HARD ROCK PER'S 1978

Applicant	Mine Name	County	Mineral	PER Date
Anaconda Company	Berkeley Pit - Rampart Ridge Amendment	Silver Bow	Copper et al.	2/6/78
Ray Laslovich (contractor) (Anaconda Co. - Owner)	White Cliff - Orphan Girl Placer	Deer Lodge	Silica	

Office Copy

Department of Health and Environmental Sciences
STATE OF MONTANA HELENA, MONTANA 59601
John S. Anderson M.D.
DIRECTOR

January 6, 1975

RECEIVED
JAN 7 1975
ENVIRONMENTAL QUALITY COUNCIL

State Library, Helena
Board of County Commissioners, Hill County Courthouse, Havre
City-County Planning Board, Hill County Courthouse, Havre
Mr. John Herndon, County Sanitarian, Box 504, Chinook
Environmental Quality Council, Helena
Department of Fish and Game, Helena
Mr. Ralph J. Anderson, Vita-Rich Dairy, Inc., Box 790, Havre

A NEGATIVE DECLARATION
FOR THE
VITA-RICH DAIRY, INC. FARM

Pursuant to the Montana Environmental Policy Act, the following negative declaration has been prepared by the Department of Health and Environmental Sciences concerning the Vita-Rich Dairy and their request for a waste discharge permit for their animal confinement facility located east of Havre, Montana.

The purpose of this negative declaration is to inform all interested governmental agencies and public groups of the Water Quality Bureau's intent not to write an environmental impact statement. This negative declaration will be circulated for a period of ten days at which time a decision will be made as to whether or not a waste discharge permit should be issued. If you care to comment on this application for a permit, please do so within that allotted time.

The Vita-Rich Dairy, Inc. currently maintains a dairy operation with approximately 220 cows at a site approximately eight miles east of Havre, Montana on U. S. Highway No. 2. The animal confinement facility is located in the SW¼, NE¼, Sec. 3, T. 32 N., R. 17 E., of Hill County. This location is indicated on the attached map.

Most of the livestock at the dairy are held within a recently constructed controlled environment building. Within this building, waste material which is produced drops through slatted floors and is contained in a concrete pit located below. This waste material is then periodically removed and disposed of on adjacent agricultural land. Some replacement cattle are held in open lots in that same area. In the past, surface runoff from these open lots has been allowed to flow directly into the Milk River. Effective May 1, 1975, that area will be modified so that any surface runoff would be contained on the applicant's property rather than being discharged to the river. The waste material which accumulates on the feedlot surface is removed at least once per year and again disposed

of on adjacent agricultural land. Precautions will be taken to insure that the waste material which is being applied to this land is not carried by irrigation return flow into that same river.

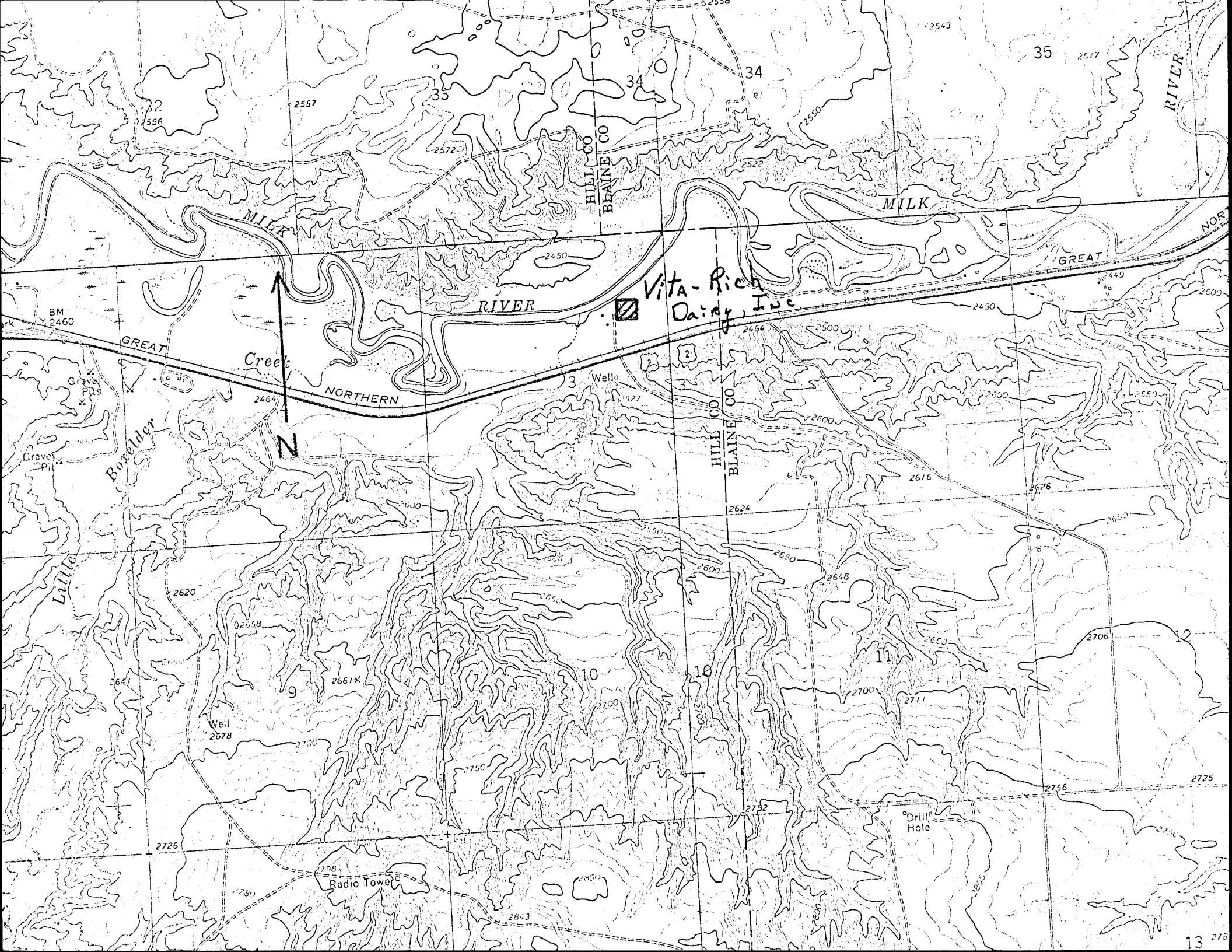
Flies and odors should not constitute a problem for the surrounding environment due to the type of animal confinement facility and the fly control program that is followed. While any livestock operation may have an effect on the surrounding environment, the adverse environmental effects can be minimized through an effective waste management program. The waste control facilities and waste management program outlined for this animal confinement facility should provide adequate environmental protection.

The only alternative that would be available to the applicant in this situation would be to relocate the existing operation. The recently constructed controlled environment building represents a substantial investment, and represents one of the best types of animal confinement facilities currently available. Relocation of such an operation does not, therefore, seem justifiable.

Steven L. Pilcher

Steven L. Pilcher
Agricultural Wastewater Specialist
Water Quality Bureau
Environmental Sciences Division

SLP:vlf
Attachment
cc: Ben Wake
Dan Vichorek
Air Quality Bureau


MILK
RIVER
GREAT
NORTHERN
Vita-Rich Dairy, Inc
HILL CO
BLAINE CO
Boxelder
Creek
Little
Gravel Pits
Well
Radio Tower
Drill Hole
BM 2460
N
35
34
3
10
11
12
13

Office Copy

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 7, 1975

IN REPLY REFER TO:

F 117 (13)
Park St. - Livingston

RECEIVED
JAN 8 1975
ENVIRONMENTAL QUALITY COUNCIL

Environmental Quality Council
Capitol Station
Helena, Montana 59601

Gentlemen:

Attached, for your information, are two (2) copies of the Agency Impact Determination for the above project, as approved by the Federal Highway Administration.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

By Stephen C. Kologi
Stephen C. Kologi, P. E., Chief
Preconstruction Bureau

32-SCK:mg
Enclosures

cc: K. F. Skoog

GEORGE VUCANOVICH, CHAIRMAN
HELENA

Wm. M. KESSNER, VICE CHAIRMAN
BLACK EAGLE

G. R. COONEY
BUTTE

R. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

MONTANA DEPARTMENT
OF HIGHWAYS

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

December 20, 1974

F 117 (13)
Part St.-Livingston

U. S. Department of Transportation
Federal Highway Administration
Helena, Montana 59601

Gentlemen:

This Agency Impact Determination is being submitted for your approval on Federal Aid Project F 117 (13), Park Street-Livingston.

At present there are three alternative designs being considered for construction of this project. These alternatives are:

1. a 4-lane on Park Street,
2. a one-way couplet on Park and Calender Streets, and
3. a 2-lane, 2-way on Park Street.

Further discussions on the alternative designs will be covered under Item #4.

At this time, the only alternative the people and the city of Livingston seem to be interested in is #3, which is the reconstruction of Park Street as a 2-lane. The attached documentation will verify this; therefore, the evaluation of the environmental public involvement impacts will be based only on Alternative #3. If another alternative is to be designed, the appropriate addendum or new environmental statement or negative declaration will be submitted as required.

1. LOCATION AND DESCRIPTION OF THE PROPOSED IMPROVEMENTS AND ITS SURROUNDING AREA.

This project is located in the city of Livingston. It begins at the southwest end of Park Street at the junction of old U.S. 10 and U.S. 89 and extends northeasterly to end near the city limits. The highway connects to Interstate 90 about 2± miles from either end of the project.

On the northwest side of the project are the Division Shops for Burlington Northern along with several other businesses. The southeast side of Park Street, it is all businesses except for a few homes near the project beginning. The area involved along Park Street is classified mainly as a commercial-industrial area.

The proposed improvement will closely align with the existing highway through town. The roadway width will also be similar having two driving lanes and two parking lanes for a total width of 44 feet. The proposed work will include grading, storm sewers, appropriate surfacing, striping, signing, utility moves, lighting, traffic signals, sidewalks, curb and gutter, and topsoil and seeding where necessary.

As presently planned, this 2-lane alternate would be a reconstruction of an existing facility to present standards. The existing roadway is rather dilapidated and requires considerable maintenance. Much of Park Street does not have storm sewer facilities and so water decay and frost upheaval require continual maintenance and repair. With installation of storm sewers, much of Park Street would already be disrupted and therefore it will be about as economical to reconstruct the entire street as part of it. Some minor grade changes may also be required in order to make use of the storm sewers.

2. PROBABLE IMPACT

The project should provide a safer and more efficient facility: not by shortening the roadway length, but rather by improving or installing some traffic signals, safer cross walks for school children, better signing, and appropriate lighting.

The various public facilities as well as businesses should benefit due to the safer traffic conditions and pedestrian crossings. Signalizing where Park Street intersects with 5th Street and with B Street may be required and possibly at 2nd Street, as it is approaching minimum warrants.

The new construction along with curb and gutter and sidewalks should enhance public parking and general traffic flow. The new storm sewers should help preserve the street and reduce maintenance. The construction of this project is expected to cost roughly $875,000.

Economically this project should have minimal, if any, effect on the area except possibly during construction. During construction some inconveniences to the businesses may occur even though detours and stage type construction will be considered. However, the construction should aid the employment in the area which in turn will benefit the businesses. Thus, the effects should be minor.

Also, since this project is not expected to involve any new or additional right-of-way, no change in taxes, land values or other economic responses to the project are expected. In addition, this project is all or mostly within the city limits and therefore, any additional strip development per se will be minimal.

There are no public parks, recreational areas, or historical sites on this project. We foresee no impact on fisheries.

Since the project is confined to a highly developed urban area, the only wildlife likely to be affected are songbirds. Maximum conservation of this resource would require saving as many trees as possible along the project. This is also desirable from an aesthetic viewpoint.

Examination of the aerial photos of the alternates show that Calender Street has considerably more trees along it than Park Street.

3. PROBABLE ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED.

Although air pollution is expected to be increased during construction, some abatement of this will be provided by requirements in the standard specifications and special provisions. Watering and similar means will be done to alleviate the dust problems associated with highway construction.

The Department of Health and Environment Sciences has reviewed the subject project. They stated, "We find there should be no adverse effects on air quality from the construction of this project. We know of nothing existing or planned that would adversely affect the project in air quality considerations. We assume the usual precautions will be taken during construction to protect the environment from excessive dust and that any clearing and grubbing will be done according to current specifications." This response to the "Letter of Intent" is attached.

We concur with this assessment that the project should not significantly affect the areas air quality. This project, by promoting better traffic flow may even improve air quality.

The only water pollution caused by this project would be storm sewer effluent. A settling basin is being considered for the storm sewer outfall to reduce pollution to any waterways. The Yellowstone River is near Livingston and would be the logical termini for the storm sewer outfall. No waterways are crossed by this project. Erosion control measures will be employed as needed on this project.

Future noise pollution may be a problem factor on this project. Using the NCHRP Report 117 method, it was found the future L10 noise level is about 77± dBA. Although this exceeds the 75 dBA allowable, the difference would hardly be discernable and the projection is based on the amount of noise created by present day vehicles. Vehicles of the future may create less noise than present day vehicles.

Some noise abatement measures would be considered except (with only about 60-foot of existing right-of-way and businesses next to property lines on both sides) no feasible method of abatement would be practical for the benefits received. Also, Interstate 90 already acts as a truck bypass around the city of Livingston.

In addition, this project would basically be a reconstruction of an existing facility and be in compliance with PPM 90-2, Section 4(a).

4. ALTERNATES

There are three(3) construction alternatives for the improving of the route of transportation. Only two alternatives were mentioned in the Letter of Intent and from the response correspondence, it appears that the alternative involving only 2-lane construction is the only acceptable one. On March 28, 1974, a Public Involvement Meeting for the subject project was held in Livingston. The majority of those present favored the two-lane construction. The meeting resume is dated April 2, 1974 and a copy is attached.

Following is a discussion of the three construction alternatives along with the "no-build" alternate:

ALTERNATIVE #1

This design would call for a 4-lane along Park Street. It would perhaps handle the traffic volumes better especially if left turn bays could be installed. In turn, this construction would require an extra 40 feet of right-of-way which would dislocate most of the businesses along the northwest side of Park Street including Burlington Northern's Depot, office and warehouse. This right-of-way would cost about $1,125,000 plus the cost of relocation. Some relocation problems would be encountered because of the type and number of businesses being displaced. Livingston has a population of about 7000 and there is hardly adequate room or sufficient facilities to handle the large displacement requirements within the central business district. Thus, this alternative could reduce the viability of the central business district and have substantial adverse socio-economic effects on Livingston.

Near the intersection of Park Street and B Street, there is an underpass connection to Park Street. By the widening to the north of Park Street, this access would be eliminated for an at-grade connection.

At present, Main Street goes easterly and passes under the railroad trackage. It angles northeast for about one block. It then curves sharply right (refer to attached sketch map) to form a street intersection with Park Street opposite "B" Street. Since the distance between the trackage and Park Street is only about 110± feet now, it hardly leaves room for the underpass and parallel street if another 40 feet is required for the widening of Park Street.

A number of additional utility problems would be encountered along with updating some of the city facilities. Some storm sewer would be required.

ALTERNATE #2

This alternative calls for a one-way couplet system utilizing Park Street for the west bound traffic and Calender Street for the east bound traffic. When examining the effects along Calender Street, there are various factors which should be considered. (1). The safety of children is vital and two schools, the Livingston Junior High School and the East Grade School, are both located along Calender Street. The Pioneer Nursing Home is on Calender Street between Yellowstone and Third Street. Although there are some businesses along Calender Street, there are also many blocks of residential homes along with the Fire Department fronting on it. The backing out of driveways could be hazardous. (2). Excessive noise pollution would be evident which would be unavoidable and incurable. With the schools, nursing home and residences, the noise pollution would be higher over the allowable than on Park Street. (3). Economically, the couplet would have an adverse effect on the residential areas. Whereas, heavy traffic flow is good for business and commercial areas, it has the opposite effect on residential value where safety and low noise are essential.

With this couplet, only a small amount of additional right-of-way would be needed in areas where the couplet splits and rejoins. This would be essential to blend the traffic off of and onto the highway. The couplet legs would each have two driving lanes with parking. The couplet would begin at about 6th Street and end at about "N" Street. This alternative was very strongly opposed at the Public Involvement meeting.

ALTERNATE #3

This alternative is the one most preferred by the local people and would have the least adverse impact and would have the lowest initial cost. There should be little, if any, additional right-of-way costs and minimal unility involvement. It would not change any traffic patterns and have the least environmental effects. It would be the reconstruction of an existing facility consisting of two driving lanes with parking for two-way traffic. New storm sewer facilities will be needed along Park Street regardless of the alternative.

It is estimated that the reconstruction of Park Street as a two-lane, two-way will be sufficient to handle the traffic flows for the next 14 years. Then, only a small segment may exceed the theoretic capacity at which time consideration could be given to making provisions for a median turning bay with limited parking or for the removal of parking and conversion to a 4-lane for the critical area.

ALTERNATE #4

This is the "no-build" alternative which would leave present facilities as they exist. Although the present facilities have two-lanes with parking, there is a need for curb and gutter, sidewalks, new surfacing, and storm sewers along much of the roadway through town. There is also a need for some traffic signals for safety reasons. These improvements would not only enhance the businesses, but also provide more enjoyable pedestrian facilities.

The present roadway was built some time ago and is in poor shape. Maintenance cost have increased and will do so more in the future unless the roadway is reconstructed.

5. RELATIONSHIP BETWEEN SHORT TERM USE AND LONG TERM PRODUCTIVITY

Since this project is within the city and anticipated to stay within existing right-of-way, there should be no significant change in land use or productivity. No change in area business, ranching, or railroad activity is expected because of this project. Perhaps in future years if the connecting roads to the Interstate are improved, more tourist traffic may be attracted. There is a bridge over the Yellowstone River a short distance east of town which will need to be replaced in the future.

Some short term inconveniences are expected during construction. However, detours and stage type construction should help reduce any adverse economic conditions. The local residents and area ranchers would still do business which is the main support for most merchants.

Traffic oriented businesses will be affected the most during construction. Service stations and motels or hotels may be adversely affected. On the other hand, the constractor's employees will need lodging, food, and gas so that in a smaller city the problems should be balanced out.

6. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES.

No resources other than money, energy, labor, and road building materials will be irretrievably committed to this project. The right-of-way is already committed for as long as travel over the roadway exists. From Table 1 of the FHWA Notice, dated December 27, 1973, it was calculated that 54,500 gallons of fuel would be consumed for construction of this project.

There does not appear to be any major commitment of resources that would affect the beneficial uses of the environment in the area.

7. BASIS FOR DETERMINATION

The attached "Letter of Intent" was sent to all persons and agencies considered to have an interest in the project. The mailing list is included with the letter. Following the letter are all the comments that were received. Also attached is an autoscreen print of the project.

Based on the foregoing, it is our opinion that the discussed project alternative does not significantly affect the environment and is not a major action. As previously mentioned, if another alternative is decided upon, the appropriate revision or addendum will be submitted as required.

The return of one signed copy of this statement indicating your concurrance will be appreciated.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

By Robert M Hudnall
for S. C. Kologi, P.E., Chief
Preconstruction Bureau

32-SCK:KFS:LBH:dt
Enclosures

cc: J. R. Beckert w/attach.
D. D. Anderson "
R. E. Champion "
S. C. Kologi "
K. F. Skoog "
W. H. Walters "
R. C. Holmes "

I Concur W S Dunlop
for H. M. Stewart
Federal Highways

Date 1/2/75

F.6

Office Copy

Department of Health and Environmental Sciences
STATE OF MONTANA HELENA, MONTANA 59601
John S. Anderson M.D.
DIRECTOR

January 8, 1975

RECEIVED
JAN 9 1975
ENVIRONMENTAL QUALITY
COUNCIL

State Library, Helena
Board of County Commissioners, Flathead County Courthouse, Kalispell
City-County Planning Board, Room 3, The Ford Building, Kalispell
B. C. McIntyre, M.D., Co. Health Off., Box 427, Whitefish
Co. Sanitarian's Office, Box 919, Kalispell
Mr. Dave Nunnallee, Branch Office, Box 1031, Kalispell
Environmental Quality Council, Helena
Department of Fish and Game, Helena
Mr. Kenneth W. Smith, Route 4, Box 340, Kalispell
Mr. Jerry Chase, Route 4, Box 338, Kalispell
Mr. Glenn Roth, Route 4, Box 321, Kalispell
Mrs. Dee Bennett, Route 4, Kalispell
Mr. Peter Hertlein, Route 4, Box 38A, Kalispell

A NEGATIVE DECLARATION
FOR THE
KENNETH W. SMITH SWINE OPERATION

Pursuant to the Montana Environmental Policy Act, the following negative declaration has been prepared by the Department of Health and Environmental Sciences concerning the Kenneth W. Smith confined swine operation and his request for a waste discharge permit for this operation near Kalispell, Montana.

The purpose of this negative declaration is to inform all interested governmental agencies and public groups of the Water Quality Bureau's intent not to write an environmental impact statement. This declaration will be circulated for a period of ten days at which time a decision will be made as to whether or not a waste discharge permit should be issued. If you care to comment on this application for a permit, please do so within that allotted time.

Mr. Kenneth W. Smith is in the process of constructing a confined swine operation having a total capacity for approximately 700 head. The animal confinement facility consists of farrowing through finishing with all livestock being confined within three buildings. The animal confinement facility will be located in the N½ of the NW¼, Sec. 13, T. 28 N., R. 21 W., of Flathead County. The location of this operation is indicated on the attached map.

As indicated, all animals are confined within buildings. The waste material which is generated drops through slatted floors and is contained in a liquid manure pit located below each building. These pits alone or

in combination with an emergency storage pond will provide storage capacity for a minimum of 120 days waste production. The waste material will be removed from these storage facilities as necessary to maintain adequate capacity. The waste material which is removed will be disposed of on approximately 300 acres of adjacent agricultural land.

Flies around a total confinement facility such as this are normally not as significant a problem as would be found with an open lot type feeding operation. Flies around this facility will be controlled through routine application of fly baits. Dead animals will be disposed of at the county sanitary landfill.

Any animal confinement facility will have an effect on the surrounding environment, but adverse environmental effects can be minimized through a good waste management program. A total confined swine operation such as this which is managed properly should result in minimal adverse effects.

The only alternative available to Mr. Smith would be to relocate this operation. The operation in question appears to be located in an agricultural area and if the waste management program as outlined in his application is adhered to, minimal problems should result; and relocation would not be justified.

Steven L. Pilcher

Steven L. Pilcher
Agricultural Wastewater Specialist
Water Quality Bureau
Environmental Sciences Division

SLP:vlf
Attachment
cc: Ben Wake
Dan Vichorek
Air Quality Bureau

Kenneth Smith
Swine Operation
Gravel Pit
Montford Sch
Egan Sch
EGAN
FLATHEAD
Half Moon Slough
FLATHEAD R
N
BM
10
11
12
13
14
15
18
19
22
23
24
25
26
27
30
5343
5342
5341
5340
5339
5338
12'30"
10'
3180 III NE
(KALISPELL)

file

THOMAS L. JUDGE
GOVERNOR

Office Copy

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 9, 1975

IN REPLY REFER TO:

I 94-6 (15) 216
Wibaux Co. Line West

RECEIVED
JAN 10 1975
ENVIRONMENTAL QUALITY COUNCIL

Environmental Quality Council
Room 366, State Capitol Building
Helena, Montana 59601

Gentlemen:

Enclosed herewith for your information and files are two copies of the Negative Declaration for the above project as approved by the FHWA Division Engineer.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

By: Gerald L. Anders
Gerald L. Anders, P.E., Supervisor
Consultant Design Section

39-GLA:JGS:dt
attachment

cc: G. L. Anders

GEORGE VUCANOVICH, CHAIRMAN
HELENA

WM. M. KESSNER, VICE CHAIRMAN
BLACK EAGLE

G. R. COONEY
BUTTE

R. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

MONTANA DEPARTMENT
OF HIGHWAYS

K. Dahnen

Office Copy

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

December 20, 1974

39-JGS

I 94-6(15) 216
Wibaux Co. Line West

U.S. Department of Transportation
Federal Highway Administration
Helena, Montana 59601

Gentlemen:

This is to request your concurrence in the following Negative Declaration for the above project.

