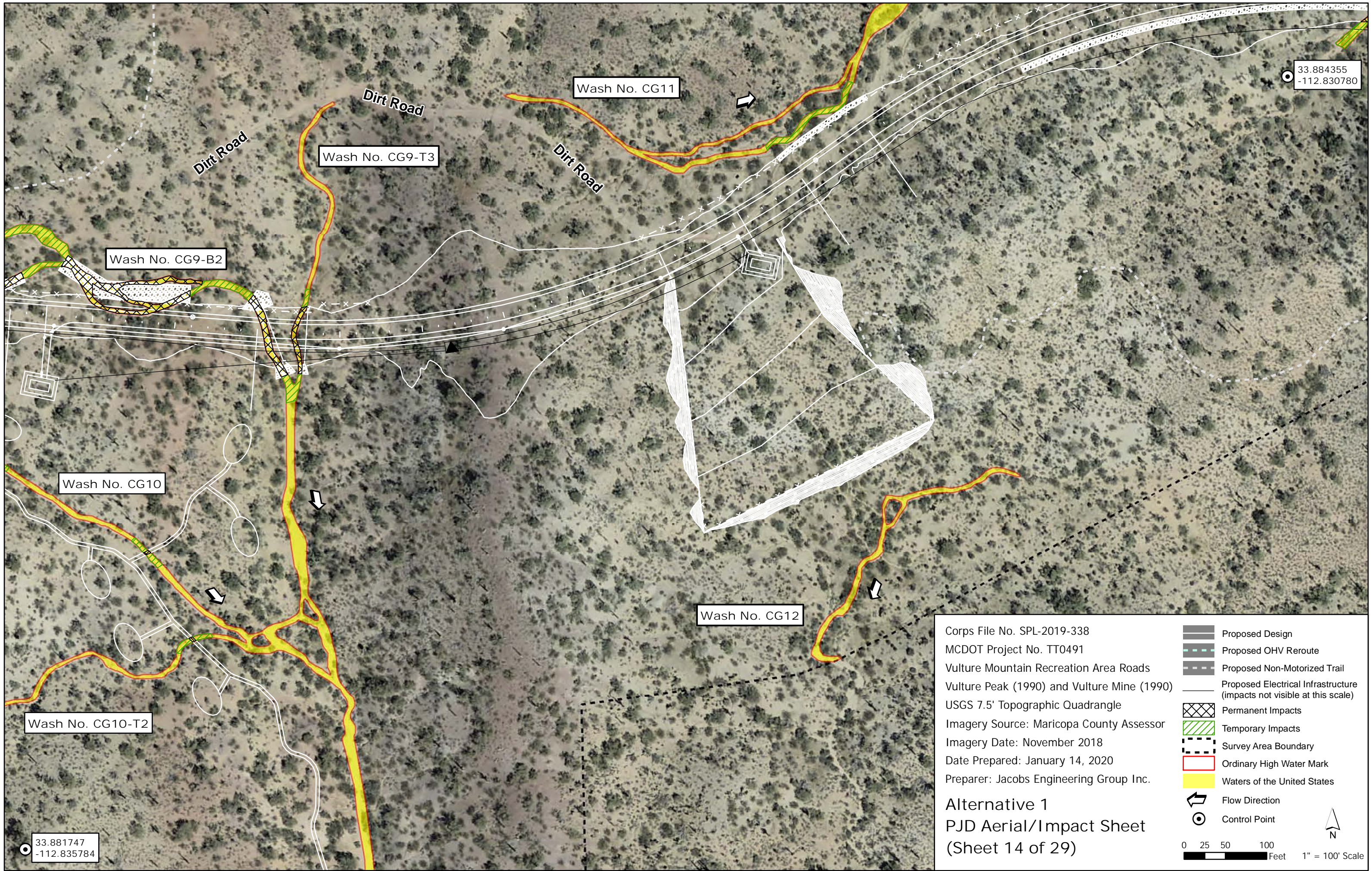
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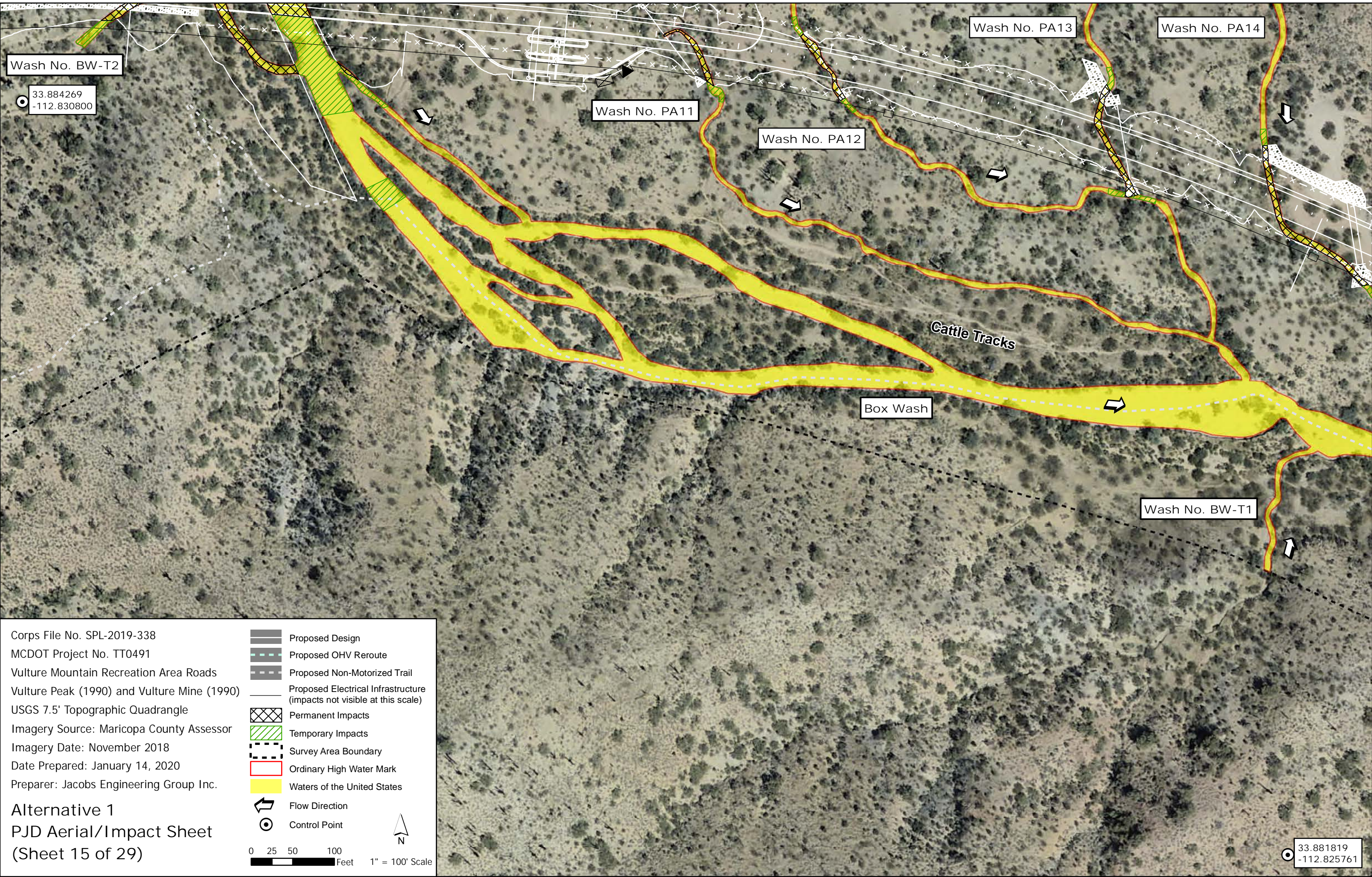
Wash No. PA12

Wash No. PA13

Wash No. PA14-T4

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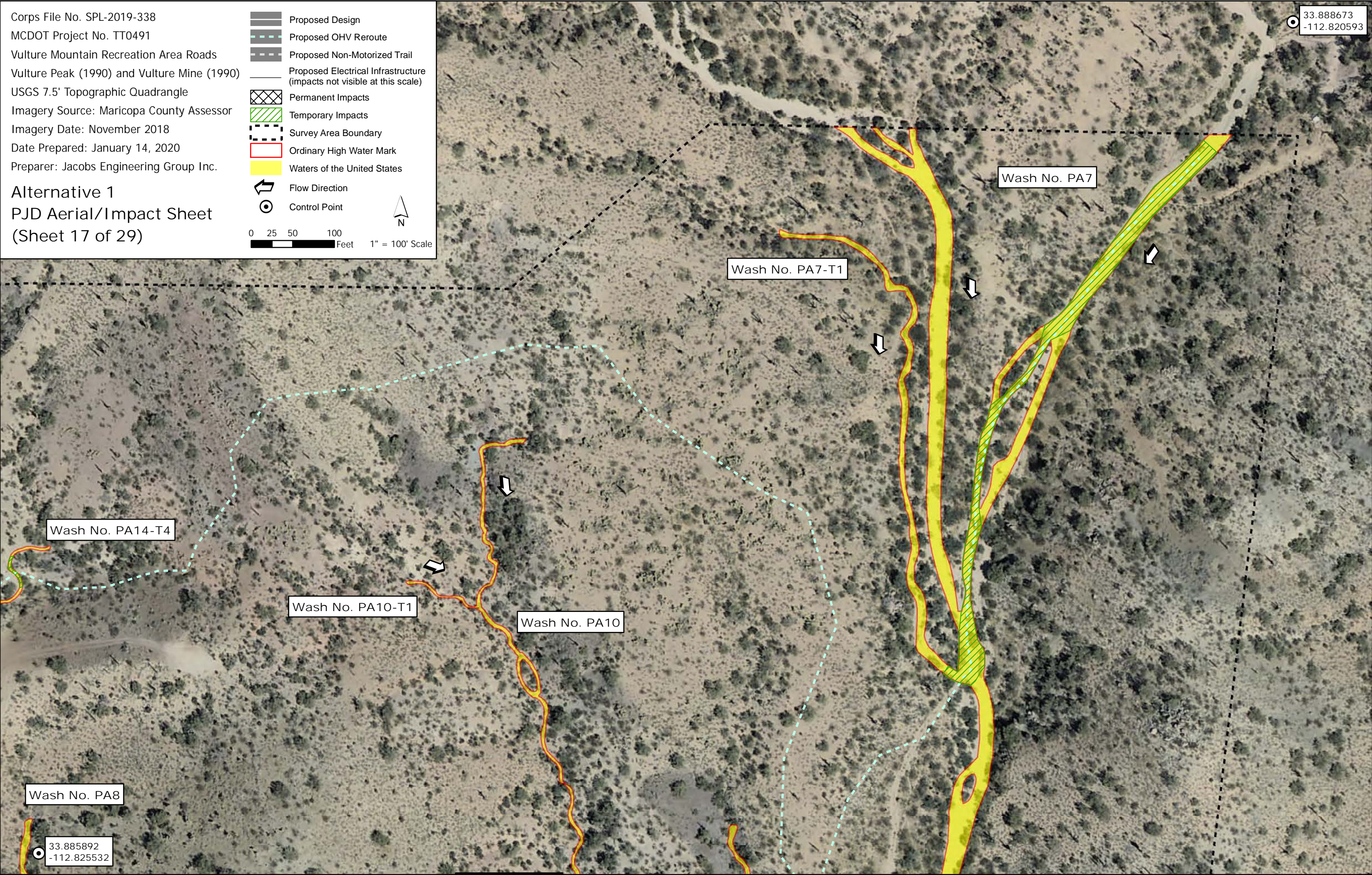
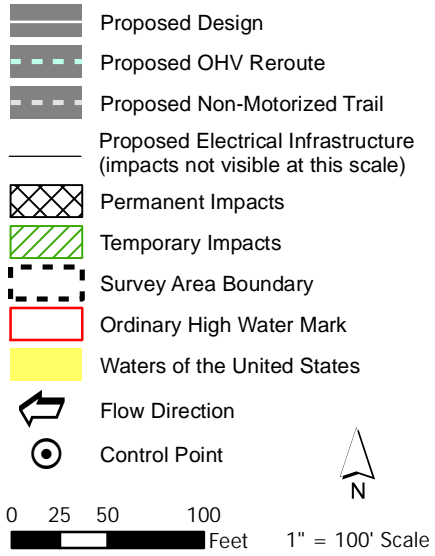