Reassessment of this project was approved by the Federal Highway Administration on August 19, 1971 but due to a policy change, reassessments no longer suffice for projects which have not yet gone to contract.

Design approval was received January 28, 1971.

1. LOCATION AND DESCRIPTION OF PROJECT

The proposed project begins about 2 miles east of Glendive and extends 16.98 miles easterly to the Dawson-Wibaux County Line.

It is to add 2-lanes parallel to the existing 2 lane Interstate with a horizontal separation of 70 feet between centerlines of roadways. The roadway would consist of 2-12 foot driving lanes with a 10 foot outside shoulder and a 4 foot inside shoulder. Plant mix surfacing and plant mix base with appropriate underlying gravel base courses is proposed.

Some new frontage and access roads and the old highway will serve to provide local access.

Two interchanges, Griffith Creek Interchange and Hodges Road Interchange, will be constructed to provide access to and from the Interstate.

A grade separation will be provided near the beginning of the project to allow a frontage road crossing at this point.

Another grade separation is proposed approximately a mile west of the end of the project to perpetuate existing access on each side of the Interstate.

A new bridge will be constructed over Griffith Creek, while a large structural plate arch pipe will be extended to accommodate Krug Creek.

A new rest area is proposed to serve motorists using the new 2-lane interstate. An

existing rest area now serves the people using the present 2 lanes. Abandonment of this area is being considered with the possibility of constructing a dual rest area at the Griffith Creek Interchange.

Stockpasses and combination stockpass-drains will be provided at appropriate locations. Most of the drainages are normally dry.

Present and future traffic volumes are 1515 ADT for 1967 and 4700 ADT for 1992. Most of the right-of-way was secured for the original 2 lane project and about 204 acres will be purchased for this project.

The economy of the area consists primarily of stock ranching and dry land crop farming. Glendive is the major population center with a 1970 population of 6305. The terrain is generally rolling to flat.

Access will be controlled throughout the project.

2. PURPOSE OF THE PROJECT

The purpose of the project is to complete a 4-lane link in the Interstate System on Route 94, thus eliminating the hazards associated with a 2-lane section of interstate highway. It will also fulfill a requirement of law as it relates to the Interstate and Defense Highway System.

3. PROBABLE IMPACT OF THE PROPOSED PROJECT

The project lies in a rural area and will have no effect on urbanization.

The land is presently used for grazing and some dry land crop farming. It is expected to remain in the same usage should the project be implemented.

Mail and school bus routes will not be significantly affected.

Access to health, education and religious facilities should be enhanced due to the increased safety and efficiency which the project will introduce. The same applies to access for fire protection and other emergency services.

Some utility moves will be involved, but are not significant because they are not extensive and will be of short duration.

Employment should not be affected except for a possible increase during the construction period.

There are no known archaeological resources within the project limits. However, the Statewise Archaeological Survey is contacted relative to all highway projects for their study and recommendations concerning archaeological sites approximately one year before the project is let to contract.

No parks and recreation lands, waterfowl and wildlife refuges nor historical or natural landmarks are involved. Attached is correspondence with the State Historic Preservation Officer relative to historic places.

There will be no displacement of people or businesses, nor replacement housing associated with the project.

Aesthetics throughout the proposed project will not be significantly altered.

The project would not adversely affect fish or wildlife.

4. PROBABLE ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

Noise, air and water pollution are adverse effects which cannot be totally avoided. During construction, water and air pollution will be more pronounced, but will be minimized by measures provided for in the Standard Specifications and Special Provisions.

Noise pollution will probably increase due to the increased traffic but will not be significant due to the sparse population of the area. A nomograph analysis shows the noise levels will be within acceptable limits of 75 dBA for land use Category C as set forth by the FHWA.

The contractor will be required to prevent construction operations or the results of construction operations from silting streams and impoundments. The construction of planned drainage facilities and the performance of other contract work that will help control siltation shall be done as soon as is practicable. The siltation control measures will be continued until the permanent drainage facilities have been constructed.

The contractor will shape the subgrade on road beds in the immediate vicinity of streams or impoundments prior to any lengthy suspension of construction operations. Shaping will be done in a manner that will permit runoff waters to be intercepted along the outer edges of the subgrade and drainage from the subgrade by temporary slope drains. The temporary slope-drains will be located along fill slopes at 500 foot intervals, approximately, and will be paved or covered with water-proof materials.

Pollutants such as chemicals, fuels, lubricants, bitumens, raw sewage and other harmful wastes will not be discharged into or alongside of streams, impoundments, or into natural or manmade channels leading thereto. The contractor will meet the requirements of the applicable regulations of the State Fish and Game Department, State Board of Health and other State or Federal regulations relating to the prevention or abatement of water pollution.

Section 69-4806 R.C.M. provides that it is unlawful to place any wastes in a location where they are likely to cause water pollution.

The design of highways can be an effective tool in reducing the air pollution concentrations in the air. Good design improves the operational characteristics of a transportation system, and thus reduces the emissions from motor vehicles; it can also be used to minimize the concentrations of air pollution to which people, vegetation, and structures are exposed.

The smooth operation of transportation systems is one of the most important means of reducing air pollution. Vehicles cruising at a constant speed on an uncongested highway emit relatively fewer pollutants than does traffic operating under congested conditions. Emissions during idling, acceleration, and deceleration are many times higher than those during constant speed conditions. Measurements show that the emission rate is 1.5 times the cruising rate when vehicles are idling and 9 times the cruising rate when vehicles are declerating. Further, such increase in route speed accelerates the mixing of all the pollutants and prevents zones of intense concentration from forming in sensitive areas.

Even though air pollution reduction is not one of the objectives of the project, it is an important by-product of improved traffic flow. Actions such as reducing grades, flattening curves, and reducing congestion, improve traffic flow and a comparable decline in air pollution can be expected for the operating system.

The contractor will inform himself of all applicable Montana State Board of Health requirements and similar State or Federal requirements pertaining to control of or abatement of air pollution. He will provide such air pollution control measures as are required to comply with the minimum standards established by such agencies. All plant-mix plants will be equipped with a dust collector constructed to waste or return uniformly to the hot elevator all or any part of material collected as directed. Scrubbers or similar devices will be used when required by the State Board of Health.

When burning is permitted by the contract, the contractor must have a permit from the Director of Air Pollution Control and Industrial Hygiene, Montana Department of Health. The permit will stipulate the conditions and method of burning. Burning must be accomplished under the constant care of competent watchmen.

The provisions for air quality controls are not in conflict with the State Implementation Plan as prepared by the Department of Health and Environmental Sciences. The project is not in an air quality maintenance area nor does it exceed EPA guidelines.

There may be an increase in noise levels following construction due to larger volumes of traffic; however, future legislation will undoubtedly contribute to the control of traffic-generated noise problems at the source. However, until quieter vehicles can be designed, manufactured, and the present noisier vehicles outlive their usefulness, highway design techniques can be utilized to minimize the impact of traffic-generated noise on adjacent areas. Such things as flattening curves, reducing grades, and improving traffic flow all tend to minimize noise generation.

Vegetation and top soil will be removed as required for construction. Such areas will have the top soil replaced and will be seeded, thus minimizing erosion. The project plans will provide special facilities such as embankment protectors and rip rap to control erosion at other problem areas. Temporary erosion control measures (such as slope drains and backfilling depressions with free draining material, etc.) will be taken during construction.

5. ALTERNATIVES TO THE PROPOSED PROJECT

One alternative would be not to construct the project. However, this would leave a section of 2 lane Interstate, thereby not complying with the intended purpose of a national network of 4 lane Interstate. In turn, this would result in an unsafe stretch of road and for these reasons it is felt the no-build alternate should not be considered further. LAW

The proposed alignment is pretty much dictated by the route selected for the original 2 lane at which time other alternates were studied. This is a matter of record in the original location study.

6. RELATIONSHIP BETWEEN SHORT TERM USE AND LONG TERM PRODUCTIVITY

The short term and long term effect of construction will not significantly change the farming and ranching operations taking place in the area. As time goes on, highways

will be used more and the demand for safer and more efficient transportation will be greater. The project will provide a better farm to market facility.

7. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Land taken for right-of-way represents such a commitment as long as the highway is in useful existence. If it should be abandoned, it could be restored to its present state.

Materials used in construction, energy and monetary expenditure will be committed resources. The project is estimated to cost about $6,345,000. Oil based products are estimated at 1,269,000 gals. Deisel #2, 173,000 gals. gasoline and 9900 tons asphalt.

There will be no significant effect on social and cultural resources.

The project has progressed from the preliminary planning stages to its present status and proper consideration has been given to the social, economic and environmental aspects.

8. BASIS FOR NEGATIVE DECLARATION

Based on the foregoing, it is felt that the project will not significantly affect the environment and that the negative declaration is appropriate.

Your early return of the signed original of this statement will be appreciated along with confirmation of design approval.

39-SCK/GLA/JGS/lkl

cc: G.L. Anders

Very truly yours,
H.J. ANDERSON
DIRECTOR OF HIGHWAYS

By Stephen C. Kologi
Stephen C. Kologi, P.E., Chief
Preconstruction Bureau

I concur H.N. Stewart
H.N. Stewart
Division Engineer
Federal Highway Administration

Date 1/11/75

Date Recd. Preconst. 1-8-75

Act	Info	MAIL ROUTE	Attach	Initial
		30		
		31		
		32		
		33		
		34 Railroad		
		35		
	✓	Bruce Rice		
		36 Hydro		
	✓	37 Traffic Design		
		38 Structure		
	✓	39 Consultant Design		
		40		
	✓	File		

February 14, 1974

39-JGS

I 94-3(20)114
Hathaway E. & W.
I 94-7(15)216
Wibaux County Line-West

Mr. Ashley C. Roberts
Administrator, Recreation and
Parks Division
Montana Department of Fish & Game
Sam W. Mitchell Building
Helena, Montana 59601

Dear Mr. Roberts:

The Department of Highways is in the process of preparing Negative Declarations for the above projects.

The Hathaway East and West project lies in Rosebud County. It begins approximately 25 miles west of Miles City and proceeds easterly 5.6 miles to the Rosebud-Custer County Line. It will be an added 2-lane parallel to the existing 2 lane Interstate highway.

The Wibaux County Line West project will be located in Dawson County, approximately 16 miles in length, from east of Glendive westerly to the Wibaux County Line. It too is an add 2 lane parallel to the existing 2-lane Interstate.

We would appreciate a letter from you identifying any properties in the project areas which may be eligible for nomination to the National Register of Historic places. To our knowledge there are none presently listed in the Register.

Thank you for your assistance in this matter.

Very truly yours,

H.J. ANDERSON,
DIRECTOR OF HIGHWAYS

39-SCK/GLA/JGS/dm

By _____
Stephen C. Kologi, P.E.,
Supervisor-Preconstruction Sect.

STATE OF MONTANA

DEPARTMENT OF

FISH AND GAME

Helena, Montana
February 27, 1974

Mr. Stephen C. Kologi, P.E.
Supervisor-Preconstruction Section
Montana Department of Highways
State Highway Building
Helena, Montana 59601

Re: I 94-3(20)114, Hathaway E. & W.
I 94-7(15)216, Wibaux County
Line-West

Dear Mr. Kologi:

As per your request of February 14, we have reviewed the new edition of the Montana State Historic Preservation Plan for historic sites in the vicinity of the Hathaway East and West, and the Wibaux County Line-West highway projects. Presently, there are no historic sites within either project area listed in the Plan.

I would only recommend caution in construction as there may well be unidentified archeologic resources still within these areas. The Statewide Archeological Survey at the University of Montana should have more definite information on this aspect.

Thank you for contacting me.

Sincerely,

Ashley C. Roberts

Ashley C. Roberts
State Historic Preservation Officer

ACR:DGC:op

Date Recd. Preconst. 2-28-74

MAIL ROUTE

30

34 Hydraulic

Act | Info | Attach | Initial

File

Neg. Declaration file

Office Copy

Department of Health and Environmental Sciences
STATE OF MONTANA HELENA, MONTANA 59601

John S. Anderson M.D.
DIRECTOR

RECEIVED

JAN 10 1975

ENVIRONMENTAL QUALITY
COUNCIL

January 13, 1975

Honorable Thomas Judge, Governor, State of Montana, Helena
Carl Peters, Route 2, Lockwood, Billings
Board of County Commissioners, Courthouse, Billings
City-County Planning Board, Courthouse, Billings
Allen Bond, Sanitarian, 205 Courthouse, Billings
Yellowstone Development Council, Courthouse, Billings
Yellowstone County Attorney, Courthouse, Billings
The Billings Gazette, Billings
Department of Intergovernmental Relations, Division of Planning, Helena
Department of State Lands, Helena
Department of Natural Resources and Conservation, Helena
Department of Highways, Helena
Rick Graetz, Box 894, Helena
Mary Lee Reese, 29 South Alta, Helena
Department of Fish and Game, Helena
Northern Rockies Action Group, #9 Placer Street, Helena
Environmental Quality Council, Helena
Student Environmental Research Center, Room 212 Venture Center, University of Montana, Missoula
Montana State Library, Helena
Doris Milner, Montana Wilderness Association, Route 1, Box 1410, Hamilton
Billings Public Library, Billings
Environmental Studies Department, University of Montana, Missoula
Consumer Advocate, Governor's Office, Helena
County Assessor, Courthouse, Billings
County School Superintendent, Courthouse, Billings
Environmental Information Center, Box 12, Helena
Paul T. Richards, 902 North Park, Helena
Dan Smith, Citizens Alert for Guided Growth, 812 South Eighth, Bozeman
C. W. Gonder, 823 East Call Street, Livingston
Mrs. Winifred Lucky, 420 South Sixth Street, Livingston
Mrs. Vel Jansen, 430 South Sixth, Livingston
Trout Unlimited, Box 1534, Billings
Yellowstone County Sheriff, Courthouse, Billings

Enclosed is a negative declaration that has been prepared for East Ridge Estates near Billings, Montana, in Yellowstone County. This is being submitted for your information and comments.

Subdivision plans and specifications have been submitted to the Department of Health and Environmental Sciences for approval of water supply, sewage disposal, and solid waste disposal systems. This declaration defines the project and specifies those conditions under which the subdivision will receive approval without development of an environmental impact statement. This declaration is intended to assure all interested governmental agencies and public groups that this approval is being sought within the intent of both the Montana Environmental Policy Act and the Montana subdivision laws.

Sincerely yours,

D. G. Willems

D. G. Willems, P.E., Chief
Water Quality Bureau
Environmental Sciences Division

DGW:APK:sh
Enclosure
cc: Terry Carmody
Ben Wake

RECEIVED

JAN 10 1975

ENVIRONMENTAL QUALITY COUNCIL

MONTANA DEPARTMENT OF HEALTH
AND
ENVIRONMENTAL SCIENCES

January 13, 1975

A Negative Declaration
for
EAST RIDGE ESTATES,
a proposed subdivision in Yellowstone County, Montana

Pursuant to the Montana Environmental Policy Act, Section 69-6405 (b)(3); the act controlling both public and private water supply and sewage disposal for subdivisions, Section 69-5001 through 69-5009; and the act to control water pollution, Section 69-4801 through 69-4827, the following negative declaration is prepared by the Department of Health and Environmental Sciences, Environmental Sciences Division, Water Quality Bureau, concerning East Ridge Estates, a proposed subdivision in Yellowstone County, Montana, for which a submittal has been received requesting subdivision plat approval.

The purpose of this negative declaration is to inform all interested governmental agencies and the concerned public of the Water Quality Bureau's intent not to prepare a full environmental impact statement. This document will be circulated for 15 days.

This proposed development is located in the west half of Section 36, Township 1 North, Range 26 East, about two miles east of Billings. Old U. S. Highway 87 borders the property on the north and the Lockwood Junior High School on the east. The 60 acres would be divided into 106 lots with a minimum lot area of 20,005 square feet. The proposed subdivision is planned for permanent single-family residences.

Water Supply

Water will be supplied by the Lockwood Water Users Association through mains located in the dedicated streets and service lines to individual lots. The president of the Water Users Association has confirmed the availability of water for the subdivision.

Sewage Disposal

Sewage will be treated in individual septic tanks and disposed of through subsurface drainfields. Soil profile descriptions, percolation tests, and groundwater data indicate the lots are suitable for this purpose. Slopes of the drainfield sites range from zero to seven percent.

Solid Waste Disposal

It is proposed that D and F Sanitation of Billings will collect the solid waste. The waste will be deposited at the city of Billings landfill.

Utilities

Telephone and electric service will be underground. Natural gas is also available.

Roads

All roads in the development will be paved. Since this proposed subdivision borders U. S. Highway 87 and is a short distance from Interstate 90, traffic flows in the area should not be seriously altered.

Environmental Assessment

The primary environmental impacts would be those associated with conversion of agricultural land to residential use. The original irrigation canals were constructed in 1912, and winter wheat has been the most recent crop. However, the area surrounding the proposed development is primarily residential and is within the area governed by the Billings Comprehensive Zoning Plan and is in compliance with the codes set forth by this zoning. The lot sizes in the area served by the Lockwood Water Users Association are approximately the same size as proposed in this development. Other surrounding developments not served by the water system have a somewhat lower density.

Police protection is provided by the Yellowstone County sheriff's office, and fire protection is by a volunteer fire department. Ambulance service is available by privately-owned ambulance service from Billings, Montana. Hospital and physician services are available in Billings.

Mr. Dennis Espeland, Superintendent of the Lockwood School, is aware of this proposed development and states he is planning for it.

From an aesthetic point of view, the proposed development would place family residences in an area that is in fallow during part of the year and supports crops for part of the year. Since aesthetic considerations deal with judgments concerning beauty, the adversity of this impact is a matter of personal preference.

Adverse Impacts

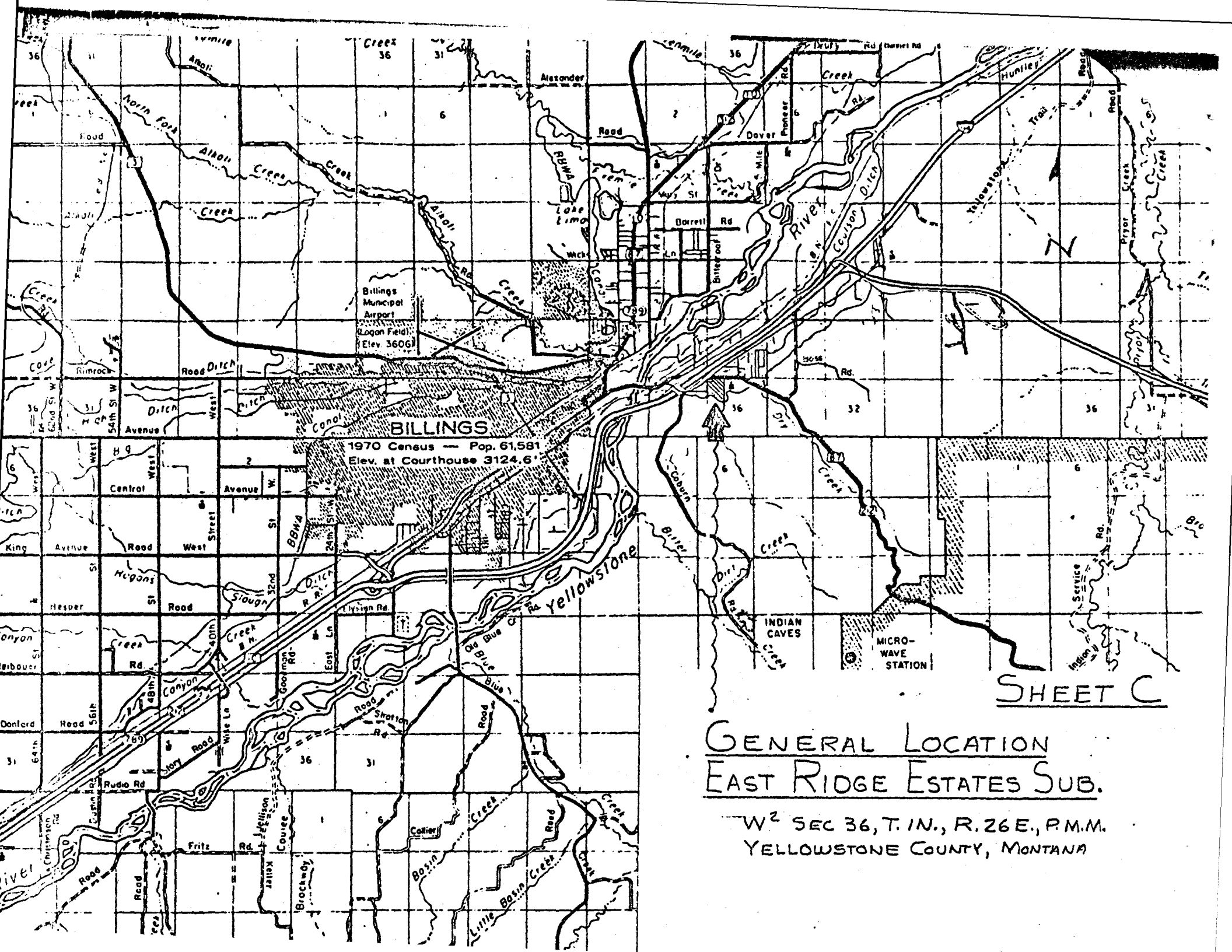
Adverse aesthetic impacts of this development would be minimized by the planning of the subdivision and through use of restrictive covenants. However, 60 acres of land would be irreversibly removed from agricultural production. The land would also be divided into a multiplicity of ownerships.

Conclusion

It has been established that the requirements for water supply, sewage disposal, and solid waste disposal can satisfy the laws

and regulations of the Montana Department of Health and Environmental Sciences. A certificate of approval will be issued fifteen days after the issuance of this declaration unless evidence is presented detailing unknown adverse impacts. This department's action is not considered to have a significant adverse effect upon the environment.

This negative declaration has been prepared by Alfred P. Keppner, B.S.F., M.S., Soils Scientist, Water Quality Bureau, Environmental Sciences Division, utilizing information presented by the developer.