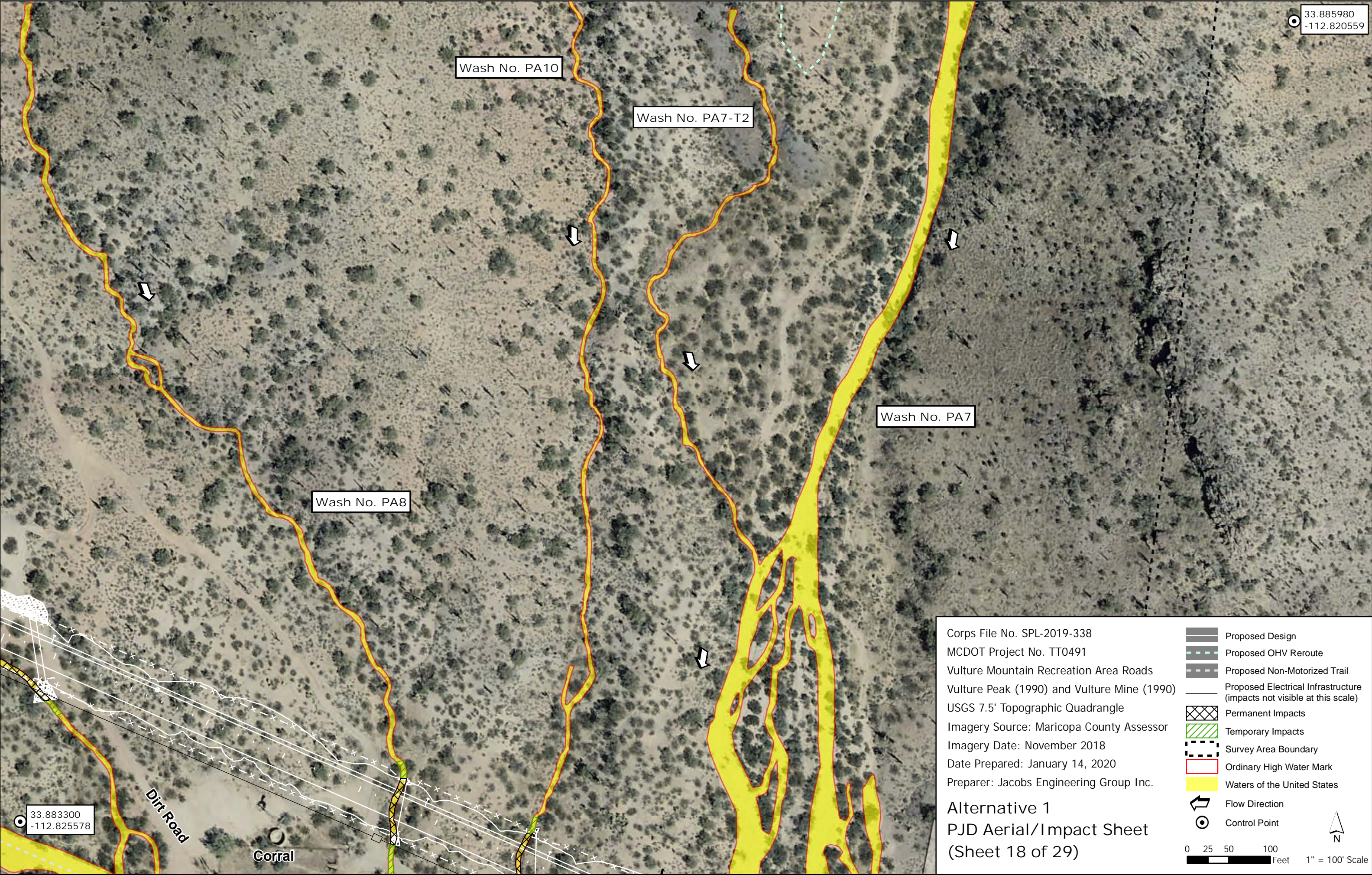


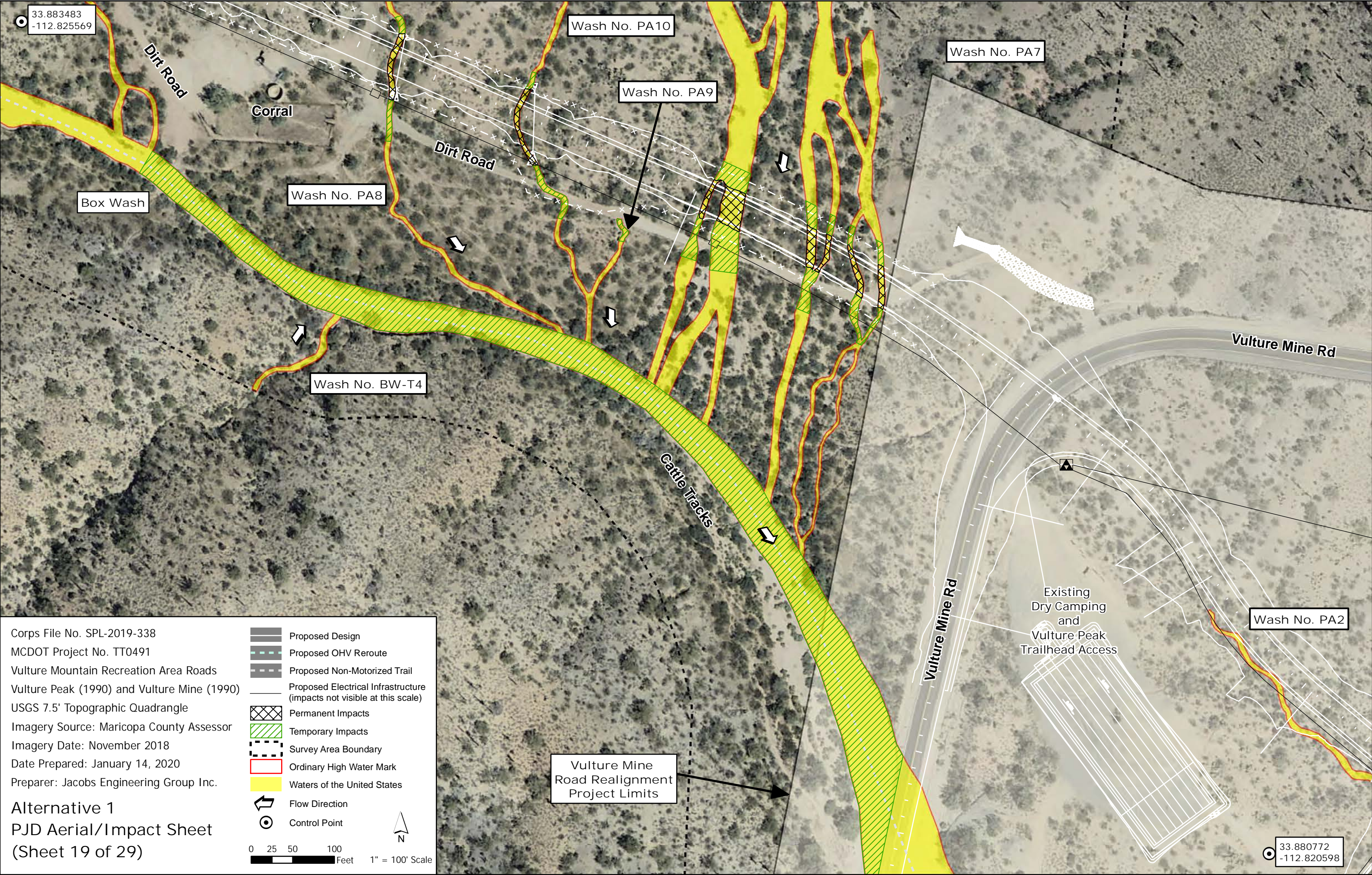


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Alternative 1
PJD Aerial/Impact Sheet
(Sheet 17 of 29)







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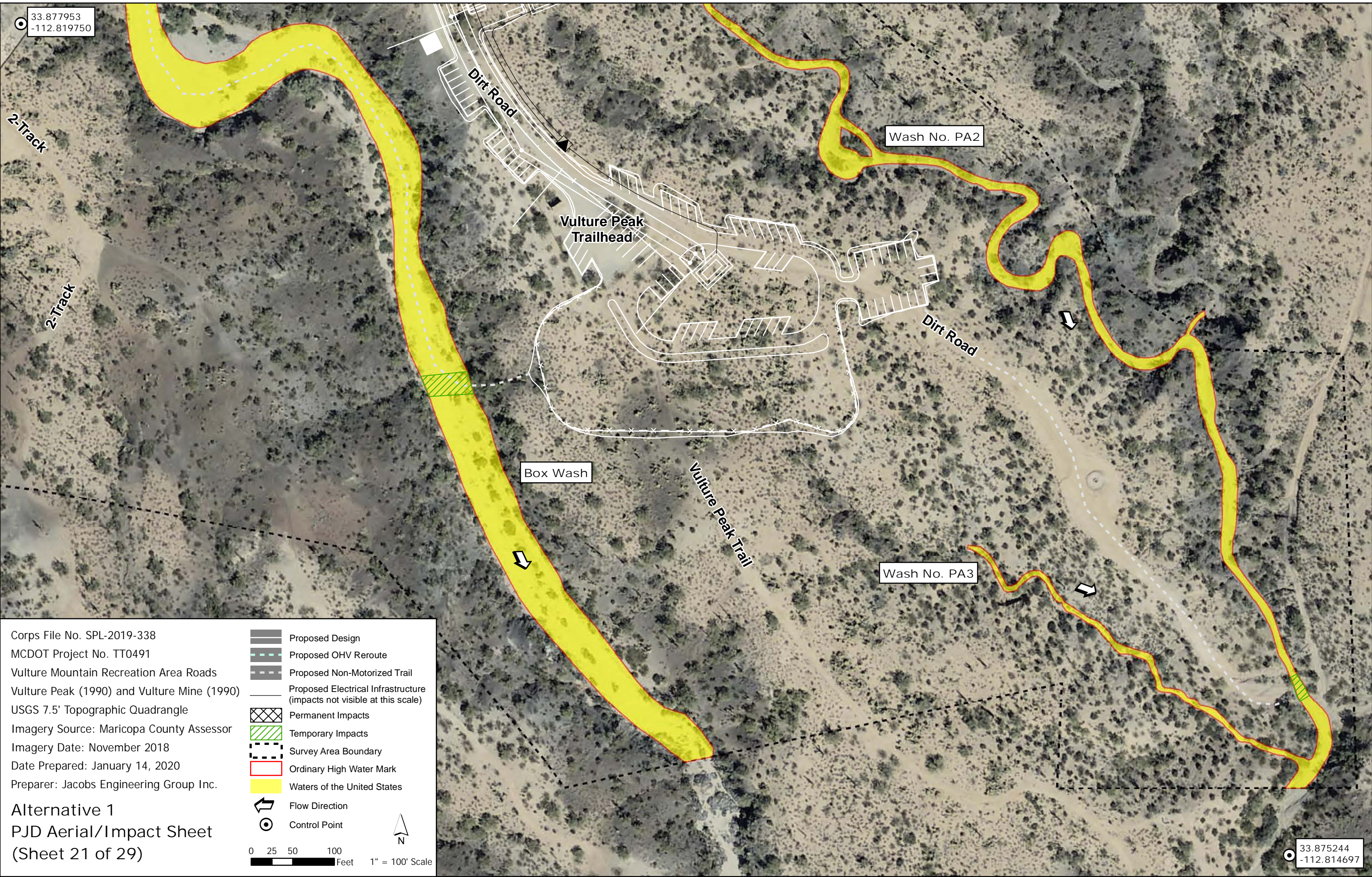
Alternative 1
PJD Aerial/Impact Sheet
(Sheet 19 of 29)

- Proposed Design
- Proposed OHV Reroute
- Proposed Non-Motorized Trail
- Proposed Electrical Infrastructure (impacts not visible at this scale)
- Permanent Impacts
- Temporary Impacts
- Survey Area Boundary
- Ordinary High Water Mark
- Waters of the United States
- Flow Direction
- Control Point

Vulture Mine Road Realignment Project Limits

33.880772
-112.820598





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Alternative 1
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(Sheet 21 of 29)

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- 0 25 50 100 Feet 1" = 100' Scale

33.829906
-112.834794

Wash No. SP21

Wash No. SP22

Wash No. SP20

Wash No. SP20-T1

Wash No. SP17

Wash No. SP16

Wash No. SP19

Wash No. SP18

Wash No. SP1

BLM Rt 9088D

33.827194
-112.829743

- Proposed Design
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0 25 50 100
Feet 1" = 100' Scale

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Imagery Date: November 2018
Date Prepared: January 14, 2020
Preparer: Jacobs Engineering Group Inc.

Alternative 1
PJD Aerial/Impact Sheet
(Sheet 22 of 29)

33.829922
-112.830039

Wash No. SP17

Wash No. SP1

Dirt Road

Wash No. SP16

Abandoned Airstrip

Wash No. SP6

Dirt Road

Corps File No. SPL-2019-338
MCDOT Project No. TT0491
Vulture Mountain Recreation Area Roads
Vulture Peak (1990) and Vulture Mine (1990)
USGS 7.5' Topographic Quadrangle
Imagery Source: Maricopa County Assessor
Imagery Date: November 2018
Date Prepared: January 14, 2020
Preparer: Jacobs Engineering Group Inc.