BILLINGS
1970 Census — Pop. 61,581
Elev. at Courthouse 3124.6'
Billings Municipal Airport (Logan Field) (Elev. 3606)
Yellowstone River
Coulson Ditch
Alkali Creek
Alexander Road
Dover Road
Barrett Rd
Bitterroot
Hesper Road
Central Avenue
King Avenue
Hogans Slough
Elysian Rd.
Old Blue Creek
Shotton Rd.
Collier
Basin Creek
Little Basin Creek
Fritz Rd.
Rudio Rd
Story Road
Canyon Creek
Goodman Rd.
Wise Ln
Jellison Coulee
Keller
Brockway
Indian Caves
Micro-Wave Station
Huntley Trail
Pryor Creek
Service Rd.
Indian
Rimrock Road
Ditch
Canal
Cove
Donford Road
Dry Creek
Coburn
Bitter
Hoss Rd.
Pioneer Rd
Mile
Wyo St
Lake Lima
RBWA
North Fork
Alkali
Creek
Road
Avenue
West
Street
Rd.
Ln
Hwy
Sheet C
General Location
East Ridge Estates Sub.
W² Sec 36, T. 1N., R. 26E., P.M.M.
Yellowstone County, Montana

fi6

Office Copy

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 13, 1975

IN REPLY REFER TO:

H. H. S. 127 (12)
Big Timber East

RECEIVED
JAN 14 1975
ENVIRONMENTAL QUALITY COUNCIL

Environmental Quality Council
Capitol Station
Helena, Montana 59601

Gentlemen:

Attached, for your information, are two (2) co-pies of the Agency Impact Determination for the above project, as approved by the Federal Highway Administration.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

By Stephen C. Kologi
Stephen C. Kologi, P. E., Chief
Preconstruction Bureau

32-SCK:mg
Enclosures

cc: K. F. Skoog

GEORGE VUCANOVICH, CHAIRMAN
HELENA

Wm. M. KESSNER, VICE CHAIRMAN
BLACK EAGLE

G. R. COONEY
BUTTE

P. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

MONTANA DEPARTMENT
OF HIGHWAYS

Mail & File

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

December 23, 1974

RECEIVED

JAN 14 1975

ENVIRONMENTAL QUALITY
COUNCIL

N.H.S. 127 (12)
Big Timber East

08-30.22-3 1

U. S. Department of Transportation
Federal Highway Administration
501 North Fee Street
Helena, Montana 59601

Gentlemen:

This Agency Impact Determination is being submitted for your approval on N.H.S. 127 (12).

This project is located in Sweetgrass County near the east Big Timber city limits on I.S. 10.

The anticipated work to be performed will be guardrail installation and some remedial action, probably chip and seal, to correct approximately 0.5 mile of slippery roadway.

It is our opinion that this project is not a major action and it will not significantly affect the environment. The project should not significantly affect the air, noise or water quality of the areas.

The work will not affect other public works activities or result in any alteration of land use or traffic flow patterns. No new right-of-way is anticipated. The major impact of the project will be to provide safer and more efficient transportation for the traveling public.

Your concurrence in this determination is requested.

Very truly yours,

J. J. [illegible]
DIRECTOR OF HIGHWAYS

By Robert M. Hudnall
for S. C. Kolosi, P.E., Chief
Preconstruction Bureau

I Concur [illegible]
for W. J. Stewart
Federal Highway Administration

Date 12-31-74

72-S.C.:KFS:mc:dt

cc: S. C. Kolosi
T. F. Skoog
R. C. Holman
D. D. Anderson

file

STATE OF MONTANA
DEPARTMENT OF AGRICULTURE

THOMAS L. JUDGE
GOVERNOR

GEORGE LACKMAN
COMMISSIONER
CAPITOL ANNEX BUILDING
HELENA, MONTANA 59601
TELEPHONE: 406-449-3144

RECEIVED

JAN 21 1975

ENVIRONMENTAL QUALITY
COUNCIL

January 15, 1975

Mr. John W. Reuss
Executive Director
Environmental Quality Council
1228 11th Avenue
Helena, MT 59601

Re: Proposed Seed Processing Plant Regulations

Dear Mr. Reuss:

Enclosed please find copies of the Montana Department of Agriculture's Environmental Assessment (EA) and Agency Impact Determination (AID) on the proposed seed processing plant regulations.

A public hearing will be held Thursday, February 13, 1975, at 10:00 A.M. at the Highway Department Auditorium in Helena, Montana. Comments on the regulations will be accepted at this time. Written comments should be addressed to Mr. George Lackman, Commissioner, Department of Agriculture, Capitol Annex, Helena, Montana 59601, and should be received on or before February 13, 1975.

Sincerely,

George Lackman

George Lackman
Commissioner

LOREN

STATE OF MONTANA
DEPARTMENT OF AGRICULTURE

GEORGE LACKMAN
COMMISSIONER
CAPITOL ANNEX BUILDING

HELENA, MONTANA 59601

TELEPHONE:
AREA CODE 406
449-3144

RECEIVED
JAN 27 1975
ENVIRONMENTAL QUALITY
COUNCIL

January 24, 1975

John Rouss
Executive Director
Enviromental Quality Council
1228 11th Ave.
Helena, Montana 59601

Dear Mr. Rouss:

On Thursday, February 13, 1975 at 10:00 a.m., we are planning a hearing on the proposed Regulations governing seed cleaning facilities under the Agricultural Seed Warehouse Act.

The hearing will be held in the Department of Highways Auditorium.

Please review the attached proposed regulations and prepare written or oral testimony if you wish to comment at the hearing.

Very Truly Yours,

Charles R. Meyer

Charles R. Meyer
Administrator
Centralized Services

Enclosures

BEFORE THE DEPARTMENT OF AGRICULTURE

OF THE STATE OF MONTANA

In the Matter of the Department of Agriculture Adopting MAC Rule 4-2.6(1)-S630, To Implement Minimum Standards for Seed Cleaning Facilities and Licensing, Bonding, and Insurance requirements for Agricultural Seed Warehouse persons.	NOTICE OF PUBLIC HEARING FOR ADOPTION OF RULE MAC 4-2.6(1)-S630 (Agricultural Seed Warehouse Act.)

To: All Interested Persons

1. On February 13, 1975, at 10:00 A.M. a public hearing will be held at the State Highway Department Auditorium, Helena, Montana, to consider adoption of Rule 4-2.6(1)-S630, Agricultural Seed Warehouse Act.

2. The proposed adoption would update the Agricultural Seed Warehouse Act and add new material to it as required by the Montana Administrative Code.

3. The proposed rule would provide guidelines for the standards of equipment, licensing, warehouse persons, screenings, bonding, and insurance under the Warehouse Act for the Centralized Services Division for the Department of Agriculture.

4. A complete copy of the proposed rule may be obtained by contacting Mr. George Lackman, Commissioner of Agriculture, Montana Department of Agriculture, Helena, Montana, 59601.

5. Interested persons may present their data, views or arguments, whether orally or in writing at the hearing.

6. Mr. George Lackman, Commissioner of Agriculture, Capitol Annex Building, Helena, Montana 59601, has been designated as hearing officer, to preside over and conduct the hearing.

7. The authority of the Department to adopt the proposed rules is based on Section 82A-107.

By: George Lackman
Commissioner of Agriculture

Certified To The Secretary of State January 14, 1975.

MAC Notice 4-2-16

- PROPOSED -

REGULATIONS OF THE COMMISSIONER OF AGRICULTURE UNDER THE AGRICULTURAL SEED WAREHOUSE ACT

Second Draft
Dec. 19, 1974

Regulation 1. Minimum standards for equipment for facilities to be licensed.

A. Seed processing plants will be licensed as follows:

(1). A first class seed cleaning plant must have:

(a) The seed processing plant shall be separate from any commercial grain handling and marketing functions.
(b) An air screen cleaner with no less than three screens.
(c) A dimensional separator or gravity type equipment that can be readily cleaned.
(d) A treater that will apply a uniform coating of treat to the seed, if seed is to be treated.
(e) All seed handling equipment, such as augers, elevator legs, bins and spouts shall be accessible for cleaning and inspection to prevent crop or variety mixtures.
(f) Equipment and procedures to uniformally blend a lot or lots of seed, when seed is to be blended.
(g) Seed sampling probes or sampling equipment appropriate for seed normally processed in a plant.

(2). A commercial seed cleaning plant must have:

(a) (1) An air screen cleaner with no less than two screens (scalper and grader) and a dimensional separator:
(2) Or a dimensional separator in combination with air and scalper attachments.
(b) A treater that will apply a uniform coating of treat to the seed if seed is to be treated.
(c) Seed handling and processing equipment so constructed that it can be cleaned.
(d) Equipment and procedures to uniformally blend a lot or lots of seed when seed is to be blended.
(e) Seed sampling probes or sampling equipment appropriate for seed normally processed in a plant.

(3). A substandard cleaning plant (this class will not be licensed after July 1, 1978) must:

(a) Have cleaning equipment that will improve the percentage of pure seed (not genetic purity) and will not add other crop seed or weed seed to the grain being cleaned.
(b) Have handling equipment that can be operated to prevent contamination.

B. Seed Labeler - No specific equipment requirements.

C. Seed Buyer - No specific equipment requirements.

D. Public agriculture seed warehouse:

(1) Must provide appropriate storage space and conditions so that when

agricultural seed is properly conditioned and placed in storage it will not be contaminated nor deteriorate beyond that normally expected during storage.

(2) Proper equipment and facilities must be provided to prevent contamination and preserve identity of a lot of bulk seed.

Regulation 2. Minimum standards for handling procedures by licensed facilities.

A. Seed processing plant shall:

(1) Account to the producer for all seed lots submitted to the processor. The processing report shall show gross weight of seed received, cleanout (screenings and air loss) and clean seed yield for each lot.

(2) Post a basic price schedule for cleaning operations.

(3) Obtain a "dirt" or unclean seed sample at time of delivery of seed plus a sample of cleaned seed, (a minimum of 500 grams (24 ounces) for cereals and large seeded legumes; and 150 grams (6 ounces) for small seeded legumes and grasses) with appropriate identification. Samples shall be held for one year.

(4) Handle all screenings in compliance with regulation 5.

(5) Handle each lot of seed received in such a way as to maintain its identity.

(6) Each plant shall reserve the right to refuse any material for processing or storage when in his opinion it will be unfit for seed purposes or will contaminate or otherwise destroy the effectiveness or efficiency of the plant operation.

(7) First class and commercial cereal seed cleaning plants shall in addition to 1-6:

(a) Clean all seed handling equipment between lots to prevent mixing of varieties and kinds.
(b) Operate all equipment in a manner to clean seed to acceptable trade standards.

B. Seed labelers shall:

(1) Attach a legible label that provides the information required under Section 3-802.2 R.C.M. 1947 as amended, to each container that is offered for sale or is distributed to a retail seed dealer.

(2) Provide the information required under Section 3-802.2 R.C.M. 1947 as amended, along with shipping documents or bulk seed shipments or sales and on seed lots shipped to another seed labeler.

(3) When adding new germination test data to an existing label the person adding the new test data shall do so with a supplemental label bearing his name and address.

(4) A sample label and supplemental label shall be submitted along with the application for license.

C. Agricultural seed buyers shall use a contract form approved by the department. The contract must clearly state the terms of purchase and basis for payment. Before seed is transported out of the state the percentage of pure seed shall be determined. The seed shall be weighed at a scale designated in the contract. The seed buyer is responsible for the actions of his employees.

D. Public agriculture seed warehousemen shall:

(1) For scale tickets and warehouse receipts:

(a) Issue a scale ticket for each load of agricultural seed received by the warehouse. Scale tickets are not to be issued or held in lieu of warehouse receipts. There shall be plainly printed across the face of such scale tickets issued by the warehouseman in bold type the words, "THIS IS NOT A WAREHOUSE RECEIPT BUT SHALL BE EXCHANGED FOR A WAREHOUSE RECEIPT IF AGRICULTURAL SEED IS HELD IN STORAGE".

(b) Issue each day a warehouse receipt for each lot of agricultural seed received for storage during the day. All agricultural seed of one kind received from one owner during any one day may be construed to be a single lot. The numbers of the scale tickets shall appear on the face of the warehouse receipt for which it is issued. Warehouse receipts not picked up by the owner shall be held in safekeeping for him by the warehouseman.

(2) Maintain the identity and integrity of each lot of agricultural seed, when requested to do so, as it is delivered to the warehouse.

(3) Use a Public Seed Warehouse receipt form that meets the department's specifications. Receipts shall include within their printed terms;

(a) A statement that the warehouse is operated as a public agricultural seed warehouse under license issued by the Montana Department of Agriculture.
(b) A statement showing whether it is an original, duplicate, triplicate, or other copy and all copies other than the original shall state "Non-Negotiable".
(c) A statement showing the name of the public agricultural seed warehouse.
(d) A statement showing the name of the city or town where the public agricultural seed warehouse is located.
(e) The date the public agricultural seed warehouse receipt is issued.
(f) The number of the public warehouse receipt. All receipts shall be numbered consecutively as issued by each warehouseman.
(g) A statement that the agricultural seed is "Received in Store" from the person or persons, or firm or corporation named.
(h) A statement of the gross weight, tare and net weight of the cleaned lot load in pounds, the kind of seed, and any trade designation of grade or quality.
(i) A statement of the encumbrances such as cash or other advances.
(j) A statement that upon the return of the receipt properly endorsed by the person to whose order it was issued and the payment of the proper charges for storing and handling, delivery will be made in accordance with the provisions of the ticket.
(k) A statement that the agricultural seed is properly insured for the benefit of the owner.

The above statements must be followed by: The name of the public warehouse

issuing the warehouse receipt and the signature of the agent or manager of the public warehouse.

(1) The face of the public warehouse receipt shall provide for other statements and records such as the scale ticket numbers, or assembly sheet numbers, and other pertinent accounting or bookkeeping data providing that such statements or records do not in any way conflict with any State or Federal law pertaining to public agricultural seed warehousing.

(m) The back of the public warehouse receipt shall embody within its written or printed terms a statement of:

1. All storage and handling charges.
2. That delivery to the holder of receipts shall be as provided by the laws of Montana.
3. That receipt shall be issued only on actual delivery of agricultural seed into the warehouse, and shall not be given to cover agricultural seed of which the warehouseman is owner.
4. That delivery of agricultural seed to warehouseman for storage constitutes bailment and not a sale.
5. That if receipts are made in multiple form, the original shall be given to the owner of the agricultural seed; all copies other than the original must be marked NON-NEGOTIABLE.

(n) The back of the public warehouse receipt may also provide for endorsements and other statements or records pertinent to accounting or bookkeeping data providing that such statements or records do not in any way conflict with any State or Federal law pertaining to public agricultural seed warehouses.

The department will supply a suggested receipt format. Before printing the receipt forms each applicant for license should have the printer's proof approved by the department.

(4) Legal Agricultural Seed Public Warehouse Receipt. A legal public warehouse receipt is a receipt issued by a licensed public warehouseman on a form containing all the provisions of regulation 2. D. (3) and shall not be issued except for agricultural seed actually delivered to a public warehouse for storage.

If for convenience the holder of two or more warehouse receipts covering like seed wishes to combine them into a lesser number, the new warehouse receipt or receipts so issued shall state the fact that it was issued in lieu of existing warehouse receipts and the numbers of the warehouse receipts so combined shall be plainly shown and the warehouse receipts so combined shall state across the face "CANCELLED BY RECEIPT NO. _____" (showing the number of the new warehouse receipt issued in lieu).

(5) Limitation of Rulings. Nothing in these regulations shall be so construed as to prevent the operation of Sections 3-223 and 3-224 governing the collection of storage charges at termination of contract period June 30th of each year.

Regulation 3. A commercial seed plant, licensed to process seed under provisions of the act and these regulations, does not automatically qualify that plant to process certified classes of seed. Authorization for cleaning certified seed classes must be obtained from the authorized certifying agency.

Regulation 4. Bonding and insurance requirements.

A. Seed processing plants shall show evidence of a minimum of $ 300,000.worth of product liability insurance or evidence of a like amount of assets.

B. Seed labelers "shall show evidence of a minimum of $300,000 worth of product liability insurance or evidence of a like amount of assets.

C. Seed buyers shall provide a surety bond written on a form provided by the department, countersigned by a duly licensed resident agent of Montana. The amount of the bond shall be a minimum of $10,000.00 .

D. Public agricultural seed warehouses shall provide a surety bond written on a form provided by the department, countersigned by a duly licensed resident agent of Montana. The amount of the bond shall be a minimum of $10,000.00 .

In addition they shall show evidence that they carry adequate insurance to cover the value of all stored agricultural seeds.

Regulation 5. All licensed facilities shall have their license posted in a conspicuous place and all processing plants shall display a poster provided by the Department designating the classification of the facility.

Regulation 6. Screenings shall be handled as follows:

A. Screenings resulting from the contract cleaning of agricultural seeds are the property of the owner of the seeds, however since such screenings may contain viable noxious weed seed it shall be the responsibility of the processing plant to process or arrange for the processing of such screenings so the viability of noxious weed seed will be destroyed before returning them to the owner or the plant shall arrange for the disposal of such screenings and see that they are properly processed.

B. Screenings originating at in-state processing plants including screenings from the cleaning of commercial grain shall:

(1). Be stored in tight bins so weed seed cannot be scattered by the wind or other means.

(2). Be processed to destroy the viability of noxious weed seed before being used as animal feed or be used in any way in which the noxious weed seed may propogate its kind.

(3). Be transported only in tightly closed containers that will prevent the loss of weed seed in transit. The container must be cleaned after unloading.

C. (1). Screenings originating outside of Montana shall have the viability of Montana noxious weed seed destroyed by appropriate processing before being transported into the state.

(2). Screenings originating outside of Montana for transport through the state shall have the viability of the noxious weed seed destroyed or be transported in a tightly sealed container that will not allow the loss of the weed seed.

D. The viability of noxious weed seed may be destroyed by using a rotary grinder with 6/64 inch mesh screen or through a hammer mill or by using steam or a combination of steam and pressure.

Contact: Commissioner of Agriculture
Capitol Annex Building
Helena, Montana, 59601
Phone: 449-3144

January 23, 1975

Mr. George Lackman, Commissioner
Department of Agriculture
Capitol Annex
Helena, Montana 59601

Attention: Mr. George A. Algard

Dear Mr. Lackman:

Our staff has reviewed the Montana Department of Agriculture's Environmental Assessment and Agency Impact Determination on the proposed seed processing plant regulations.

The indirect effects of the proposed regulations to conserve energy, increase food production, and reduce the need for herbicide application are commendable. Such preventive weed control would also lend assistance to intensive agricultural techniques now prescribed by agronomists for controlling the spread of saline seep.

If these regulations will be as effective at reducing weeds as indicated in the assessment, then perhaps the Weed Control Districts and County Weed Control Departments also should be apprised at this early date so that they may plan to adjust their programs accordingly.

In addition the following individuals and agencies probably should be notified of the department's Agency Impact Determination and intention to promulgate the seed processing plant regulations in order to obtain the fullest possible range of constructive public comment at the hearing:

U.S. Department of Agriculture
Office of the Secretary of Agriculture
Washington, D.C. 20250

Dr. Roland R. Renne
International Trade Commissioner
President Emeritus/Adjunct Professor
Agricultural Economics and Economics
Montana State University
Bozeman, Montana 59715

Friends of the Earth
Attn: Edward Dobson
Box 882
Billings, Montana 59103

Student Environmental Research Center
Venture Center Room 212
University of Montana
Missoula, Montana 59801

Mr. A. B. Linford, State Conservationist
Soil Conservation Service
Box 970
Bozeman, Montana 59715

The Great Falls Tribune (State Editor)
Tribune Building
121 - 4th Street North
Great Falls, Montana 59401

Montana Chamber of Commerce
Box 1730
Helena, Montana 59601

The Billings Gazette (State Editor)
Box 2507
Billings, Montana 59103

Montana Farmer-Stockman
510 - 1st Avenue North
Great Falls, Montana 59401

Mont-Wyo News
Public Auction Yards
Exchange Building
Billings, Montana 59101

The Associated Press
Attn: News Editor
Box 577
Helena, Montana 59601

United Press International Radio News
2021 - 11th Avenue
Helena, Montana 59601

Thank you for your efforts toward compliance with the Montana Environmental Policy Act and the EIS Guidelines.

Sincerely,

John W. Reuss
Executive Director

by
Loren L. Bahls, Ph.D.

JWR:LLB:cnc

Dr. Johan Asleson
Dean of Agriculture &
Director of Experiment Station
Linfield Hall 202
Montana State University
Bozeman, MT 59715

Robert F. Bucher
Acting Director
Cooperative Extension Service
Linfield Hall 303
Montana State University
Bozeman, MT 59715

Glenn Moore, President
Montana Grain Growers Association
Willard, MT 59354

Lynn Stordahl
Montana Seedmen's Association
Iseman Seed Company
Fairfield, MT 59436

Ray Yort
Montana Grain Elevator Association
Con-Agra, Inc.
Great Falls, MT 59401

Howard Bowman
Secretary-Manager
Montana Seed Growers Association
Montana State University
Bozeman, MT 59715

Montana State Clearinghouse
Division of Planning & Economic Development
Capitol Post Office
Helena, MT 59601

The Honorable Thomas L. Judge
Governor of Montana
Capitol Building
Helena, MT 59601

John Reuss
Executive Director
Environmental Quality Council
1228 11th Avenue
Helena, MT 59601

North East Montana County Elevator Assn.
Clarence Olfert, President
Cargill Elevator
Wolf Point, MT 59201

Mr. Lyle McKeever
Montana Seed Growers Association
Loma, MT 59460

Mr. Oliver Thorvilson
Coast Trading Company
P.O.Box 1528
Great Falls, MT 59403

Mr. Art Shaw
Montana State University
Extension Service
Bozeman, MT 59715

Mr. Warren Weisener
Montana State University
Extension Service
Bozeman, MT 59715

STATE OF MONTANA
DEPARTMENT OF AGRICULTURE

THOMAS L. JUDGE
GOVERNOR

GEORGE LACKMAN
COMMISSIONER
CAPITOL ANNEX BUILDING
HELENA, MONTANA 59601
TELEPHONE: 406-449-3144

RECEIVED
JAN 21 1975
ENVIRONMENTAL QUALITY COUNCIL

January 15, 1975

MEMORANDUM

TO: Montana Seed Dealers, Seed Growers, Grain Growers and Elevator Associations, and any other interested parties

FROM: George Lackman, Commissioner
Montana Department of Agriculture

SUBJECT: Proposed Seed Processing Plant Regulations.

Enclosed please find copies of the Montana Department of Agriculture's Environmental Assessment (EA) and Agency Impact Determination (AID) on the proposed seed processing plant regulations.

A public hearing will be held Thursday, February 13, 1975, at 10:00 A.M. at the Highway Department Auditorium in Helena, Montana. Comments on the regulations will be accepted at this time. Written comments should be addressed to Mr. George Lackman, Commissioner, Department of Agriculture, Capitol Annex, Helena, Montana 59601, and should be received on or before February 13, 1975.

Sincerely,

George Lackman

George Lackman
Commissioner

AGENCY IMPACT DETERMINATION

January 15, 1975

Department: Montana Department of Agriculture
George Lackman, Commissioner

Prepared by: George A. Algard, Environmental Planner
Pesticide Division, Department of Agriculture

Type of Action: Agency Impact Determination

A. DESCRIPTION OF PROPOSED ACTION

The proposed introduction of seed processing plant regulations by the Commissioner of Agriculture. These regulations will be introduced under the Agricultural Seed Warehouse Act of 1973 (Section 3-315, R.C.M. 1973).

B. ENVIRONMENTAL IMPACT OF THE PROPOSED REGULATIONS

The Environmental Assessment (E.A.) addresses itself to the full range of impacts that have been determined at this time. The long-term gains which the regulations would bring to the producers and the State of Montana by greatly reducing weed seed and hence improving crop productivity far overshadows the short-term economic costs to the industry.

A number of informal meetings were held with seed dealers and seed growers last year (1974) when the regulations were being formulated, and their suggestions were incorporated into the regulations. The decision by the Commissioner of

Agriculture to hold a public hearing in February, 1975, will allow for any additional comments that any interested group or individual might wish to provide. Therefore, those individuals who will be affected by the regulations have had, and still have, the opportunity to express their opinions.

For the aforementioned reasons, it is the opinion of the Montana Department of Agriculture that the accompanying Environmental Assessment (E.A.) adequately addresses the impacts of the seed regulations and that the preparation of an Environmental Impact Statement (E.I.S.) would merely be a redundant exercise.