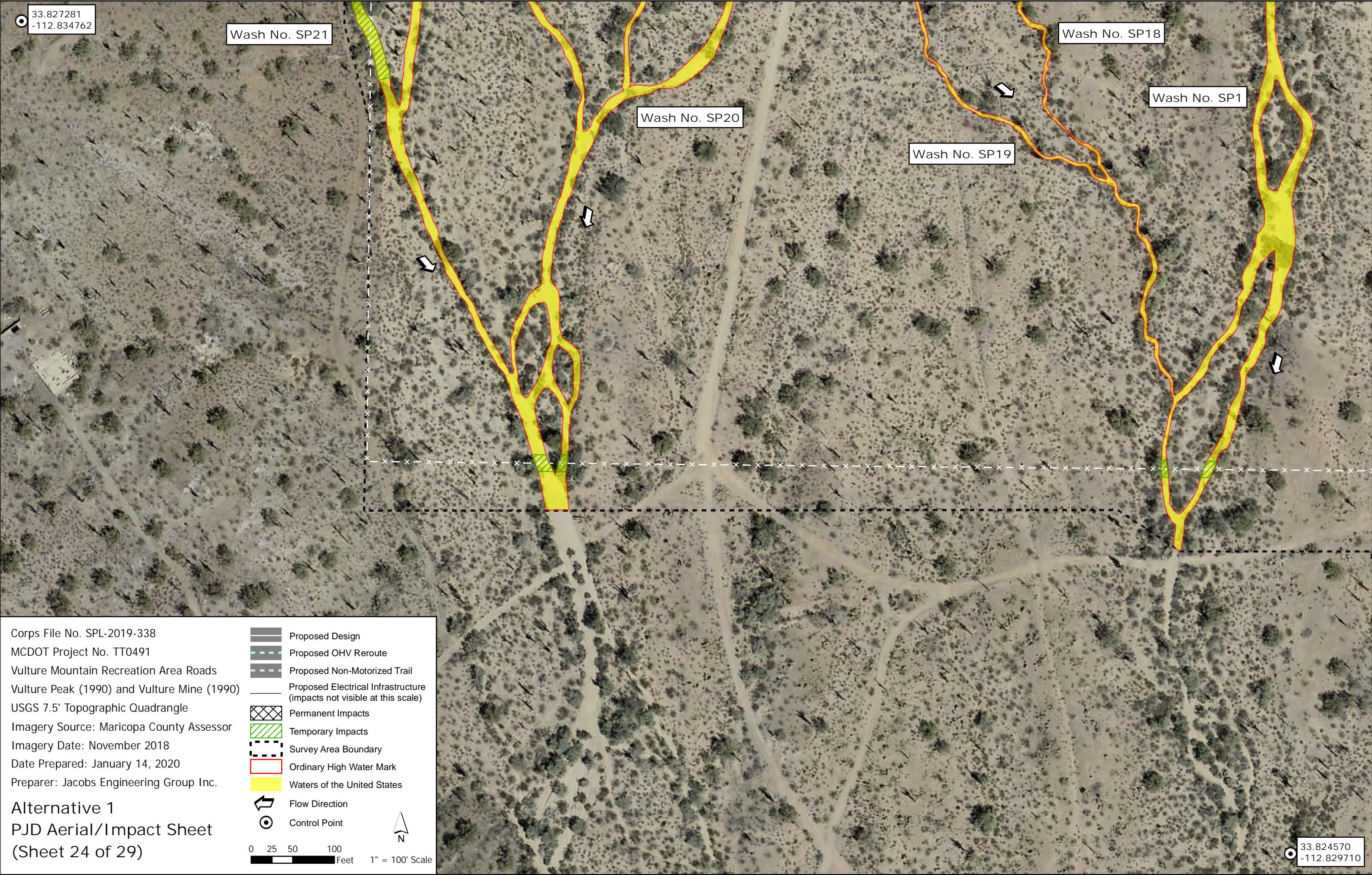
Alternative 1
PJD Aerial/Impact Sheet
(Sheet 23 of 29)

- Proposed Design
- Proposed OHV Reroute
- Proposed Non-Motorized Trail
- Proposed Electrical Infrastructure (impacts not visible at this scale)
- Permanent Impacts
- Temporary Impacts
- Survey Area Boundary
- Ordinary High Water Mark
- Waters of the United States
- Flow Direction
- Control Point

0 25 50 100 Feet
1" = 100' Scale



33.827208
-112.825303



Corps File No. SPL-2019-338
MCDOT Project No. TT0491
Vulture Mountain Recreation Area Roads
Vulture Peak (1990) and Vulture Mine (1990)
USGS 7.5' Topographic Quadrangle
Imagery Source: Maricopa County Assessor
Imagery Date: November 2018
Date Prepared: January 14, 2020
Preparer: Jacobs Engineering Group Inc.

Alternative 1
PJD Aerial/Impact Sheet
(Sheet 24 of 29)

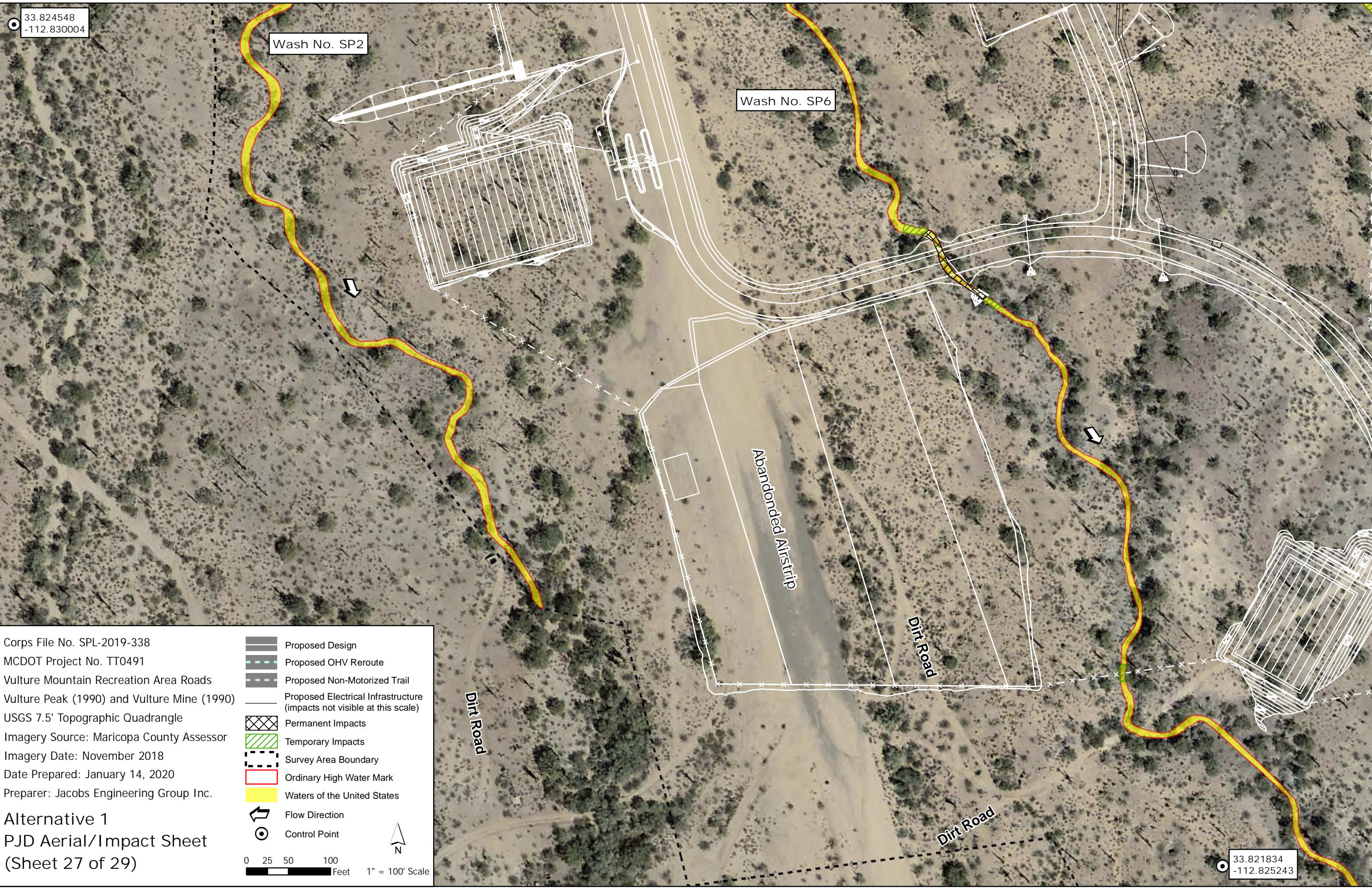
	Proposed Design
	Proposed OHV Reroute
	Proposed Non-Motorized Trail
	Proposed Electrical Infrastructure (impacts not visible at this scale)
	Permanent Impacts
	Temporary Impacts
	Survey Area Boundary
	Ordinary High Water Mark
	Waters of the United States
	Flow Direction
	Control Point

0 25 50 100 Feet 1" = 100' Scale

N







33.824548
-112.830004

Wash No. SP2

Wash No. SP6

Abandoned Airstrip

Dirt Road

Dirt Road

Dirt Road

33.821834
-112.825243

Corps File No. SPL-2019-338
MCDOT Project No. TT0491
Vulture Mountain Recreation Area Roads
Vulture Peak (1990) and Vulture Mine (1990)
USGS 7.5' Topographic Quadrangle
Imagery Source: Maricopa County Assessor
Imagery Date: November 2018
Date Prepared: January 14, 2020
Preparer: Jacobs Engineering Group Inc.