C. This action is considered: NOT SIGNIFICANT

GAA:jw

BEFORE THE DEPARTMENT OF AGRICULTURE

OF THE STATE OF MONTANA

In the Matter of the Department of Agriculture Adopting MAC Rule 4-2.6(1)-S630, To Implement Minimum Standards for Seed Cleaning Facilities and Licensing, Bonding, and Insurance requirements for Agricultural Seed Warehouse persons.	NOTICE OF PUBLIC HEARING FOR ADOPTION OF RULE MAC 4-2.6(1)-S630 (Agricultural Seed Warehouse Act.)

To: All Interested Persons

1. On February 13, 1975, at 10:00 A.M. a public hearing will be held at the State Highway Department Auditorium, Helena, Montana, to consider adoption of Rule 4-2.6(1)-S630, Agricultural Seed Warehouse Act.

2. The proposed adoption would update the Agricultural Seed Warehouse Act and add new material to it as required by the Montana Administrative Code.

3. The proposed rule would provide guidelines for the standards of equipment, licensing, warehouse persons, screenings, bonding, and insurance under the Warehouse Act for the Centralized Services Division for the Department of Agriculture.

4. A complete copy of the proposed rule may be obtained by contacting Mr. George Lackman, Commissioner of Agriculture, Montana Department of Agriculture, Helena, Montana, 59601.

5. Interested persons may present their data, views or arguments, whether orally or in writing at the hearing.

6. Mr. George Lackman, Commissioner of Agriculture, Capitol Annex Building, Helena, Montana 59601, has been designated as hearing officer, to preside over and conduct the hearing.

7. The authority of the Department to adopt the proposed rules is based on Section 82A-107.

By: George Lackman
Commissioner of Agriculture

Certified To The Secretary of State January 14, 1975.

- PROPOSED -

REGULATIONS OF THE COMMISSIONER OF AGRICULTURE UNDER THE AGRICULTURAL SEED WAREHOUSE ACT

Second Draft
Dec. 19, 1974

Regulation 1. Minimum standards for equipment for facilities to be licensed.

A. Seed processing plants will be licensed as follows:

(1). A first class seed cleaning plant must have:

(a) The seed processing plant shall be separate from any commercial grain handling and marketing functions.
(b) An air screen cleaner with no less than three screens.
(c) A dimensional separator or gravity type equipment that can be readily cleaned.
(d) A treater that will apply a uniform coating of treat to the seed, if seed is to be treated.
(e) All seed handling equipment, such as augers, elevator legs, bins and spouts shall be accessible for cleaning and inspection to prevent crop or variety mixtures.
(f) Equipment and procedures to uniformally blend a lot or lots of seed, when seed is to be blended.
(g) Seed sampling probes or sampling equipment appropriate for seed normally processed in a plant.

(2). A commercial seed cleaning plant must have:

(a) (1) An air screen cleaner with no less than two screens (scalper and grader) and a dimensional separator:
(2) Or a dimensional separator in combination with air and scalper attachments.
(b) A treater that will apply a uniform coating of treat to the seed if seed is to be treated.
(c) Seed handling and processing equipment so constructed that it can be cleaned.
(d) Equipment and procedures to uniformally blend a lot or lots of seed when seed is to be blended.
(e) Seed sampling probes or sampling equipment appropriate for seed normally processed in a plant.

(3). A substandard cleaning plant (this class will not be licensed after July 1, 1978) must:

(a) Have cleaning equipment that will improve the percentage of pure seed (not genetic purity) and will not add other crop seed or weed seed to the grain being cleaned.
(b) Have handling equipment that can be operated to prevent contamination.

B. Seed Labeler - No specific equipment requirements.

C. Seed Buyer - No specific equipment requirements.

D. Public agriculture seed warehouse:

(1) Must provide appropriate storage space and conditions so that when

agricultural seed is properly conditioned and placed in storage it will not be contaminated nor deteriorate beyond that normally expected during storage.

(2) Proper equipment and facilities must be provided to prevent contamination and preserve identity of a lot of bulk seed.

Regulation 2. Minimum standards for handling procedures by licensed facilities.

A. Seed processing plant shall:

(1) Account to the producer for all seed lots submitted to the processor. The processing report shall show gross weight of seed received, cleanout (screenings and air loss) and clean seed yield for each lot.

(2) Post a basic price schedule for cleaning operations.

(3) Obtain a "dirt" or unclean seed sample at time of delivery of seed plus a sample of cleaned seed, (a minimum of 500 grams (24 ounces) for cereals and large seeded legumes; and 150 grams (6 ounces) for small seeded legumes and grasses) with appropriate identification. Samples shall be held for one year.

(4) Handle all screenings in compliance with regulation 5.

(5) Handle each lot of seed received in such a way as to maintain its identity.

(6) Each plant shall reserve the right to refuse any material for processing or storage when in his opinion it will be unfit for seed purposes or will contaminate or otherwise destroy the effectiveness or efficiency of the plant operation.

(7) First class and commercial cereal seed cleaning plants shall in addition to 1-6:

(a) Clean all seed handling equipment between lots to prevent mixing of varieties and kinds.
(b) Operate all equipment in a manner to clean seed to acceptable trade standards.

B. Seed labelers shall:

(1) Attach a legible label that provides the information required under Section 3-802.2 R.C.M. 1947 as amended, to each container that is offered for sale or is distributed to a retail seed dealer.

(2) Provide the information required under Section 3-802.2 R.C.M. 1947 as amended, along with shipping documents or bulk seed shipments or sales and on seed lots shipped to another seed labeler.

(3) When adding new germination test data to an existing label the person adding the new test data shall do so with a supplemental label bearing his name and address.

(4) A sample label and supplemental label shall be submitted along with the application for license.

C. Agricultural seed buyers shall use a contract form approved by the department. The contract must clearly state the terms of purchase and basis for payment. Before seed is transported out of the state the percentage of pure seed shall be determined. The seed shall be weighed at a scale designated in the contract. The seed buyer is responsible for the actions of his employees.

D. Public agriculture seed warehouseman shall:

(1) For scale tickets and warehouse receipts:

(a) Issue a scale ticket for each load of agricultural seed received by the warehouse. Scale tickets are not to be issued or held in lieu of warehouse receipts. There shall be plainly printed across the face of such scale tickets issued by the warehouseman in bold type the words, "THIS IS NOT A WAREHOUSE RECEIPT BUT SHALL BE EXCHANGED FOR A WAREHOUSE RECEIPT IF AGRICULTURAL SEED IS HELD IN STORAGE".

(b) Issue each day a warehouse receipt for each lot of agricultural seed received for storage during the day. All agricultural seed of one kind received from one owner during any one day may be construed to be a single lot. The numbers of the scale tickets shall appear on the face of the warehouse receipt for which it is issued. Warehouse receipts not picked up by the owner shall be held in safekeeping for him by the warehouseman.

(2) Maintain the identity and integrity of each lot of agricultural seed, when requested to do so, as it is delivered to the warehouse.

(3) Use a Public Seed Warehouse receipt form that meets the department's specifications. Receipts shall include within their printed terms;

(a) A statement that the warehouse is operated as a public agricultural seed warehouse under license issued by the Montana Department of Agriculture.

(b) A statement showing whether it is an original, duplicate, triplicate, or other copy and all copies other than the original shall state "Non-Negotiable".

(c) A statement showing the name of the public agricultural seed warehouse.

(d) A statement showing the name of the city or town where the public agricultural seed warehouse is located.

(e) The date the public agricultural seed warehouse receipt is issued.

(f) The number of the public warehouse receipt. All receipts shall be numbered consecutively as issued by each warehouseman.

(g) A statement that the agricultural seed is "Received in Store" from the person or persons, or firm or corporation named.

(h) A statement of the gross weight, tare and net weight of the cleaned lot load in pounds, the kind of seed, and any trade designation of grade or quality.

(i) A statement of the encumbrances such as cash or other advances.

(j) A statement that upon the return of receipt properly endorsed by the person to whose order it was issued and the payment of the proper charges for storing and handling, delivery will be made in accordance with the provisions of the ticket.

(k) A statement that the agricultural seed is properly insured for the benefit of the owner.

The above statements must be followed by: The name of the public warehouse

issuing the warehouse receipt and the signature of the agent or manager of the public warehouse.

(l) The face of the public warehouse receipt shall provide for other statements and records such as the scale ticket numbers, or assembly sheet numbers, and other pertinent accounting or bookkeeping data providing that such statements or records do not in any way conflict with any State or Federal law pertaining to public agricultural seed warehousing.

(m) The back of the public warehouse receipt shall embody within its written or printed terms a statement of:

1. All storage and handling charges.
2. That delivery to the holder of receipts shall be as provided by the laws of Montana.
3. That receipt shall be issued only on actual delivery of agricultural seed into the warehouse, and shall not be given to cover agricultural seed of which the warehouseman is owner.
4. That delivery of agricultural seed to warehouseman for storage constitutes bailment and not a sale.
5. That if receipts are made in multiple form, the original shall be given to the owner of the agricultural seed; all copies other than the original must be marked NON-NEGOTIABLE.

(n) The back of the public warehouse receipt may also provide for endorsements and other statements or records pertinent to accounting or bookkeeping data providing that such statements or records do not in any way conflict with any State or Federal law pertaining to public agricultural seed warehouses.

The department will supply a suggested receipt format. Before printing the receipt forms each applicant for license should have the printer's proof approved by the department.

(4) Legal Agricultural Seed Public Warehouse Receipt. A legal public warehouse receipt is a receipt issued by a licensed public warehouseman on a form containing all the provisions of regulation 2. D. (3) and shall not be issued except for agricultural seed actually delivered to a public warehouse for storage.

If for convenience the holder of two or more warehouse receipts covering like seed wishes to combine them into a lesser number, the new warehouse receipt or receipts so issued shall state the fact that it was issued in lieu of existing warehouse receipts and the numbers of the warehouse receipts so combined shall be plainly shown and the warehouse receipts so combined shall state across the face "CANCELLED BY RECEIPT NO. _____" (showing the number of the new warehouse receipt issued in lieu).

(5) Limitation of Rulings. Nothing in these regulations shall be so construed as to prevent the operation of Sections 3-223 and 3-224 governing the collection of storage charges at termination of contract period June 30th of each year.

Regulation 3. A commercial seed plant, licensed to process seed under provisions of the act and these regulations, does not automatically qualify that plant to process certified classes of seed. Authorization for cleaning certified seed classes must be obtained from the authorized certifying agency.

Regulation 4. Bonding and insurance requirements.

A. Seed processing plants shall show evidence of a minimum of $_____ worth of product liability insurance or evidence of a like amount of assets.

B. Seed labelers "shall show evidence of a minimum of $_____ worth of product liability insurance or evidence of a like amount of assets.

C. Seed buyers shall provide a surety bond written on a form provided by the department, countersigned by a duly licensed resident agent of Montana. The amount of the bond shall be a minimum of $_____.

D. Public agricultural seed warehouses shall provide a surety bond written on a form provided by the department, countersigned by a duly licensed resident agent of Montana. The amount of the bond shall be a minimum of $_____.

In addition they shall show evidence that they carry adequate insurance to cover the value of all stored agricultural seeds.

Regulation 5. All licensed facilities shall have their license posted in a conspicuous place and all processing plants shall display a poster provided by the Department designating the classification of the facility.

Regulation 6. Screenings shall be handled as follows:

A. Screenings resulting from the contract cleaning of agricultural seeds are the property of the owner of the seeds, however since such screenings may contain viable noxious weed seed it shall be the responsibility of the processing plant to process or arrange for the processing of such screenings so the viability of noxious weed seed will be destroyed before returning them to the owner or the plant shall arrange for the disposal of such screenings and see that they are properly processed.

B. Screenings originating at in-state processing plants including screenings from the cleaning of commercial grain shall:

(1). Be stored in tight bins so weed seed cannot be scattered by the wind or other means.

(2). Be processed to destroy the viability of noxious weed seed before being used as animal feed or be used in any way in which the noxious weed seed may propogate its kind.

(3). Be transported only in tightly closed containers that will prevent the loss of weed seed in transit. The container must be cleaned after unloading.

C. (1). Screenings originating outside of Montana shall have the viability of Montana noxious weed seed destroyed by appropriate processing before being transported into the state.

(2). Screenings originating outside of Montana for transport through the state shall have the viability of the noxious weed seed destroyed or be transported in a tightly sealed container that will not allow the loss of the weed seed.

D. The viability of noxious weed seed may be destroyed by using a rotary grinder with 6/64 inch mesh screen or through a hammer mill or by using steam or a combination of steam and pressure.

Lima, Mt
Nov 17 1974

Mont Seed Growers Assoc

Bozeman, Mt 59715

Dear Mr. Bowman

I firmly support the proposed rules and regulations for the licensing of Seed Processing Plants.

I believe that July 1 1978 is enough time for those sub standard plants to either upgrade their equipment to the commercial class or first class or cease cleaning operations.

In some locations in some areas I don't believe that an air screen machine would be required in a commercial plant if the plant had a dimensional separator with suction fan and scalper attached.

Sincerely,

Lyle McKeever

President Mont Seed Growers

M.S.H.A.
Bozeman Mont

Nov. 18 1974
V. J. Thuesen
Dagmar Mont.
59219

Dear Mr. Bowman

I have examined the Regulations for seed processing and cleaning plants in Mont. we think the proposal is reasonable and will improve seed planted in Mont.

Sincerely
V. J. Thuesen

Stillwater Seedman's Association

Columbus, Montana 59019

RECEIVED
DEC 4 '74
MONT. STATE DEPT
AGRICULTURE 6201

November 29, 1974

Mr. George Lackman
Commissioner of Agriculture
State of Montana
Department of Agriculture
Helena, Montana 59601

Dear Mr. Lackman,

The Stillwater Seedmen's Association reviewed the proposed regulations for Agricultural Seed Warehouse Act. This act does set up criteria for cleaning plants; however, we felt there should be an additional classification to cover certified on-farm plants.

This would be inserted after "commercial" and before "substandard":

1. A first class seed cleaning plant must have;

2. A commercial cereal seed cleaning plant must have;

3. A certified standard cleaning plant must have:

   a. An air screen cleaner with at least two (2) screens.
   b. A treater that will apply a uniform coating of treat to the seed.
   c. Seed handling and processing equipment so constructed that it can be cleaned.
   d. Seed sampling probes or sampling equipment appropriate for seed normally processed in a plant.

4. A <u>substandard</u> cleaning plant.

Some elevators meeting the requirements of Class (2) will not clean seed as well as a certified grower who had adequate equipment set up on his farm. Care is taken to clean slowly and do a good job.

The Stillwater Seedmen's Association is a grower-oriented group that is incorporated as a warehouse service. We are composed of 17 active growers of cereals, legumes, and grass seed. Quality seed if of great importance to this association.

We appreciate your consideration of this change in seed processing plant licensing. I would be available to meet with you for further discussions at your convenience. Possibly, if you are in Billings some time we could get together.

Sincerely,

William F. Brinkel

William F. Brinkel, Jr.
Broadview, Montana 59015

WFB:cc

cc: Mr. Howard Bowman
Montana State University
Bozeman, Montana 59715

Mont Seed Growers Assn.
Don Kiel

SUGGESTED CHANGES FOR SEED PROCESSING PLANT REGULATIONS

Submitted by Montana Seedmens Association.

Page 1

1. (a) An air screen cleaner with no less than three screens.
1. (d) All seed handling equipment, such as augers, elevator legs, bins and.... a vaccum cleaner or blower will be required for cleaning seed handling equipment.
2. (a) An air screen cleaner with no less than two screens.
3. July 1, 1976.

Page 2

Regulation 2

3. On custom cleaning, the seed processor shall obtain a "dirt" or unclean seed sample at time of delivery of seed plus a sample of cleaned seed, (7 oz. for cereals and 4 oz. for grasses and legumes) with appropriate identification. Samples shall be held for one year.
7. Delete: First.....1-6;
   Make (a) 7. ...clean all seed....kinds.
   Delete (b)

Page 3

C. Agricultural seed buyers shall use a contract which clearly states the terms of purchase and basis for payment and conforms to Montana Contract Codes. Before seed is transported out of state the percentage dockage shall be determined. The seed shall be weighed at a State approved scale.
D. Line 4..delete..specializes in and which he is equipped; and add: agrees to handle.

D. (2) Delete - There shall be plainly printed across.....in storage."
D. (3) Issue upon request a warehouse receipt for each lot of agricultural seed received for storage. All....

Page 4, Page 5, Page 6 are okay.

Page 7 Line 2.
Change...for the <u>purchase</u> of such screenings to --
for the disposal of such screenings.

RECEIVED
MONTANA
AGRIC. DEPT
6201

MONTANA GRAIN ELEVATOR ASSOCIATION

July 24, 1974

To: Montana Grain Elevator Association Members

From: Oliver Thorvilson/Sec.-Treasurer

THe Board of Directors of the Montana Grain Elevator Association met on Monday July 15th at the Town House in Great Falls.

Those in attendance were: R.F. Denison, President; Committee on Seed Processing regulations: Stan Halvorson, Ray Aman, Ben Stomberg. Also, Ray Fisher, Jack Hemmingson, Clarence Olfert, Lowell Babcock, Ray Yort, George Boos, Kent Norby, Oliver Thorvilson, and Burt Ginther, from MSU in Bozeman.

The meeting was held for the purpose of reviewing and discussing the First Draft Seed Processing Plant Regulations:

Mr. Ginther explained that the reason for writing up a set of regulations is to enable the execution of a law covering seed cleaning and processing which went into effect July 1, 1973. Much of the discussion was negative because the opinion of most of those present was that the cleaning done at the grain elevators while not completely satisfactory has not in itself been any significant factor in contaminating the land either with weeds or undesirable mixtures of grain.

It was recommended that Sec. (1) under Regulation 2 A which required that all seed lots must be accounted for, and a processing report shall be made showing gross weight received, clean out and clean seed yield for each lot should apply to 1st class seed plants only and that a new section should be written to apply to commercial or sub standard cleaning plants. Sec. (3) which refers to holding samples for one year should apply to 1st class seed plants.

It was agreed that there are not enough 1st class seed processing plants to come close to meeting the needs for cleaning services required in the state.

If severe regulations are placed upon the Country Elevators, it might be a disservice to the farmers and many would be unable to get their grain cleaned for seeding due to lack of facilities.

Most of those present agreed that they would welcome having enough seed cleaning houses in Montana to take care of cleaning needs.

MONTANA GRAIN ELEVATOR ASSOCIATION

Mr. Ginther stated that the recommendations and views that were discussed today would be taken into consideration when the regulations are again reviewed which will probably be some time in August. He will send sufficient copies of the next draft to the secretary so that all directors and committee members can have a copy of same. Mr. Ginther also agreed to keep the committee posted and should it be advisable they can meet with the Department of Agriculture to make further recommendations.

There will ultimately be a hearing but prior to that it is the intention to have an open meeting to which all interested parties will be invited.

6/13/74 RECEIVED

JUN 21 '74
MONT STATE DEPT
AGRICULTURE 5201

To Whom It May Concern:

From: Lund Seeds - Ben L. Lund Ben L Lund

After studying the proposed seed processing plant regulations, I have several questions and ideas which I would like to express from a processors point of view.

With the ever increasing cost of attorneys' fees, of amount of red tape and paperwork involved to do business, I would hope the proposed regulations could be very short and simple.

Regulations 2 A - (1)

Can you imagine a little one man processing plant like I have, making 5 - 600 reports to the state per year? If a processor is going to report all commercial lots cleaned, as a processor, I would like one of the following in order of preference:

1. No report necessary - but all processors keep a record for two years of each lot cleaned.
2. The state accept a copy of the processors scale ticket with the required information on it. (my tickets now have all of the info required)
3. The state require a certain format for scale ticket and accept a copy of these as a report.

Regulation 2 A - (2)

A price schedule is quite complex for a processor who tries to do a good job. Some lots of seed need to be run several different times over several different types of cleaners. Some lots of seed (especially grasses but also barley) come in so trashy they wont go through a scalper and some lots are very clean. A price schedule is nice for inspectors etc. but I don't think they are followed to closely.

Regulation 2 A - (6) ....is very important

Regulation 2 B - (4) and Regulation 2 C

The Department of Agriculture has enough things to approve and get involved in. The department should set their standards, simply and concise, and the licensee be required to meet these standards.

Regulation 2 - D (1)

Do I understand this correctly? A public warehouseman shall be required to accept anyone's seed that is in condition for storage. What about seed that is contaminated with noxious weeds?

As a processor of commercial seed I would not be in favor of these regulations as written. With very little change and refinement I feel these regulations would be in the best interests of the future of the agri-community.

RECEIVED

JAN 21 1975

ENVIRONMENTAL QUALITY COUNCIL

ENVIRONMENTAL ASSESSMENT

Department: Montana Department of Agriculture
Action initiated by: Centralized Services

Prepared by: George A. Algard
Environmental Planner

Type of Action: Assessment of Proposed Seed Processing Regulations.

A. DESCRIPTION OF PROPOSED ACTION:

The Commissioner of the Montana Department of Agriculture proposes to introduce regulations outlining minimum standards for several classes of seed processing plants in Montana. Also included are regulations concerning public agricultural seed warehouses, seed warehousemen, seed labelers, and the handling of screenings. These regulations will be introduced under the Agricultural Seed Warehouse Act of 1973 (authority: Section 3-315, R.C.M. 1973). A copy of the proposed regulations is attached.

B. PURPOSE OF THE REGULATIONS:

The proposed regulations have several primary objectives. They are:

1. To prevent the further expansion of objectionable and noxious weeds onto presently uninfested lands in Montana. (This includes crop, range, and forest lands in the state.) This will mean that the present level of production will be maintained and should assist in the eventual eradication of these weeds by chemical and cultural practices on currently infested lands.

This should have two positive effects: a reduced cost to the producer because of the reduction of needed herbicide; and, a reduction in pesticide use will reduce the presence of these chemicals in the surrounding air, water, soil, and in the plant and animal tissues. The net result should be an increase in productivity and an improvement in the quality of the crops produced. In general, it can be stated that the reduction of weeds is an energy conservation measure. The reasons for this are:

a. Fewer weeds found in a field crop will reduce the tillage requirements both before and after seeding.

b. Fewer weeds will reduce the need for herbicides. This will result in a fuel savings of either gasoline or diesel fuel or both.

c. Once the regulations are in effect, the energy requirements for cleaning seed will be reduced as the amount of foreign material to be removed is minimized.

2. To prevent (or greatly reduce) varietal seed mixtures and other crop mixtures. These regulations will result in a general upgrading of seed processing facilities which will result in a reduction of varietal seed mixtures which will reduce competition between different seed species. This will increase the quality of the crop and also the productivity of the crop which will be of direct economic benefit to the producer.

3. To prevent the planting of large quantities of all types of weed seeds. The regulations on adequate handling of screenings will prevent the re-introduction of weed seed back into the environment. These regulations may have a secondary effect in that with adequate control of screenings, even urban areas may be positively benefitted by the reduction of weeds which normally appear in lawns, gardens, roadsides, and vacant lots and fields.

It is a well established fact that weeds can be an aggressive competitor for food, water, and sunlight with other plant species. In addition to this type of competition, it has been found that a species such as quackgrass (Agropyrum repens) produces a toxic substance in its roots (rhizomes) that inhibits the growth of several crops (Krommedahl et. al., 1959, Weeds 7: 1-12).

To give some idea of the impact of weeds on crops, several pages containing estimates of the effects of wild oats in agricultural crops have been included (pp. 4, 5, 6). As can be seen from these estimates, the loss from just wild oats can be substantial. In addition to this, the amount of money allocated by the Weed Control Districts in the state for the control of noxious weeds was approximately $2,300,000 in 1973.

Public Health

A secondary, but certainly an important consideration, is the human health side of the picture. Each spring and fall many Montanan's are adversely affected by the presence of weed pollens in the air.

PROPOSAL FOR AREA WILD OAT CONTROL PROGRAM

M. J. Jackson and Arthur F. Shaw, Agronomists
Cooperative Extension Service

Situation:

Wild oat infestations occur generally throughout the dry and irrigated croplands of the state. They result in more total crop loss in yield due to competition for moisture and nutrients than any other annual, biennial or perennial weed. Wild oats reduce the quality of the crop due to increased foreign material, thereby increasing transportation, marketing and processing costs for commercial grain or seed. Studies have shown that as few as 10 wild oat seedlings per square yard can reduce crop yields, two bushels per acre. More recent studies indicate that 20-40 plants per square yard can reduce the yield of spring wheat as much as four bushels per acre from both fertilized and unfertilized ground. Infestations up to 160 wild oats per square yard reduced yields approximately 20 bushels per acre.

Reduced yields of two bushels per acre can mean a loss of $1.60 per acre for barley and $2.60 per acre for wheat on past prices. Considering more recent prices of grain, a two bushel yield loss greatly emphasizes this loss

The extent of wild oat infestations in Montana can best be expressed in per cent of total acreage. From observations made throughout the state a conservative estimate of 50 per cent can be quoted on dryland acreage and 75 per cent on irrigated lands. A estimate of 50 per cent of these percentages can be considered as heavy infestations.

Acreages of wild oat infestations in cereal grains.

Wheat	Winter	- Dryland	- 900,000 acres.
		Irrigated	- 17,000 acres.
	Spring	- Dryland	- 1,100,000 acres.
		Irrigated	- 30,000 acres.
	Durum	- Dryland	- 80,000 acres.
		Irrigated	- 750 acres.
	Barley	- Dryland	- 750,000 acres.
		Irrigated	- 75,000 acres.
	Oats	- Dryland	- 90,000 acres.
		Irrigated	- 20,000 acres.

Some drill box surveys have indicated that 45 per cent of the seed being used by farmers is infested with wild oats. The degree of infestation will vary with the area and availability of seed for that particular year. Field infestations also will vary with the availability of moisture in the area. The production of pedigreed seedstock in sufficient quantity to serve Montana's commercial producers is in jeopardy because of the extensive wild oat problem.

Chemicals are available which are effective in controlling wild oats if used correctly. Cultural and seed use practices can likewise be improved through a closer liason with technical personnel serving the farmers.

Approximate Wild Oat Losses in 1973

Winter wheat	-	Dryland	$7,200,000
		Irrigated	272,000
Spring wheat	-	Dryland	8,800,000
		Irrigated	480,000
Durum	-	Dryland	960,000
		Irrigated	18,000
Barley	-	Dryland	3,000,000
		Irrigated	600,000
Oats	-	Dryland	540,000
		Irrigated	200,000
		TOTAL LOSS	$22,070,000

Based on two bushel loss for wheat and barley on dryland and four bushel on irrigated land at a value of $4.00 and $2.00 per bushel for wheat and barley respectively. $6.00 per bushel for durum and three and five bushel losses for oats at $2.00 per bushel.

Table 2. Effect of Wild Oat Populations on Yield.

W. O./Ft.	LOSS WHEN WEED FREE YIELD IS 30 BU/A Wheat	Barley
0	0	0
1	3.2	2.2
2	4.5	3.1
3	5.6	3.8
5	7.2	4.9
7	8.5	5.8
10	10.2	6.9
15	12.5	8.5
20	14.4	9.8

(H. A. Friesen, 1973. Identifying Wild Oats Yield Losses and Assessing Cultural Control Methods, Proceedings Wild Oats Seminar, Agriculture Canada and United Grain Growers, Saskatoon, Saskatchewan).

Duration of competition also determines loss of yield. D.A. Dew, of the LaCombe, Alberta Research Station has calculated an index of competition for wheat and barley which is unique for each weed and crop combination and is independent of the estimated weed free yield of the crop. Using his index of competition for barley and wheat he prepared a graph (Figure 1) which shows the effect of 10 wild oat plants per square foot on their yield. No further yield loss occurs 45-50 days after energence. The need for eliminating competition early is obvious. Using this graph it is possible to predict the return from using a herbicide. Assume an infestation of 10 wild oat plant/square foot and an anticipated wheat yield without weeds of 30 bushels per acre. From the graph grain yield would be 70% or 21 bushels if the wild oats were not removed. Suppose carbyne was applied 10 days after energence and was 100% effective. It would increase yields by .95 X 30 minus 21 or 7.5 bushels per acre. Since carbyne is only about 80% effective the yield increase would only be .80 times 7.5 equal 6.0 bushels per acre. The return with wheat at $4.00 per bushel can be readily calculated. With the carbyne costs around $3.00 plus application, the benefit-cost ratio seems quite favorable.

Wild oat control is possible as evidenced by the fact that some growers are successfully producing wild oat free small grains. However, control is not easy. It involves careful management, attention to details and co-operation with the weatherman. The following suggestions have been shown to be helpful after removal of the crop.

Fall tillage

If weather is dry for 2 to 3 weeks after harvest, shallow tillage will promote early germination of wild oats in the spring.
If weather is wet, tillage may not help. In any case fall tillage must be shallow.

Any reduction of the weed seed in the State will bring some relief to the many Montanan's suffering from sinus and respiratory problems caused by the seed pollens produced by many of our common weeds.

Cooperation

It is recognized that these regulations will aid in accomplishing the above-named objectives only if there exists complete cooperation between and among the Montana farmers and ranchers, the seed industry people, the weed control people, the agri-business people, and the Montana Department of Agriculture.

C. ENVIRONMENTAL IMPACTS OF THE PROPOSED REGULATIONS ON THE SEED PROCESSING INDUSTRY:

Primary Impact: Economic

It is recognized (by the Montana Department of Agriculture) that many of the existing seed cleaning facilities do not meet the standards for either a first class or commercial plant classification. It is also recognized that plant improvements will require both time and money. The cost of plant improvement will vary considerably depending upon existing facilities, type of plant classification desired, availability of desired equipment, etc. It is hoped that the cost of plant improvement will not be beyond the means of any individual who sincerely wishes to remain in the seed processing business. On the other hand, to reject the regulations merely on a cost per plant basis is unrealistic when one considers what unclean seed is costing individual producers (and the State as a whole) on an annual basis.

It is the Department's intent to allow sufficient time for any plant modifications that need to be made. For this reason, a sub-standard plant will be allowed to exist until July 1, 1978.

Secondary Impacts

a. There may be some isolated sections in the State where there is only one plant in the area. If this plant closed down, it would force producers to truck their seeds for cleaning perhaps many miles. It is recognized that this is a possibility and is another reason for allowing three and a half years to update existing facilities.

b. Additional record keeping. The additional records to be kept will require a small amount of additional time. The intent of the additional inclusions is for the protection of both the processor and the producer.

c. Additional space and time for sampling. A comparison of the sample taken before cleaning with the one taken after cleaning provides an accurate measure of the degree of cleaning that has actually taken place. The sample could prove to be important to the processor if a question ever arose about his ability to provide "clean seeds" or his ability to maintain the integrity of a lot of seed. Most viable businessmen keep their records at least a year (in many cases three years for tax purposes), and since the sample is a record, it too should be kept for a year.

d. The regulations regarding screenings are for the protection of the producer and the processor, and the regulation regarding screenings coming from outside the state is for the protection of the entire state. For many years, Montana has been the dumping ground for out-of-state screenings (containing weed seed) while our neighbors, North Dakota, Wyoming, Idaho, and Washington, because of their regulations, prevented the importation of unprocessed screenings. Hopefully, this regulation will stop the flow of weed seeds from surrounding states into Montana.

D. ALTERNATIVES TO THE PROPOSAL:

The alternatives of no new regulations or watered-down regulations would merely be a continuation of the status quo. If Montana producers ever hope to increase production and decrease noxious weed populations in the state, these regulations will at least provide a beginning. Again it should be emphasized that seed processing plants which are presently inadequate by the new regulations will have three and a half years to upgrade their facilities.

E. ADDITIONAL COMMENTS:

Most of the seed and grain associations in the State have had an opportunity to review the proposed regulations, and copies of their comments have been attached.

F. PUBLIC HEARING:

A public hearing on the proposed seed regulations will be held Thursday, February 13, 1975, at 10:00 A.M. at the Highway Department Auditorium in Helena, Montana. Written comments on these regulations should be directed to Mr. George Lackman, Commissioner, Department of Agriculture, Capitol Annex, Helena, Montana 59601, on or before February 13, 1975.

Office Copy

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 21, 1975

RECEIVED

JAN 22 1975

ENVIRONMENTAL QUALITY
COUNCIL

IN REPLY REFER TO:

36-SCK
RF 144(10)
Glasgow Lighting

Executive Director
Environmental Quality Council
Capital Station
Helena, Montana 59601

Gentlemen:

Enclosed for your information are two (2) copies of the Agency Impact Determination for the above subject project, as approved by the Federal Highway Administration.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

BY: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

36-SCK:AGZ:DVS:sk

Enclosure

GEORGE VUCANOVICH, CHAIRMAN
HELENA

Wm. M. KESSNER, VICE CHAIRMAN
BLACK EAGLE

G. R. COONEY
BUTTE

P. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 2, 1975

IN REPLY REFER TO:

36-SCK
RF 144(10)
Glasgow Lighting
REF: 08-30.1

U. S. Department of Transportation
Federal Highway Administration
Helena, Montana 59601

Gentlemen:

This Agency Impact Determination is being submitted for your concurrence that an Environmental Impact Statement or Negative Declaration is not required for this non major action.

1. DESCRIPTION OF THE PROPOSED HIGHWAY IMPROVEMENT AND ITS SURROUNDINGS

A. Location and Description of the Project

The location of the project is at the intersection of U.S. 2 and Secondary 247, approximately 1.4 miles east of Glasgow, Montana. A two lane to four lane transition is located 600 feet to the east of the intersection. The four lane portion of the roadway presently has raised median curb installed on it.

The work to be completed will consist of installing seven 250 watt sodium vapor luminaries. The light level obtained from the seven luminaires will be 1.0 average maintained foot candles as AASHO recommends. An eight inch amber flashing beacon will also be installed on this project.

The land use in the immediate area of this project is agricultural.

B. Purpose of the Project

This project was requested by City Officials. Their concern for this project is indicated in the enclosed letter.

At the present time there is no existing lighting at this intersection. The principle purpose of street and highway lighting is to produce quick, accurate, and comfortable seeing conditions at night. These qualities of seeing combine to safeguard and facilitate vehicular traffic.

Seeing is done with eyes, muscles, nerves, and mind. The drivers internal condition depends upon and is effected by the external seeing conditions provided for highway travel at night. Easy, quick, and accurate seeing conditions tend to lessen fatigue, decrease muscular and nervous tension, and improve driver efficiency,

(Cont'd)

GEORGE VUCANOVICH, CHAIRMAN
HELENA

Wm. M KESSNER, VICE CHAIRMAN
BLACK EAGLE

G. R. COONEY
BUTTE

P. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

and improve driver efficiency, confidence, reaction judgement, and behavior.

Generally speaking, good lighting encourages night use of streets and highways, particularly major arteries and allows a higher night speed then would be practical on unlighted routes. Economic benefits include improved business activity and reduced night accident frequency.

Visability distances at night are materially increased by the installation of fixed lighting. The contour and alignment of the roadway and the location and identification of objects in the drivers path are revealed to the driver at a substantially greater distance than his own headlights would penatrate. At these distances the lighted roadway also serves as a background to minimize the effect of oncoming vehicle headlamps and to improve judgements of speed and direction of vehicles.

Objects may be discerned by contrast in brightness with background, by recognition of surface detail and glint, or by combinations of these. The degree of seeing is effected by size, shape, and color of object, time for observation glare and the drivers adaption level.

2. PROBABLY ENVIRONMENTAL IMPACT

This lighting project is located in an agricultural area, therefore we can foresee no significant environmental impact. As pointed out earlier, there are many advantages to lighting of an area, thus making the roadway safer for motorists.

The power used by the luminaires and flasher will be slightly less than the power used by the average home per month. This will be approximately 503 kilowatt hours per month.

3. PROBABLE ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

We can foresee no significant adverse environmental effects which will be caused by this project.

4. ALTERNATIVES

The "No Build" alternative was considered, but it was decided that the insufficient lighting in this area with raised median would continue to be hazardous to motorists.

5. THE RELATIONSHIP BETWEEN SHORT-TERM USES OF MANS ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

The traffic pattern should not be changed during the construction phase of the work, as all of the work can be completed on the edge of the roadway.

No natural or man made features of the surrounding land will be changed.

Wildlife will not be effected by this project, and no water or air pollution problems are foreseen.

(Cont'd)

6. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

There will be no significant effect upon the natural and cultural resources of the area.

7. REGIONAL AND COMMUNITY GROWTH

Land use will remain essentially the same, i.e., a agricultural area. Lighting can increase the nighttime safety of an area.

8. CONSERVATION AND PRESERVATION

Soil erosion, park, recreational areas, wildlife, waterfowl refuges, historic and natural landmarks are not involved in this project.

9. PUBLIC FACILITIES AND SERVICES

Religious, health, educational facilities, fire protection, and other emergency services will not be affected directly; the lighting project will make the roadway safer for anyone involved in these facilities and services.

10. COMMUNITY COHESION

No additional right-of-way will be required by this project.

Land value should not increase due to this project and, therefore, will not increase the tax base.

11. DISPLACEMENT OF PEOPLE, BUSINESSES OR FARMS

There will be no displacement of people, businesses or farms due to this project.

The project is not expected to significantly affect the employment situation except for a possible temporary increase in employment for the duration of construction.

12. AIR, NOISE, AND WATER POLLUTION

Some air and noise pollution may occur during construction of this project, but it should not be significant.

This project does not meet the requirements for review of projects as established by the Environmental Protection Agency. Their concern for air quality generally begins when the 10 year projected daily traffic counts increase 10,000 vehicles per day.

This project is not in conflict with the State's Implementation Plan for achieving Federal ambient air quality standards and we concur with the Department of Health and Environmental Sciences determination that this project will not have a significant adverse effect upon air quality of the area.

(Cont'd)

U. S. Department of Transportation
RF 144(10)
Glasgow Lighting

PPM 90-2 states that noise studies are not required on lighting projects. However, a preliminary noise study was conducted for this project using the "Interpetation of PPM 90-2" dated May 4, 1973. The Transportation Systems Center's Nomograph was used to determine that all buildings in the area of the project are located far enough from the roadway to be below the commercial level of L_{10} = 75 dBA and the residential level of L_{10} = 70 dBA.

13. AESTHETICS AND OTHER VALUES

"View of the Road" and "View from the Road" will be improved dueing the dark hours. Motorists will be able to see the roadway and intersection more clearly, thus improving sight distance and safety.

The cost of the project will be far out weighed by the advantages gained from a facility with such greatly improved qualities as safety and efficiency.

BASIS FOR AGENCY IMPACT DETERMINATION

Based on the foregoing, it is felt that the proposed project will not significantly affect the environment and does not warrant the preparation of an Environmental Impact Statement or a Negative Declaration.

Your early return of a signed copy of this Determination will be appreciated.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

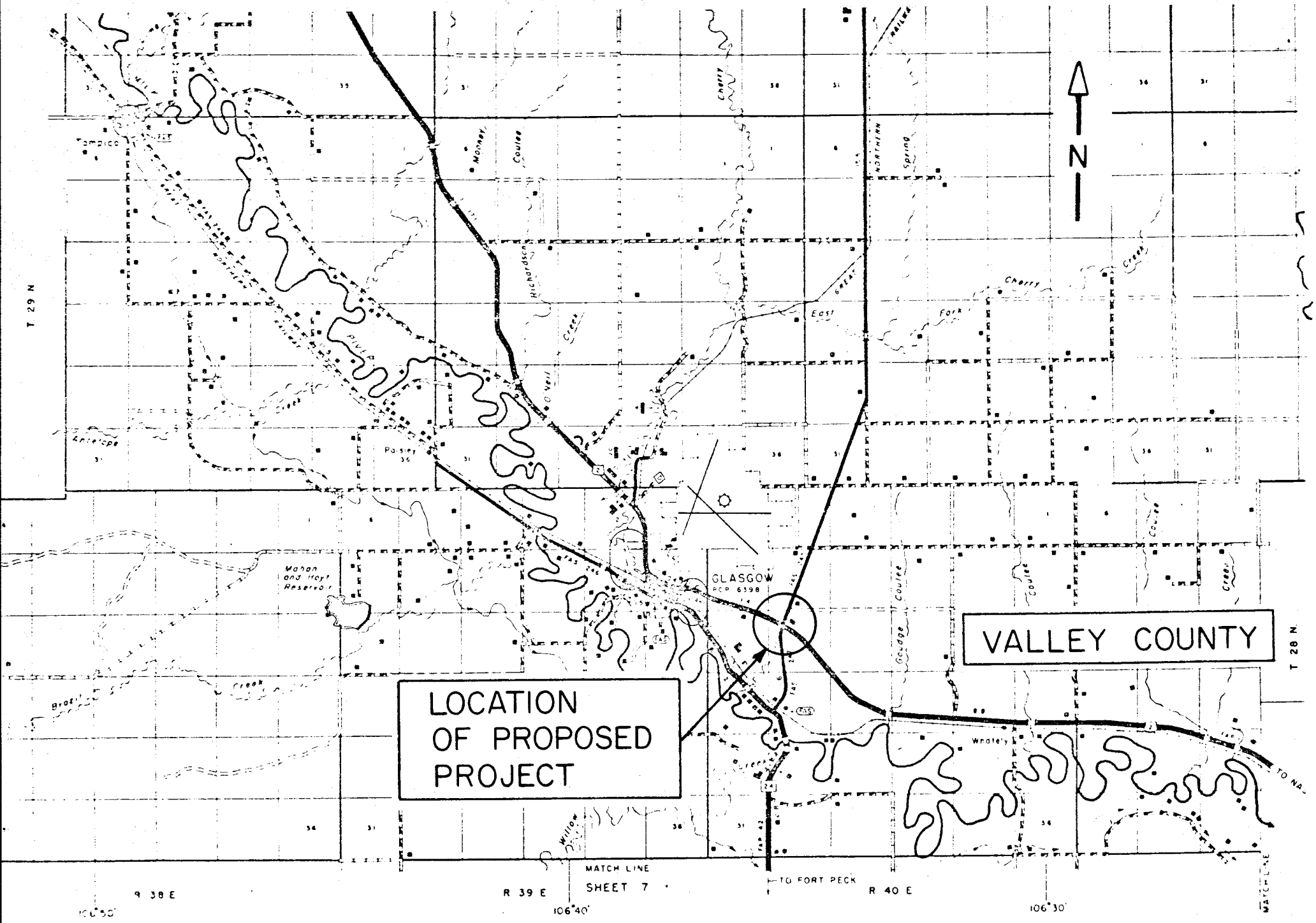
BY: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

SCK:AGZ:DVS:sk

Enclosure

I concur R M Jones Date 1-15-75
For H. N. Stewart, Division Engineer
Federal Highway Administration

Date Recd. Preconst. 1-16-75	Initial	Attach	MAIL ROUTE	Info
			30	
			30 Exp. Specialties	✓
			31 Contract Plans	
			32 Loc. Road Design	
			33 Environmental	
			34 Hydraulic	
			35 Surveying Design	
			36 Photogrammetry	
			37 Traffic Veen Bowden	✓
			37 Pub. Hearing	✓
			38 Sec. - Urban	
			39 Consultant Design	✓
			File	✓



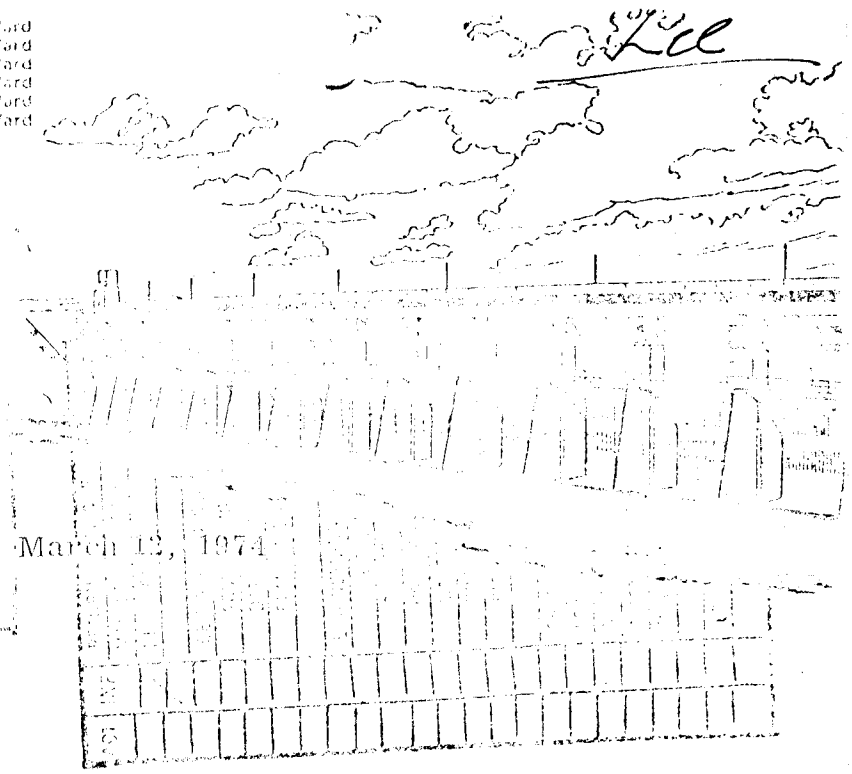
BASED ON AERIAL PHOTOGRAPHY OF 1953 AND FIELD INVENTORY OF

Robert J. D[illegible], Chief of Police
Don[illegible], Police Magistrate
Paul Hoffman, Attorney
Brent W. M[illegible], Engineer

152

Jack C. Schye, 1st Ward
[illegible]d G. Ve[illegible], 1st Ward
W[illegible] R. Beede, 2nd Ward
Jan[illegible] V. Krazich, 2nd Ward
Doyle L. Ehell, 3rd Ward
James L. Hine, 3rd Ward

Lee



CITY OF

Glasgow

GLASGOW, MONTANA 59230

JAMES O. CHRISTINSON, MAYOR
RAMONA M. TOW
City Clerk and Finance Officer

RECEIVED
MAR 12 1974
HELENA, MONTANA

March 12, 1974

Mr. H. J. Anderson
Director of Highways
State of Montana
Helena, Montana 59601

Re: Intersection U. S. Highway No. 2
and State No. 247 near Glasgow

Dear Mr. Anderson:

In response to repeated requests from local citizens and civic organizations, the City of Glasgow wishes to call your attention to an extremely dangerous intersection lying East of Glasgow on U. S. Highway No. 2 where it intersects with Montana State Highway No. 247. One fatality and innumerable collision accidents and "near misses" demonstrate that it is imperative that this intersection be well lighted during all hours of darkness.

At the present time a flashing caution light is in operation so, electric power is available at the site.

Highway No. 247 carries very heavy traffic twelve months of the year at all hours of the day. It serves international traffic flowing into Canada; a large agriculture community in northern Valley and Daniels Counties; commuter traffic to Opheim, Montana, Opheim Radar Station and Glasgow Air Force Base. It likewise intersects with Route No. 24 through Ft. Peck to other points in Montana.

Configuration of this intersection is such that it constitutes a continuing threat to highway travelers whether they be strangers to the area or local citizens.

We believe correction of this situation deserves highest possible priority, and will look forward to cooperating with you in instituting corrective measures as quickly as possible.

Very truly yours,

President, City Council

JJH:ms

Gateway To Fort Peck Recreation Area

Department of Health and Environmental Sciences
STATE OF MONTANA HELENA, MONTANA 59601

John S. Anderson M.D.
DIRECTOR

December 11, 1974

Stephen C. Kologi, P.E.
Chief, Preconstruction Bureau
Department of Highways
Sixth and Roberts Streets
Helena, MT 59601

Re: 36-SCK Flasher, Sign and Lighting Projects

Dear Mr. Kologi:

We concur that flasher, signing and/or lighting projects should have no adverse effects on air quality. Until further notice, we will not need to be advised of action on these projects.

Sincerely,

R. Clark Neilson

R. Clark Neilson
Air Pollution Control Specialist
Air Quality Bureau

RCN:dmg

Date Recd. Preconst. 12-13-74

Act	Info	MAIL ROUTE	Attach	Initial
		30		
	✓	30 Eng. Specialties		
		31 Contractions		
	✓	32 Loc. Road Design		
		33 Environmental		
		34 Hydraulic		
		35 Surfacing Design		
		35 Photogrammetry		
	✓	36 Traffic		
	✓	37 Pub. Hearing		
		38 Sec. - Urban		
		39 Consultant Design		
	✓	File		

Called Bob Hall 9/25 - history of accidents at this intersection

Glasgow lighting project

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

September 20, 1974

IN REPLY REFER TO:

36-SCK
RF 144(10)
Glasgow Lighting
Intersection of
U.S. 2 & Mont. 247
Letter of Intent

RECEIVED
SEP 24 1974
ENVIRONMENTAL QUALITY
COUNCIL

Environmental Quality Council
Director
P. O. Box 215, Capital Post Office
Helena, Montana 59601

Dear Sir:

This is to inform you of a lighting project near Glasgow, Montana. The project is located at the intersection of Highways U.S. 2 and Montana 247 approximately 2 miles east of Glasgow. The work to be completed will consist of installing seven 400 watt mercury vapor luminaires. The nominal luminaire mounting height will be 40 feet. An 8 inch amber flashing beacon will also be installed on this project.

The land use in the immediate area of this project is agricultural.

Our purpose in writing you is to let you know about the project and to ask that you advise us of anything which you know of about the area or of anything planned for the area that might help us in our design. Any views or opinions either for or against the project will also be appreciated. It is our opinion that the project should not adversely affect the environment to any great extent. We plan to prepare a Negative Declaration rather than an Environmental Impact Statement. However, any information or comments relating to environmental matters that you might furnish would be appreciated and utilized.

The enclosed map shows the location of the proposed project and the immediate area surrounding the project.

(Cont'd)

GEORGE VUCANOVICH, CHAIRMAN
HELENA

WM. M. KESSNER, JR., VICE CHAIRMAN
GRACE BAILEY · G. R. COONEY
BUTTE · P. L. BAGHELLER
BILLINGS · JAY LA LONDE
SIDNEY

Letter of Intent
September 20, 1974

RF 144(10)
Glasgow Lighting
Intersection of
U.S. 2 & Mont. 247

The enclosed list indicates those agencies and individuals to which this letter is being sent. If you are aware of other agencies or groups that might be affected or concerned and are not on the list, please let us know and we will contact them.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

BY: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

36-SCK:AGZ:DVS:sk

Enclosures

cc: J. R. Beckert
R. E. Champion
D. D. Anderson
V. D. Borden
K. F. Skoog
K. W. Anderson
L. L. Cloninger
H. G. Wheeler
Robert Hall

Montana Automobile Association
Box 1703
Helena, Montana 59601

Ashley C. Roberts
State Liaison Officer for the
Preservation of Historic Sites
Department of Fish and Game
Sam Mitchell Building
Helena, Montana 59601

U.S. Department of Transportation
Federal Highway Administration
501 North Fee
Helena, Montana 59601

U. S. Coast Guard
Commander (mep)
Thirteenth Coast Guard
618 Second Avenue
Seattle, Washington 98104

Director
Department of Natural Resources
and Conservation
32 South Ewing
Helena, Montana 59601

Environmental Quality Council
Director
Box 215, Captial Post Office
Helena, Montana 59601

Department of Anthropology
Montana State University
Bozeman, Montana 59715

Department of Anthropology
University of Montana
Missoula, Montana 59801

Department of the Army
Omaha District
Corps of Engineers
7410 U.S. Post Office and Courthouse
Omaha, Nebraska 68102

Commissioner
Department of State Lands
State Capitol Building, Room 130
Helena, Montana 59601

Montana Chamber of Commerce
P. O. Box 1730
Helena, Montana 59601

Department of Transportation
Federal Aviation Administration
FAA Building, Room 2
Helena Airport
Helena, Montana 59601

Friends of the Earth
ATTENTION: Ed Dobson
Box 882
Billings, Montana 59102

The State Clearinghouse
Office of Budget and Program Planning
Capital Post Office
Helena, Montana 59601

Montana League of Conservation Voters
Box 80
ATTENTION: William Tomlinson
Missoula, Montana 59801

Department of Health, Education and Welfare
9017 Federal Office Building
19th and Stout Street
Denver, Colorado 80202

Economic Development Administration
Chicago Title Building
909-17th Street, Suite 505
Denver, Colorado 80202

Assistant Secretary-Program Policy
Department of the Interior
Washington, D.C. 20240
ATTENTION: Director, Environmental
Project Review (9 Copies)

Center for Planning & Development
Montana State University
Bozeman, Montana 59715

Environmental Protection Agency
Lincoln Tower
Suite 900 - 1860 Lincoln Street
Denver, Colorado 80203

Department of Intergovermental
Relations - Aeronautics Division
Capital Station
Helena, Montana 59601

Student Environmental Research Center
University of Montana
Room 212, Venture Center
Missoula, Montana 59801

Dept. of Health & Environmental Sciences
Environmental Sciences Division
Administrator
Cogswell Building
Helena, Montana 59601

Department of Fish and Game
Assistant Administrator
Environment and Information Division
Sam W. Mitchell Building
Helena, Montana 59601

Federal Housing Administration
Housing and Urban Development
Director
616 Helena Avenue
Helena, Montana 59601

Montana Broadcasters Association
213 5th Avenue
Helena, Montana 59601

Montana Stockgrowers Association
Secretary
P. O. Box 1679
First National Bank Building
Helena, Montana 59601

Montana Wildlife Federation
Chairwoman, Highway Committee
1015 Peosta
Helena, Montana 59601

Regional Air Pollution Control, Director
Consumer Protection & Environmental
National Air Pollution Control Admin.
9017 Federal Office Building
Denver Colorado 80202

The Wilderness Society
4260 East Evans Avenue
Denver, Colorado 80222

U.S. Department of Agriculture
Office of the Secretary of Agriculture
Washington, D.C. 20250

U.S. Department of Agriculture
State Conservationist
Soil Conservation Service
P. O. Box 970
Bozeman, Montana 59715

U.S. Federal Power Commission
555 Battery Street
San Francisco, California

Board of County Commissioners
Valley County
Glasgow, Montana 59230

Small Business Administration
Power Block
Helena, Montana 59601

Sierra Club
% Mrs. Judy Reynoso
150 Henry
Helena, Montana 59601

Mountain Bell
441 North Park Avenue
Helena, Montana 59601

Documents Department
Montana State Library
930 Lyndale
Helena, Montana 59601

Montana Dakota Utility Company
239 4th Street
Glasgow, Montana 59230

Montana Power Company
Electric Building
Butte, Montana 59701

School District #1
Mr. Gary F. Martin
Superintendent
Glasgow, Montana 59230

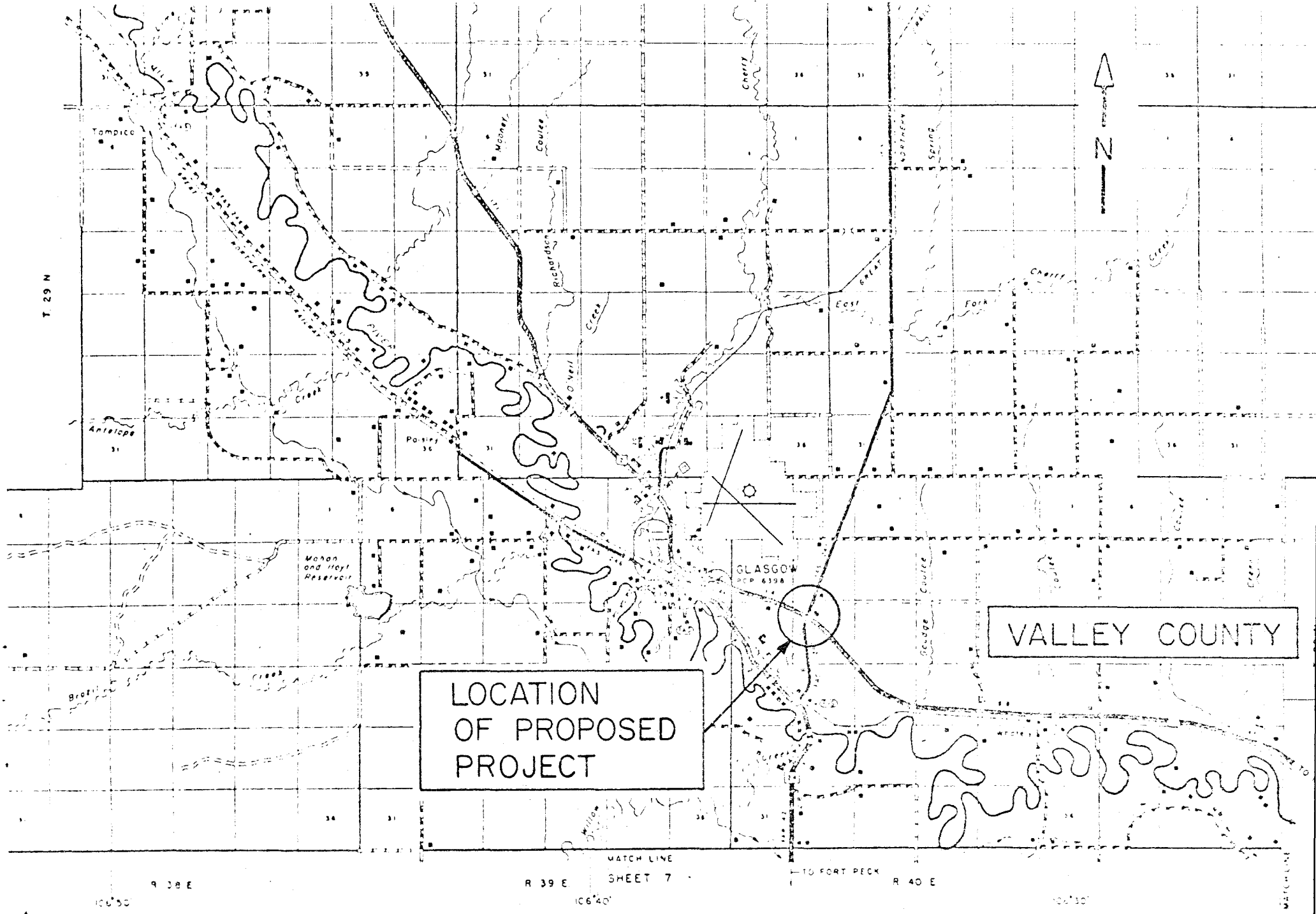
Chamber of Commerce
P. O. Box 832
Glasgow, Montana 59230

City County Planning Board
P. O. Box A
Glasgow, Montana 59230

Glasgow Courier
Glasgow, Montana 59230

Honorable James O. Christinson
Major of Glasgow
Glasgow, Montana 59230

United States Postmaster
Valley County
Glasgow, Montana 59230



BASED ON AERIAL PHOTOGRAPHY OF 1953 AND FIELD INVENTORY OF

1.22.75

Office Copy

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 21, 1975

32:SCK

IN REPLY REFER TO
I 94-5(18)174
Terry-Fallon
Safety Corrections

RECEIVED
JAN 22 1975
ENVIRONMENTAL QUALITY COUNCIL

Environmental Quality Council
Capitol Station
Helena, Montana 59601

Gentlemen:

Attached, for your information, are two (2) copies of the Agency Impact Determination for the above project, as approved by the Federal Highway Administration.

Very truly yours,

H.J. ANDERSON
DIRECTOR OF HIGHWAYS

By Stephen C. Kologi
Stephen C. Kologi, P.E., Chief
Preconstruction Bureau

32-SCK:KFS:JG:mb
Enclosures

cc: K.F. Skoog

R. T. BACHELLER, BILLINGS
JAY LA CONDE, BUTTE

MONTANA DEPARTMENT
OF HIGHWAYS

4

Date Recd. Preconst. 1-20-75

MAIL ROUTE

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

January 13, 1975

I 94-5(18)174
Terry-Fallon Safety Corrections

U. S. Department of Transportation
Federal Highway Administration
501 North Fee
Helena, Montana 59601

08-30.22-B2
Reply requested by 1/22/75

Gentlemen:

This Agency Impact Determination is being submitted for you approval on I 94-5(18)174. This project is located in Prairie County on I-94 beginning one mile east of terry and extending 6.5 miles easterly.

The work will consist of safety improvements to eliminate hazards and other items on a previously constructed four lane Interstate Highway section.

It is our opinion that this project is not a major action and it will not significantly affect the environment. The project should not significantly affect the air, noise or water quality of the area.

The work will not affect other public works activities or result in any alteration of land use of traffic flow patterns. No new right-of-way will be required. The major impact of the project will be to provide safer and more efficient transportation for the traveling public.

We also request the waiver of a public hearing, location and design notification requirements and clearinghouse approval.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

32-SCK:KFS:JG:mb

By Stephen C. Kologi
Stephen C. Kologi, P. E., Chief
Preconstruction Bureau

cc: S. C. Kologi
B. Russell
K. F. Skoog
D. D. Anderson

I concur R M Cole
FHWA

JAN 17 1975
DATE

1-22-75 file

Office Copy

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

32:SCK

January 21, 1975

IN REPLY REFER TO
I 94-6(28)209
Glendive East &
West Safety

RECEIVED
JAN 22 1975
ENVIRONMENTAL QUALITY COUNCIL

Environmental Quality Council
Capitol Station
Helena, Montana 59601

Gentlemen:

Attached, for your information, are two (2) copies of the Agency Impact Determination for the above project, as approved by the Federal Highway Administration.

Very truly yours,

H.J. ANDERSON
DIRECTOR OF HIGHWAYS

By Stephen C. Kologi
Stephen C. Kologi, P.E., Chief
Preconstruction Bureau

32-SCK:KFS:JG:mb
Enclosures

cc: K.F. Skoog

R. L. BACHELLER
BILLINGS

JAY S. ALLDER
SCOBY

MONTANA DEPARTMENT OF HIGHWAYS

Date Recd. Preconst. 1-22-75

MAIL ROUTE

STATE OF MONTANA

DEPARTMENT OF HIGHWAYS

January 13, 1975

I 94-6(28)209
Glendive East & West Safety

U. S. Department of Transportation
Federal Highway Administration
501 North Fee
Helena, Montana 59601

08-30.22-B2
Reply requested by: 1/22/75

Gentlemen:

This Agency Impact Determination is being submitted for your approval on I 94-6(28)209. This project is located in Dawson County on I-94 beginning approximately 5.5 miles west of Glendive and extending 7.9 miles easterly to a point approximately 2.4 miles east of Glendive.

The work will consist of safety improvements to eliminate hazards and other items on a previously constructed four lane Interstate Highway section.

It is our opinion that this project is not a major action and it will not significantly affect the environment. The project should not significantly affect the air, noise or water quality of the area.

The work will not affect other public works activities or result in any alteration of land use or traffic flow patterns. No new right-of-way will be required. The major impact of the project will be to provide safer and more efficient transportation for the traveling public.

We also request the waiver of a public hearing, location and design notification requirements and clearinghouse approval.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

32-SCK:KFS:JG:mb

By Stephen C. Kologi
Stephen C. Kologi, P. E., Chief
Preconstruction Bureau

cc: S. C. Kologi
B. Russell
K. F. Skoog
D. D. Anderson

I concur R M Cole
FHWA

JAN 17 1975
Date

File Office Copy

Department of Health and Environmental Sciences
STATE OF MONTANA HELENA, MONTANA 59601
John S. Anderson M.D.
DIRECTOR

RECEIVED
JAN 23 1975
ENVIRONMENTAL QUALITY COUNCIL

January 23, 1975

Board of County Commissioners, Ravalli County Courthouse, Hamilton
County Planning Board, Ravalli County Courthouse, Hamilton
Mr. Frank Gessaman, R.S., Co. San., Courthouse, Hamilton
✓Environmental Quality Council, Helena
Department of Fish and Game, Helena
State Library, Helena
Mr. Bent Laursen, Florence
Mr. James Simpson, Florence
Mr. Harry Theorod, Florence

A NEGATIVE DECLARATION
FOR THE
LAURSEN SWINE OPERATION

Pursuant to the Montana Environmental Policy Act, the following negative declaration is prepared by the Department of Health and Environmental Sciences concerning the Laursen Swine Operation and a request by Mr. Bent Laursen for a waste discharge permit for a proposed animal confinement facility south of Florence, Montana.

The purpose of this negative declaration is to inform all interested governmental agencies and public groups of the Water Quality Bureau's intent not to write an environmental impact statement. This declaration will be circulated for a period of ten days at which time a decision will be made as to whether or not a waste discharge permit should be issued. If you care to comment on this application for a permit, please do so within that allotted time.

Messrs. Martin and Bent Laursen are currently in the process of constructing a total confinement swine operation which would have maximum annual capacity for approximately 1,200 pigs. This operation will be located in the NW¼, NE¼, Sec. 35, T. 10 N., R. 20 W., of Ravalli County. The approximate location of this facility is indicated on the attached map.

The livestock associated with this animal confinement facility will be totally confined within buildings on the premises. The operation will consist of farrowing sows and feeding to market weight the pigs which are produced. The waste material which is produced within the building will be scraped daily into a pit located beneath the floor and running the entire length of each building. This waste material will then be periodically flushed to a retention pond located south of the animal confinement

facility. Storage capacity in this retention pond exceeds the minimum 120 day storage requirement. The retention pond will be lined with clay to prevent percolation of this waste material into the groundwater. The waste control facility will be managed such that there is no direct discharge of waste material to state waters. It may be necessary to periodically remove waste material from this facility and dispose of it on adjacent agricultural land. Provisions for such disposal are currently being made.

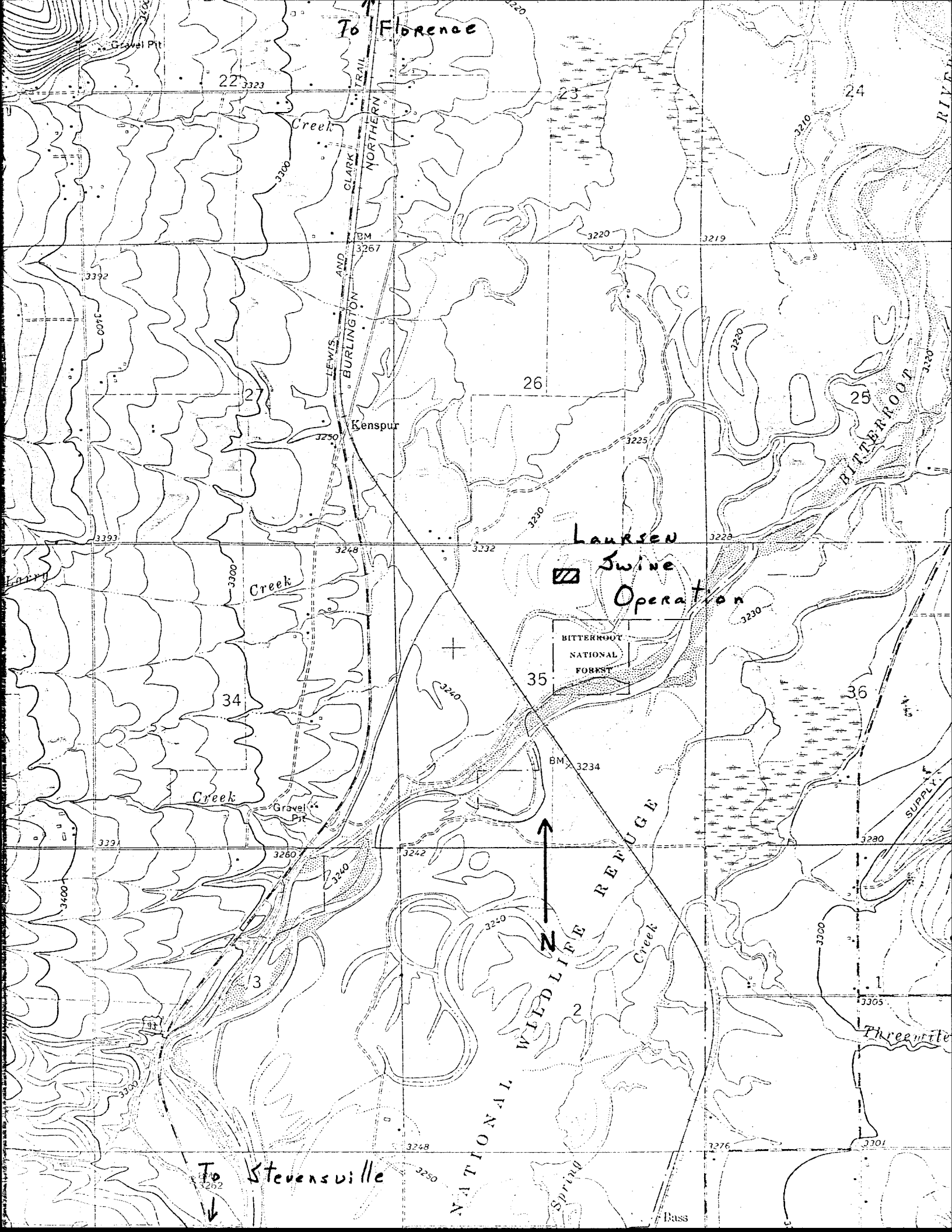
Any animal confinement facility can have an effect on the environment. Adverse effects can, however, be minimized through implementation of a good waste management program. Odors around the animal confinement facility will be minimized through good housekeeping within the confinement buildings and if necessary, the addition of chemicals to the retention pond. Flies will be controlled through a routine baiting and trapping program. Dead animals will be disposed of by a local rendering service.

Adherence to the waste management program which has been proposed should result in minimal adverse environmental effect on the area involved. The only alternative available to the applicant would be the selection of an alternate site. As long as this operation will not result in a discharge of waste material to state waters and can be operated without creating nuisance conditions for the surrounding environment, such relocation does not seem justifiable.

Steven L. Pilcher

Steven L. Pilcher
Agricultural Wastewater Specialist
Water Quality Bureau
Environmental Sciences Division

SLP:vlf
Attachment
cc: Ben Wake
Dan Vichorek
Air Quality Bureau


To Florence
Gravel Pit
22
23
24
Creek
CLARK
NORTHERN
TRAIL
BM
3267
3220
3219
3210
3300
3392
3400
LEWIS
AND
BURLINGTON
26
27
25
Kenspur
3250
3225
BITTERROOT
3230
LAURSEN
Swine
Operation
3393
3248
3232
3223
Creek
BITTERROOT
NATIONAL
FOREST
35
36
34
3240
BM
3234
Creek
Gravel
Pit
SUPPLY
3331
3260
3242
3280
3400
N
NATIONAL WILDLIFE REFUGE
Creek
3300
3305
3
2
1
Threemile
3248
3276
3301
To Stevensville
3262
Spring
Bass

Phi

office copy

Department of Health and Environmental Sciences

STATE OF MONTANA HELENA, MONTANA 59601

KALISPELL REGIONAL OFFICE-Box 1031-Kalispell, MT 59901

John S. Anderson M.D.
DIRECTOR

RECEIVED
JAN 27 1975
ENVIRONMENTAL QUALITY COUNCIL

January 9, 1975

18 days!?

COPIES TO:

Mr. E. C. Granrud, Rt. 1, Kalispell
Mr. D. K. Marquardt, P.E., 1031 S. Main, Kalispell
Montana Environmental Quality Council, Box 215 Capitol Station, Helena
Montana State Fish & Game Dept. Attn: Mr. Jim Posewitz, Mitchell Bldg., Helena
Montana State Dept. of Health & Env. Sciences, Water Quality Bureau, Helena
Montana State Dept. of Intergovernmental Relations, Div. of Planning & Economic Development, Capitol Station, Helena
Mr. Ben Wake, Administrator, Environmental Sciences Division, Helena
Flathead County Commissioners, Courthouse Annex, Kalispell
Areawide Planning Organization, 3 Ford Bldg, Kalispell
B. C. McIntyre, M.D., Flathead County Health Officer, Box 427, Whitefish
Flathead County Sanitarian, Mr. Elwyn Garner, Box 919, Kalispell
Honorable Larry Bjorneby, Mayor, City of Kalispell
Flathead Tomorrow, Box 173, Bigfork

Gentlemen:

Enclosed is a Negative Declaration that has been prepared for the Stillwater Terrace No. 2, a small subdivision in Flathead County, Montana. This is being sent to you for your information and understanding.

The subdivision has been submitted to the Department of Health for the approval of plans for water supply system and sewage disposal. This statement defines the project and specifies those reasons the subdivision has been recommended for approval without the development of a complete Environmental Impact Statement. In doing so, the declaration is intended to assure all groups and agencies that this approval is being sought within the intent of both the Montana Environmental Quality Act and the Montana Subdivision Law.

Sincerely,

Wilbur O. Aikin, P.E.
Public Health Engineer
Environmental Sciences Division

WOA:jh

Enclosure

A NEGATIVE DECLARATION
FOR
STILLWATER TERRACE NO. 2
A Proposed Subdivision in Flathead County, Montana

DIVISION: Montana State Dept. of Health and Environmental Sciences

PREPARED BY: Wilbur O. Aikin, P.E.
Public Health Engineer
Kalispell Regional Office

TYPE OF ACTION: Subdivision Approval plus Water System Approval for both phases of Stillwater Terrace project.

DATE: January 7, 1975

LOCATION AND SIZE: 3 lots on approximately 2.0 acres, two miles north of Kalispell on the west edge of the terrace which separates Whitefish and Stillwater Rivers. Stillwater River is contingent to, and 35 feet lower than, the Stillwater Terrace No. 2 subdivision. Lot sizes 17,500, 17,300, and 23,300 square feet in size.

LAND USE: Existing use hay and pasture land. Can be used sucessfully for dry land farming including grains. Agricultural capability is 100% Class II. The phase 1 Stillwater Terrace subdivision on the south is occupied by mobile homes.

WATER QUALITY PLAN CONCEPTS:

Water Supply: Community system with drilled well source. System will include earlier phase 1 Stillwater Terrace subdivision---approved June 6, 1974; E.S. 15-74-K131; 7 lots on 5.5 acres--- and will be owned and operated by the developer, Mr. Edgar Granrud. The drilled well source has been completed at 135 feet with a (bailed) yield of 15 gpm. A 6,500 gallon storage tank will be installed to meet peak flow requirements; a hydropneumatic tank battery will be incorporated into the system to provide pressure and volume to the individual users. Distribution piping is 2 inch p.v.c. System capability will meet only requirements of domestic water supply. Irrigation water and adequate fire protection flow potential is not physically possible with the source and pipe indicated in this plan.

Sewage Disposal: By septic tank and drainfield. Soil is amenable to an application rate of 1 gallon per square foot per day. Individual sewage systems, properly installed should not be troublesome at any of these sites.

Solid Waste: Ultimate disposal to Flathead County Landfill Site.

Storm Runoff: Flooding from Stillwater River is not reasonably possible.

ENVIRONMENTAL CONDITIONS:

Subdivision is atop flat terrace surface. No wet areas, ravines, or watercourses lie in plat area. No cut and fill sections or stream crossings are indicated. Area is also void of all vegetation except grasses and grains. Access to two lots will be provided from existing county road, and a private road now developing to other other subdivision projects in area will provide access to the third lot.

Soils are Kalispell loams; Soil Conservation Service evaluations on all subdivision use categories is slight to moderate.

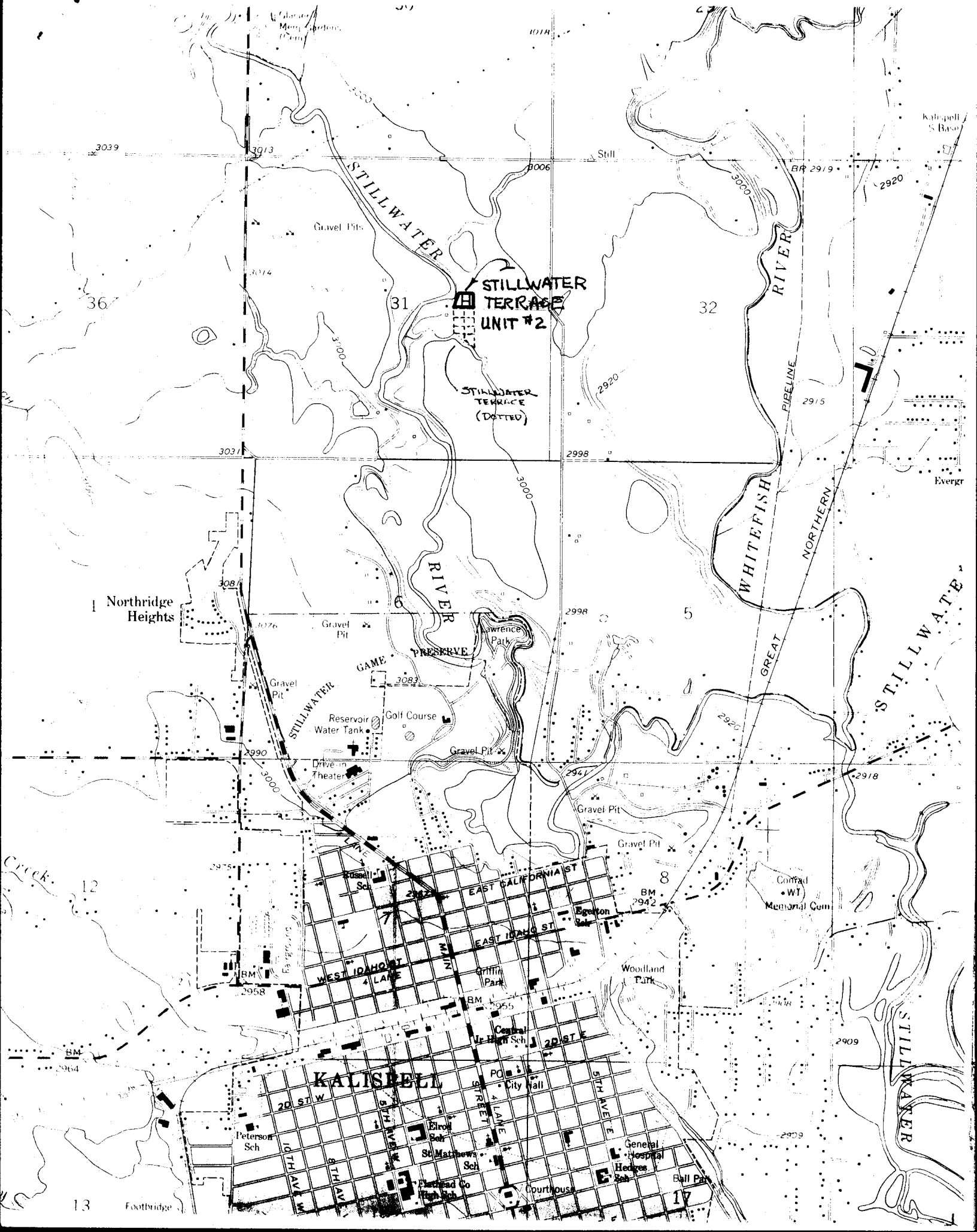
ENVIRONMENTAL IMPACTS:

Plat is on west center of an extremely large phase subdivision project now under review as Village Properties. Both the Stillwater phases and the larger Village Properties projects are developing on Class II agricultural land. A variance in this matter will be required for both from local planning jurisdictions. In its own small way the one adverse impact from this project can best be summed up as an incremental loss of agricultural land.

Data required by regulation and law was provided this office by D. K. Marquardt, P.E., Civil Engineer and registered Land Surveyor.

THIS DIVISION ACTION IS CONSIDERED TO BE: NOT SIGNIFICANT

The Stillwater Terrace No. 2 subdivision will be examined publicly by means of a summary review procedure because the "summary review" is both a preliminary and final review. A recommendation will not be made by the local planning board until the State Dept. of Health and the Flathead County Health Dept. has approved or disapproved in writing the water supply, sewage disposal, and solid waste concepts. It is the intention of this office to produce such a statement as soon as a board review date has been set by the Flathead Areawide Planning Organization.


STILLWATER TERRACE UNIT #2
STILLWATER TERRACE (DOTTED)
STILLWATER RIVER
WHITEFISH RIVER
NORTHERN PIPELINE
GREAT
Gravel Pits
Still
Kalispell S Base
Evergr
Northridge Heights
Gravel Pit
Lawrence Park
GAME PRESERVE
Reservoir Water Tank
Golf Course
Drive-in Theater
Gravel Pit
Conrad Memorial Cem
Woodland Park
Griffin Park
Central Jr High Sch
City Hall
KALISPELL
EAST CALIFORNIA ST
EAST IDAHO ST
WEST IDAHO ST
MAIN
2D ST E
2D ST W
5TH AVE E
5TH AVE W
6TH AVE W
10TH AVE W
10TH STREET
4 LANE
Russell Sch
Egerton Sch
Elrod Sch
St Matthews Sch
Peterson Sch
Flathead Co High Sch
Courthouse
General Hospital
Hedges Sch
Ball Park
Footbridge
Creek
BM 2958
BM 2955
BM 2964
BM 2942
BR 2919
3039
3013
3006
3000
2998
2990
2920
2915
2918
2909
3083
3081
3076
3074
3071
1
6
5
8
12
13
17
31
32
36

File

Office Copy

Department of Health and Environmental Sciences

STATE OF MONTANA HELENA, MONTANA 59601

KALISPELL REGIONAL OFFICE-Box 1031-Kalispell, MT 59901

John S. Anderson M.D.
DIRECTOR

RECEIVED
JAN 27 1975
ENVIRONMENTAL QUALITY COUNCIL

January 9, 1975

18 days?!

COPIES TO:

Mr. Bill Brass % The Brass Lantern, Lakeside, MT
Doyle and Associates, Glacier Bldg., Kalispell
Montana Environmental Quality Council, Box 215 Capitol Station, Helena
State Fish & Game Dept., Attn: Mr. Jim Posewitz, Mitchell Bldg, Helena
Montana State Highway Dept., Kalispell Div., 6th Ave. E.N. & Montana, Kalispell
Montana State Forestry, Kalispell Div. 93 North,Kalispell
Montana State Dept. of Health & Env. Sciences, Water Quality Bureau, Helena
Montana State Dept. of Intergovernmental Relations, Div. of Planning & Economic Development, Capitol Station, Helena
Montana State Library, 930 E. Lyndale, Helena
Mr. Ben Wake, Administrator, Environmental Sciences Division, Helena
USDA Forest Service, District Ranger, Swan Lake Ranger District, Bigfork
Flathead County Commissioners, Courthouse Annex, Kalispell
Areawide Planning Organization, 3 Ford Bldg. Kalispell
B. C. McIntyre, M.D., Box 427, Whitefish
Flathead County Sanitarian, Box 919, Kalispell
Mr. Wayne Herman, President, Flathead Wildlife, Inc. Box 4 Kalispell
Flathead Lakers, Inc. Mr. Bourke MacDonald, Box 314, Polson
Polson Outdoors, Inc. Box 1432, Polson
Student Environmental Research Center, Room 212 Venture Center, Missoula
Regional Planning Assoc. of Western Montana, 133 W. Main, Missoula
Flathead Tomorrow, Box 173, Bigfork

Gentlemen:

Enclosed is a Negative Declaration that has been prepared for the Sunrise Acres #2, a small subdivision in Flathead County, Montana. This is being sent to you for your information and understanding.

The subdivision has been submitted to the Department of Health for the approval of plans for water supply system and sewage disposal. This statement defines the project and specifies those reasons the subdivision has been recommended for approval without the development of a complete Environmental Impact Statement. In doing so, the declaration is intended to assure all groups and agencies that this approval is being sought within the intent of both the Montana Environmental Quality Act and the Montana Subdivision Law.

Sincerely,

Wilbur O. Aikin, P.E.
Public Health Engineer
Environmental Sciences Division

WOA:jh

Enclosure

A NEGATIVE DECLARATION

FOR

SUNRISE ACRES #2

A Proposed Subdivision in Flathead County, Montana

Pursuant to the Montana Environmental Policy Act, Section 69-6504 (b) (3), the act controlling both public and private water supply and sewage disposal for subdivisions, Section 69-5001; and the act to control water pollution, Section 69-4801 to 4827; the following Negative Declaration is prepared by the State Department of Health and Environmental Sciences, Environmental Sciences Division, concerning the proposed Sunrise Acres #2 subdivision, located ¼ mile west of Lakeside, in Flathead County, Montana.

SIZE

The Sunrise Acres #2 subdivision plat shows 17 lots on 13.6 acres of which 2.5 acres is to be committed to roadways and other facility siting. Individual lots range from 0.5 acres to as much as 0.86 acres in size. The tract is reasonably regular in shape with the plat laid out in a manner designed to provide a logical extension of roadways which already exist or are planned in the contingent Lakeside community. Interior roads will be laid out according to county standards and the right-of-way will be dedicated to the county for ultimate operation and maintenance.

LOCATION

The Sunrise Acres #2 subdivision lies along the west side of the unincorporated community of Lakeside, Montana. The town itself is a linear recreational-residential buildup which has been controlled primarily by the congruency of Highway 93 with a flat open portion of the Flathead Lake shoreline. Kalispell, Montana is approximately 15 miles to the north while Somers, Montana is only 5 miles to the north near the top of Flathead Lake. Access into the subdivision will be from a complex of county roads which enter into the general area from pre-existing Highway 93 turnoffs in the vicinity of the commercial part of town.

LAND USE

Hillside land along the west rim of the Lakeside community has had little or no economic use following the early day removal of merchantable timber. Highest use has been to present a forested scenic background for the shoreline community, since the agricultural potential is nil and the forestry potential is no more than moderate. The existing community of Lakeside unfortunately developed around an area which is in both a ground water recharge area (Bierney Creek and to some extent Stoner Creek) and an area of clay rich lakebed deposition. Continued development is virtually impossible without the creation of community sewer services to serve any high density population. As a result new development has begun moving into the foothills area where the soil is reasonably amenable to the use of septic tanks, and the ground water table is at considerable depth. Troutbeck Rise, a subdivision of some 80 lots on 63 acres has already been reviewed and approved by this office within the past 90 days. This earlier project occupies the south ½ of the southeast ¼ of section 12 directly west of and contingent to Sunrise Acres #2. See map enclosure.

Land on the east and the north is already nominal low density residential use. Land to the south remains in large block timberland state.

WATER QUALITY PLANNING CONCEPTS

Water Supply: Water is to be supplied to the development by the Lakeside Water Co. Inc., a public utility. This is perfectly feasible since the surface storage tank serving the Lakeside Water Co. is already sited within the Sunrise Acres #2 tract and the owner of the water supply system is also the subdivision developer.

Plans and specifications for this extension of the existing system were not provided with the preliminary data, however, planning schematics have been discussed and an engineering firm is now preparing those documents necessary for review.

Sewage Disposal: Sanitary sewage is to be disposed of by means of individual septic tank and absorption fields. Since the lots are to be served by a community water supply, the required minimum lot size of 20,000 ft^2 of usable space is met and in some cases exceeded. Percolation rates were found to be reasonably uniform and in the 1 inch to 5 or 6 minute range; indicating septic effluents can be safely impressed on this soil at the rate of 1.5 gallons per square foot per day.

It has been the desire of the developer to reach agreement with the local planning agencies for approval to designate part of the development for possible multi-family utilization. Specifically Lot 1 thru 7 inclusive, the west side of the subdivision, would be designated for either single family or duplex residential construction. Inasmuch as the protective covenants stipulate that any "duplex" would have no more than 5 bedrooms, it is apparent that this type of multi-family unit would be only slightly larger than the usual single-family residence. A single septic tank would accept waste from either residential types, and a single drainfield would be required, based as before, on the established design rate of 1.5 gallons per square foot per day. Properly constructed, this Department can see no significant difference between a 4-5 bedroom duplex and a 1-4 bedroom single family residence.

Slope is the sole field condition which might provide some difficulties. Overall the irregular hillside terrace slopes as high as 15-to 25%; however, with the lots in the ½ acre size range all lots also have flatter sections which offer drainfield sites in an acceptable 7 to 15% range. Waste disposal in such ground should not create a public health hazard....If waste system sites are approved by the County Health Department prior to the actual commencement of construction.

Solid Waste: Lakeside is now being served by containerized field service site. Homeowners will be able to utilize this facility themselves or they can make use of the route pickup already available in the area. In either case ultimate disposal of solid waste will be made to the Flathead County Landfill site.

Storm Runoff: Except for the possibility of the "peak 48 hour ten year storm runoff", surface waters from storms or snow melt is not a serious consideration. Most precipitation will be recharged into the subsurface. Roads are also to be constructed in such a manner as to intercept most excess runoff both from this project and from the new subdivision further up the slope. Direct discharge into surface water simply cannot be foreseen as an adverse impact. It is possible however, that any massive runoff of storm water could discharge out onto the flat area at the toe of the slope, and pond on property other than that owned by the people in the project area.

ENVIRONMENTAL CONDITIONS

Geogrphically the entire area is simply a terraced hillside which has been shaped out of glacial debris, lake bed and alluvial fan material which has been laid down over a massive limestone. Soil is thin, but the subsoil debris of silty sand and gravel is thick enough that bedrock is not visible by field examination, or encountered in the mandatory test pits which were opened up to investigate bedrock/ground water occurrances.

The area has been long since logged of any good merchantable timber, and the ground cover is now a mixture of patchy fir and brush (20-25%) with many grassy shruby slopes (50%). 25-30% of the area has already been cleared in incremental amounts down through the years in order to provide impromptu roads, trails, fire breaks, or facility sites.

The owner has also maintained a park like quality through the area by removing as much dead wood and brush as possible in order to control the degree of fire hazard. This area can and does become very dry on occassion, and fire danger, a direct function of rainfall, should be a consideration.

No flood plain violations, ground water table encroachments, or water channel road crossings are anticipated as a result of this development. Roadway and access routes have been given careful scrutiny by the Areawide Planning Organization, and recommendations made by this group are being followed in order to control access, improve safety, and minimize disruptive site impacts.

No surface water of any kind should be effected except to speculate as to the ultimate fate of nutrients discharged into the soil system from hillside absorption fields. Direct surface contamination or slope runoff into surface water is very nearly impossible in considering the topography and field conditions.

ADVERSE IMPACTS

A public hearing was held on October 12, 1974 following notification by the Areawide Planning Organization of the Sunrise Acres #2 proposal to those groups or organizations required to provide public or social services to the eventual homeowners. From this procedure it was determined that the available facilities in Lakeside make it very likely that the impacts on schools and other services such as fire protection, police protection, would be minimal and within acceptable limits.

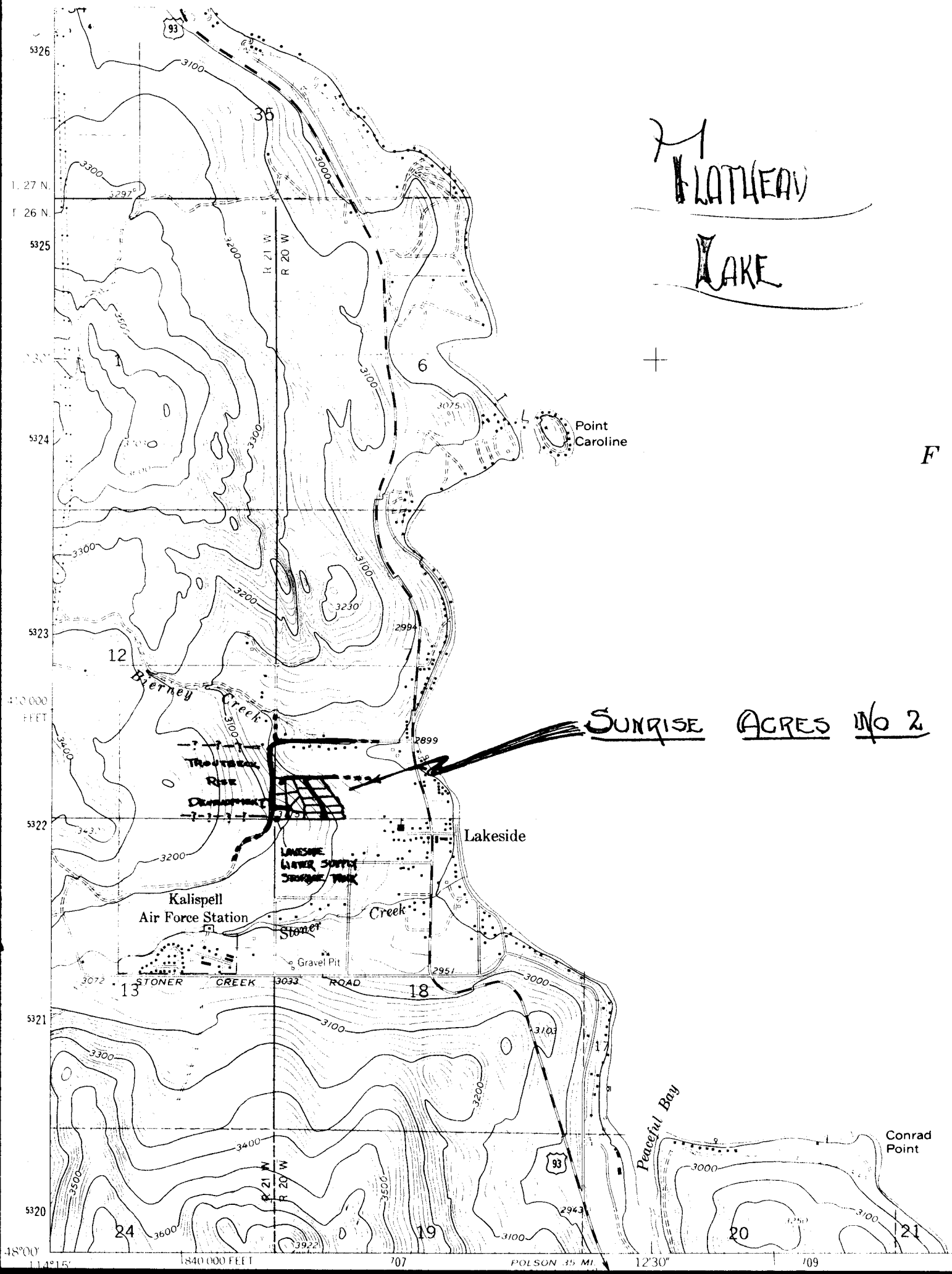
Conflicts with the naturally occurring uses of the ground for winter game range or timber management were also considered to be nominal and within acceptable adverse impacts. Aesthetically the project is difficult to fault because much of the ground is open space and capable of utilization without gross removal of the existing vegetation.

Because the proposal has passed through the various local planning board procedures, and because the concepts for the development of water supply, sewage disposal, and solid waste are within acceptable limits; it is the intention of this office to make a statement of approval as soon as the engineering aspects of these systems have been submitted and accepted as satisfactory.

Therefore, This Division Action Is Considered To Be: NOT SIGNIFICANT

A statement of approval defining the conditions will be attached to the plat at the proper time. A letter concurring with the action has already been received from the Flathead County Health Department.

This Negative Declaration was prepared by Wilbur O. Aikin, P.E., a Public Health Engineer on the staff of the Kalispell Regional Office, Water Quality Bureau, Montana State Department of Health and Environmental Sciences. That data required by law was provided by the Doyle Enterprises Surveying firm in Kalispell, Montana, and from Mr. Bill Brass, owner and developer of the proposed subdivision tract.


FLATHEAD LAKE
SUNRISE ACRES NO 2
Point Caroline
Lakeside
Kalispell Air Force Station
Stoner Creek
Gravel Pit
STONER CREEK ROAD
Peaceful Bay
Conrad Point
Bierney Creek
R 21 W
R 20 W
T. 27 N.
T. 26 N.
93
POLSON 35 MI.
840 000 FEET
114°15'
48°00'
12'30"

Office Copy

File

Department of Health and Environmental Sciences

STATE OF MONTANA HELENA, MONTANA 59601

KALISPELL REGIONAL OFFICE-Box 1031-Kalispell, MT 59901

John S. Anderson M.D.
DIRECTOR

RECEIVED
JAN 27 1975
ENVIRONMENTAL QUALITY COUNCIL

January 8, 1975

19 days!?

COPIES TO:

James H. Miller Box 1037, Polson
Putnam & Associates 119 Main, Kalispell
Montana Environmental Quality Council, Box 215 Capitol Station, Helena
State Fish & Game Dept., Attn: Mr. Jim Posewitz, Mitchell Bldg, Helena
State Highway Dept. Kalispell Div., 6th Ave. E.N. & Montana, Kalispell
State Dept. of Health & Env. Sciences, Water Quality Bureau, Helena
Dept. of Natural Resources and Conservation, Environmental Coordinator, 32 S. Ewing, Helena
State Dept. of Intergovernmental Relations, Div. of Planning & Economic Development, Capitol Station, Helena
Montana State Library, 930 E. Lyndale, Helena
Mr. Ben Wake, Administrator, Environmental Sciences Division, Helena
USDA Forest Service, District Ranger, Swan Lake Ranger District, Bigfork
Flathead County Commissioners, Courthouse Annex, Kalispell
Flathead Areawide Planning Organization, 3 Ford Bldg, Kalispell
B. C. McIntyre, M.D., Flathead County Health Officer, Box 427, Whitefish
Flathead County Sanitarian, Mr. Elwyn Garner, Box 919, Kalispell
Flathead Wildlife, Mr. Wayne Herman, President, Box 4, Kalispell
Student Environmental Research Center, Room 212 Venture Center, Missoula
Swan Citizens Conservation Council, Mr. Bryce Wiscarson, Seeley Lake
Trout Unlimited, Box 858, Kalispell
Regional Planning Assoc. of Western Montana, 133 W. Main, Missoula
Flathead Tomorrow, Box 173, Bigfork
Mr. Joe Potocozny, East Shore-Swan Planning Advisory Group % Bigfork Elementary School, Bigfork

Gentlemen:

Enclosed is a Negative Declaration that has been prepared for the Marken Point Tracts, a subdivision in Flathead County, Montana. This is being sent to you for your information and understanding.

The subdivision has been submitted to the Department of Health for the approval of plans for water supply system, and sewage disposal. This statement defines project and specifies those reasons the subdivision has been recommended for approval without the development of a complete Environmental Impact Statement. In doing so, the declaration is intended to assure all groups and agencies that this approval is being sought within the intent of both the Montana Environmental Quality Act and the Montana Subdivision Law.

Sincerely,

Wilbur O. Aikin, P.E.
Public Health Engineer
Environmental Sciences Division

WOA:jh
Enclosure

A NEGATIVE DECLARATION

FOR

MARKEN POINT TRACTS

A Proposed Subdivision in Flathead County, Montana

Pursuant to the Montana Environmental Policy Act, Section 69-6504 (b) (3), the act controlling both public and private water supply and sewage disposal for subdivision, Section 69-5001 to 69-5005; and the act to control water pollution, Section 69-4801 to 4827, the following Negative Declaration is prepared by the State Department of Health and Environmental Sciences, Environmental Sciences Division, concerning the Marken Point Tracts Subdivision which is herewith being reviewed for administrative approval.

INTRODUCTORY NOTE

The Marken Point Tracts subdivision is a land division project which has been conferred upon, submitted, reviewed, and temporarily withdrawn for cause several times in the last two years. The original plat showed 56 lots in the same area which is now being reviewed as a plat of 10 lots. Flood plain encroachment, high ground water tables along the river frontage, and relocation or outright elimination of an included Swan River overflow channel were problems difficult to overcome on previous proposals.

LOCATION AND SIZE

The undivided Marken Point Tracts has a gross area of 69.9 acres. Included in this acreage is a common area of 18.1 acres, an access right-of-way area of 3.5 acres, 10 lots on 46.4 acres, and a public access area of 1.0 acres. The largest lot is 5.2 acres and the smallest is 4.3 acres. The common area is a single contiguous block which forms a buffer strip or green belt between all of the lots and the river. Under normal stream conditions none of the lots will have frontage directly on the river.

A single lot of 4.0 acres is included within the plat as an exception to the plat. This lot does have river frontage, and the lot so defined contains the original residence of the individual owning the entire 69.9 acre tract.

Geographically, the subdivision is on the inside bend of a large meander in the lower Swan River at a point about 3 miles downstream from the Swan Lake outfall into the lower Swan River. Bigfork, Montana is approximately 6 road miles east along State Highway 326 and 209. Access into the subdivision is directly off Highway 326 onto an existing county road which will provide immediate access to 3 of the proposed lots.

ACCESS

With 3 of the lots already accessible it will be necessary to provide only 1700 linear feet of 60 foot R.O.W. to provide access to the remaining lots as well as to the public access site along the river. This interior road will be built to Flathead County standards and dedicated to the county as a public road.

LAND USE

This area has heen designated as having a Class IV agricultural capability and a marginally moderate timberland potential. More specifically, it has also had a recent history of having been used as a grazing site of poor value and as a Christmas tree plantation which was allowed to lapse because of production difficulties and cost of management. The Christmas tree plantation project was conceived and managed by a reputable and experienced local firm and covered a span of 10 years of operation. The difficulties encountered appear to be well substantiated, and it would appear that real value for such a purpose as this is not realistically valid.

An evaluation by the forester on the staff of the Areawide Planning Organization also indicates that this ground might be suited for utilization as a Grand Fir tree farm; however, this is purely speculative and no specific recommendation has been made stating that the subdivision project be refused in favor of recommending such an experimental designation.

ENVIRONMENTAL ASSESSMENT

The Marken Point Tracts subdivision is unique in that it is the first proposal this office has received which falls within the boundaries of a 15,000 acre Flathead County regional study which was documented in a report prepared by the Montana Department of Natural Resources and Conservation under the title of "A Resource Inventory Method for Land Use Planning in Montana" (1973).

As a result, an unusually large amount of information is available for purposes of outlining environmental conditions in the small local area which is under consideration in this statement.

(1) Ownership-Mostly large (over 5 acre) blocks privately owned; across the river, to the west, the ground is extensively subdivided into small tract ownership.

(2) Land Use-Mapped as mixed forest land-agricultural with the "common ground", defined on the enclosed map, classified as a water area. The decrepency between this classification and the actual experience in land use has been discussed earlier.

(3) Historical Values-None postulated for this precise area.

(4) Geology-Quaternary glacial lake deposits with minor quaternary alluvium. The nearest significant fault line is 3/4 mile to the east along the mountain front.

(5) Land Form-Flood plain and valley floor. It will be noted on the enclosed map that a "flood line" has been indicated. This is the approximate 1974 flood line, a height that was surprisingly close to the projected 100 year elevation. From this it can be seen that lots 4 to 10, inclusive, project out into the 1974 flood area.

However, all of the lots also have large amounts of ground outside the accepted high water mark. The declaration of restrictive covenants also states that all structures will be built on ground of elevation of 3026 or higher and that no septic tank drainfields will be on elevations less that 3027 or higher. Flood plain problems appear to have been brought under control by this lot layout configuration and the accompanying land use provisions.

(6) Geological Resources-None noted.

(7) Climate-24 to 26 inches of precipitation with an average of 110 days per year of freeze-free weather. Maximum seasonal temperatures are about the same as Bigfork, Montana, however, seasonal minimums are 3 to 5 degrees fahrenheit cooler.

(8) Hydrology-No surface stream or ground water recharge zones discharge into this area from the mountain front. Area is within a very small ½ square mile drainage basin of its own between two larger drainage basins. Except for flooding along the river frontage, storm runoff will not be a significant hydrologic limitation.

(9) Agricultural Capability-The Department of Intergovernmental Relations map indicates that the flood plain is in Class V-VIII (severe limitation), with that area outside the flood plain in Class I and II (slight limitation). Again, such a high value classification of the non flood plain portion is at odds with the experience gained in the past 10 years. This fact led the developers staff to question the capability classification shown. The Soil Conservation Service was contacted, and a series of new pits were opened for investigation. A new statement was issued by the Soil Conservation Service concurring that the soil in the area was actually mostly Class IV-VIII (a gravelly loam), and 90% of the previous Class I-II area remapped into a category of lesser agricultural value.

(10) Slope-Flood plain area is on a 0-2% slope. The area outside the flood plain is on a 2-4% slope. All slopes are toward the river.

(11) Road Limitations-Given as severe to moderate because of frost heave potential and gravel, cobble, stone content.

(12) Residential Building Limitations (with basement)-Listed as moderate to slight depending on proxemity to flood plain line.

(13) Septic Tank Drainfield Soil Limitations-Given as slight in that area above the flood plain to severe within the flood plain and along the narrow band contingent thereto.

The test holes dug for the purposes of soil reclassification were also used to document ground water elevations. During the spring of 1974, a ground water elevation of approximately 3020 was noted. Since residences will not be constructed below elevation 3026, it is apparent that a home constructed at or near this elevation probably could not use gravity disposal from a septic tank as a means of eliminating sanitary system waste waters.

Only ground at elevation 3027 or more is capable of utilizing the typical septic tank system, while still maintaining regulatory spacial relationships with the maximum yearly high ground water table. Homes located at or near the 3026 elevation would therefore be required to pump effluents back onto the eastern margin of their property and disposal trenches will be required to be buried no deeper than 24 inches relative to such a surface. There is a satisfactory amount of ground available for disposal purposes on all lots; however, it is localized along the east edge of the lot 4-10 block, and it is small compared to the generally large size of the lots.

(14) Vegetation-Below the flood plain, crown cover ranges from 0 to 40%, above the flood plain crown cover vegetation equals 40-80%. Broadly the area is classified as a Grand Fir/green cup beadlilly category. Species could or do include Douglas fir, lodgepole pine, larch, spruce, hemlock, and birch.

(15) Wildlife-Interestingly enough this subdivision plot area is said to be both a "small mammal area" and a white-tail deer feeding area. The significance of this small mammal category is not clear, however, it was noted that this small area was one of the largest, if not the largest, such area in the entire 15,000 acre study block.

(16) Visual Resources-The area of the subdivision is well screened from the main State highways. The flood plain portion of the river bend (common area) is considered to be a minor landscape feature with a so-called "short view" value looking west across the Swan River.

(17) Recreational Analysis-The shoreline band---meaning most of the area set aside as common ground---is classified as a natural environmental area. That portion of the plat containing the lots has no value as a historical culture area, a natural environmental area, or a general outdoor recreational area.

(18) Land Capability Composite-That area along the river is in the severely limited category; that within the subdivided lot area is primarily in an area of very, very few limitations.

WATER QUALITY PLANNING CONCEPTS

Water Supply-Water is to be supplied to the individual homes by means of individual drilled wells. An existing well now producing within the tract was completed at 124 feet with a yield of 150 gpm. After considering the well log and the apparent geological configuration, there is very little question that similar drilled wells will provide satisfactory results. It will be stipulated, however, that while shallow wells in the flood plain aquifer are possible, they will not be accepted as a source of domestic water unless a satisfactory disinfection system is included. This is mentioned only because it is an option probably open to owners on most of the lots. The common area green belt is also reasonable insurance against installing water supply intakes in the river bed itself.

Sewage Disposal-Individual septic tank and drainfields are to be the method of choice. The soil/ground water elevation has been discussed in prior sections of this report. Percolation rates submitted with the proposal indicate an application rate of 1 gallon per square foot per day is a satisfactory design rate for the discharge of effluents into the soil system.

Solid Waste-Containerized green box disposal sites are available within 5 miles on both the highway routes to the west, toward either Bigfork or Kalispell.

Storm Runoff-Area has no reasonably forseeable problems on this matter provided the restrictive covenants are adhered to.

Stream Bed Modification-Previous subdivision proposals for this project also contained a complex series of stream bed and flood plain modification concepts which caused considerable comment and opposition from those people now living near the river and below the tract area.

The proposal now being submitted has abandoned all such ideas, and with a community owned park land occupying all of the land between the lots and the river, a green belt has been created which should be difficult to disturb to the detriment of downstream land owners. It also protects against drinking water system intakes being installed in the stream which would be adverse to either the fishery or water quality in that stream

ADVERSE ENVIRONMENTAL EFFECTS AND THE CONSIDERATION OF ALTERNATIVES

The adverse effects possible from the new subdivision configuration are now very minimal. These include the possible loss of agricultural/forestry management potential, and probably adverse effect to the small mammal and/or white-tail deer range.

No alternatives were considered once it was firmly established that the ground water flood plain problems had been compromised and that individual water system/ septic tank systems could be installed within regulatory limitation on a low density basis.

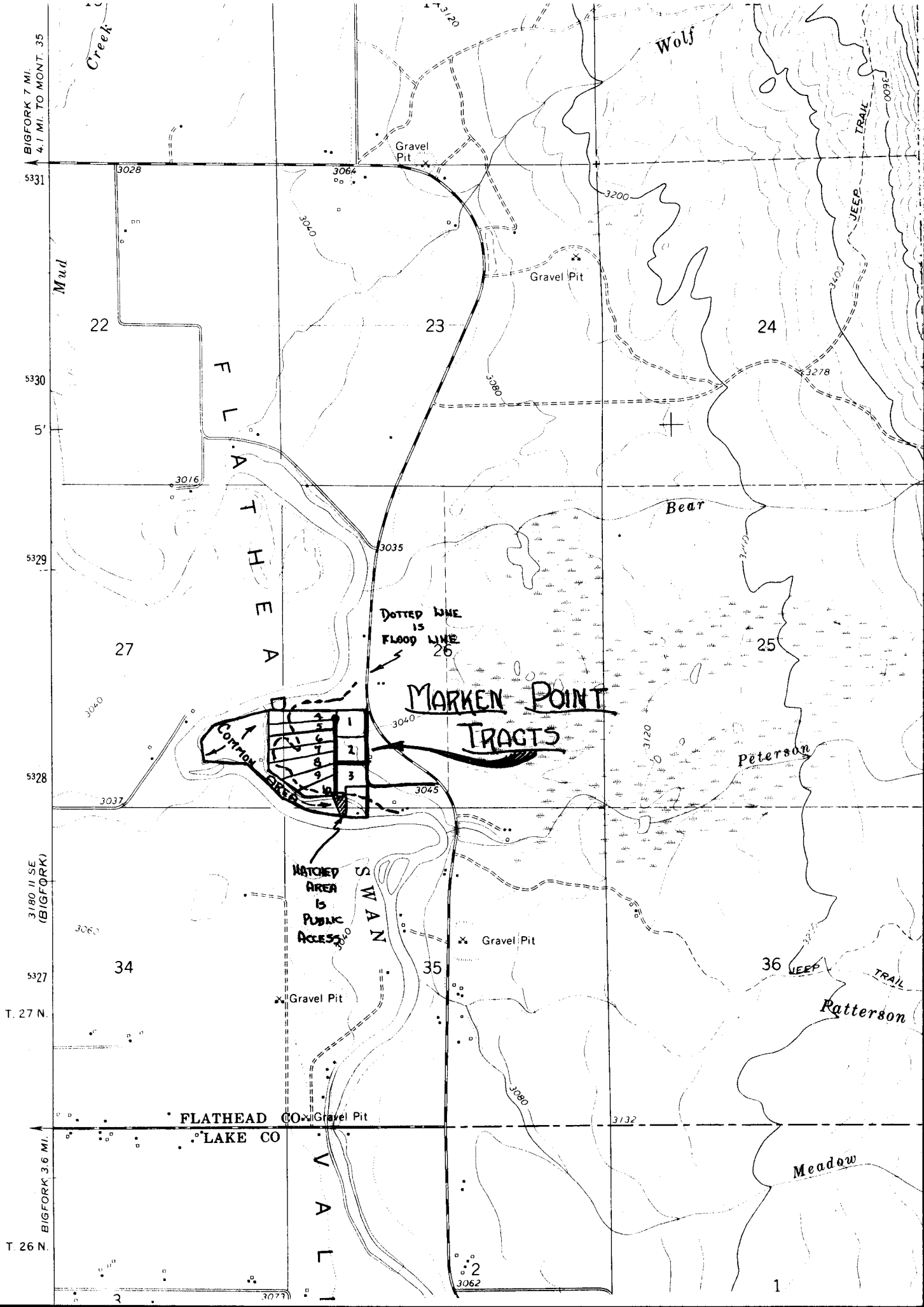
Considered purely on the basis of the facts as they now appear to exist, the action of this division has to be considered to be: NOT SIGNIFICANT.

Concurrance on this action has not yet been received from the Flathead County Health Department. The proposal is still under study by this local agency and final approval cannot be made by this office until written agreement has been received. The public hearing of the Flathead Areawide Planning Organization is also scheduled for February 12, 1975 and the P.C.A. building in Kalispell, Montana. This office is prepared to write an approval statement on the Marken Point Tracts subdivision provided the proposal receives Planning Board approval and County Health Department approval.

This Negative Declaration was prepared by Wilbur O. Aikin, P.E., a Public Health Engineer of the staff of the Kalispell Regional Office, Water Quality Bureau, Montana State Department of Health and Environmental Sciences.

That data required by law was provided by Putnam and Associates, a registered land surveying firm in Kalispell, Montana and from Charles D. Olson and James H. Miller developers from Polson, Montana. Mr. Jack Cloninger of the Soil Conservation Service in Kalispell, Montana provided special studies data on the agricultural status and soil condition at the subdivision site.

As was noted in the body of the report the staff of the Flathead County Areawide Planning Organization contributed to the environmental assessment study and the Montana Department of Natural Resources and Conservation contributed, indirectly, to the evaluation of this environmental assessment.


BIGFORK 7 MI.
4.1 MI. TO MONT. 35
Creek
Wolf
Gravel Pit
Gravel Pit
Mud
22
23
24
FLATHEA
27
26
25
Bear
Peterson
Common Area
MARKEN POINT TRACTS
DOTTED LINE IS FLOOD LINE
HATCHED AREA IS PUBLIC ACCESS
SWAN
Gravel Pit
34
35
36
Gravel Pit
Gravel Pit
JEEP TRAIL
Patterson
FLATHEAD CO.
LAKE CO
Meadow
VALLEY
BIGFORK 3.6 MI.
T. 27 N.
T. 26 N.
3180 II SE (BIGFORK)

~~Impact Statements?~~ Office Copy

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

RECEIVED
JAN 28 1975
ENVIRONMENTAL QUALITY COUNCIL

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 23, 1975

IN REPLY REFER TO:

RF-183(14)
St. Regis Bridge

Environmental Quality Council
Room 366 State Capitol Building
Helena, Montana 59601

Dear Sir:

Enclosed herewith for your information and files are two copies of the Agency Impact Determination for the above project as approved by the FHWA Division Engineer.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

By: Gerald L. Anders
Gerald L. Anders, P.E., Supr.
Consultant Design Section

39-GLA:JGS:dt
attachment

cc: G. L. Anders

GEORGE VUCANOVICH, CHAIRMAN
HELENA

Wm. M. KESSNER, VICE CHAIRMAN
BLACK EAGLE

G. R. COONEY
BUTTE

R. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

MONTANA DEPARTMENT
OF HIGHWAYS

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

January 16, 1975

RF 183(14)
St.Regis Bridge

U.S. Department of Transportation
Federal Highway Administration
Helena, Montana 59601

08-30.22-A1

Gentlemen:

This Agency Impact Determination is submitted for your concurrence that an environmental impact statement or negative declaration is not needed for this nonmajor action.

We are proposing to repair the existing bridge over the St. Regis River on U.S. 10 at St. Regis as stated in the attached memo of October 31, 1974 to Mr. Beckert. Copies of the referenced memo's of October 21st and October 23rd are also included.

As stated in FHPM Transmittal 107, Volume 7, Chapter 7, Section 2, Paragraph 10C, a nonmajor action which is a FHWA action will not require an EIS or a negative declaration.

Paragraph 10e(5) further states that one type of action ordinarily considered to be nonmajor is reconstruction of existing stream crossings.

Volume 7, Chapter 7, Section 5, Paragraph 6C indicates that a public hearing is not required for a proposed project such as this.

In view of the above we request your concurrence in our determination that a negative declaration is not necessary and we also request design approval for the project at this time. Our Public Hearings Unit will advertise our request for design approval in the proper media.

Date Recd. Preconst. 1-21-75

Act	Info	MAIL ROUTE	Attach	Initial

Ben Miller

We feel this information adequately addresses the comments contained in your letter of October 15, 1974 pertaining to this matter.

Very truly yours,

H.J. ANDERSON
DIRECTOR OF HIGHWAYS

By Stephen C. Kologi
Stephen C. Kologi, P.E., Chief
Preconstruction Bureau

Attachments
39-SCK/GLA/JGS/ajs
cc: D.D. Anderson
B.C. Miller
H.E. Stratton
G.L. Anders

I concur R.M. Jones Date 1-20-75
for H.N. Stewart, Division Engineer
Federal Highway Administration

File

STATE OF MONTANA

RECEIVED

JAN 30 1975

ENVIRONMENTAL QUALITY COUNCIL

DEPARTMENT OF FISH AND GAME

Helena, Montana 59601
January 30, 1975

Mr. H. J. Anderson
Director of Highways
Department of Highways
Helena, Montana 59601

Attention: Gerald L. Anders

Dear Mr. Anderson:

This correspondence concerns your Agency Impact Determination for project RF 183(14), St. Regis Bridge.

I do not recall having received any information concerning this project. Would you please supply us with a description of the proposal so that we may determine whether or not we concur that this project does not constitute a major action and does not, therefore, require an impact statement or a Negative Declaration.

Sincerely,

R. Boland

Ralph W. Boland, Assistant Administrator
Environment and Information Division

RWB:jd
cc: James Ford
Attn: Staff
H. N. Stewart
John