Alternative 1
PJD Aerial/Impact Sheet
(Sheet 27 of 29)

- Proposed Design
 - Proposed OHV Reroute
 - Proposed Non-Motorized Trail
 - Proposed Electrical Infrastructure (impacts not visible at this scale)
 - Permanent Impacts
 - Temporary Impacts
 - Survey Area Boundary
 - Ordinary High Water Mark
 - Waters of the United States
 - Flow Direction
 - Control Point
- 0 25 50 100 Feet 1" = 100' Scale

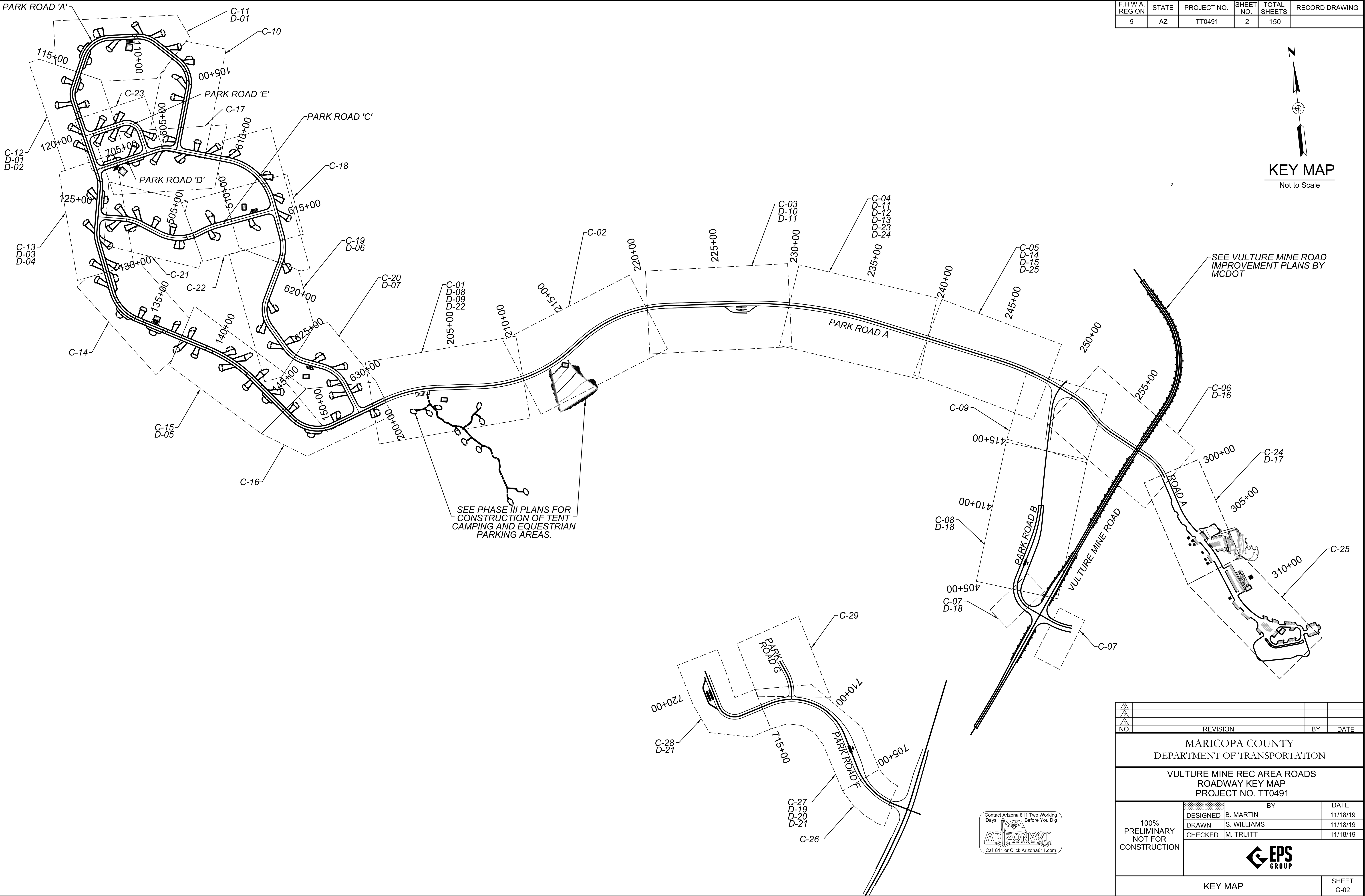
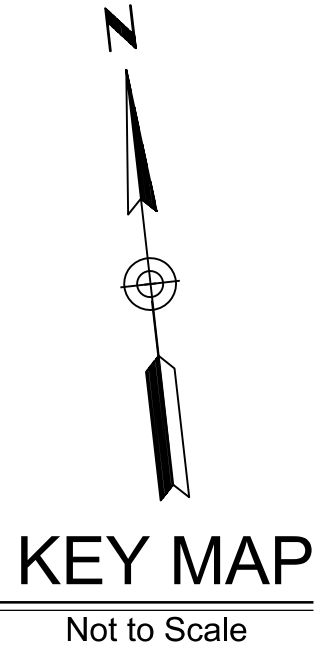




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F.H.W.A. REGION	STATE	PROJECT NO.	SHEET NO.	TOTAL SHEETS	RECORD DRAWING
9	AZ	TT0491	2	150	



NO.	REVISION	BY	DATE
MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION			
VULTURE MINE REC AREA ROADS ROADWAY KEY MAP PROJECT NO. TT0491			
100% PRELIMINARY NOT FOR CONSTRUCTION	DESIGNED	B. MARTIN	11/18/19
	DRAWN	S. WILLIAMS	11/18/19
	CHECKED	M. TRUITT	11/18/19
KEY MAP			SHEET G-02

TRACS NO.

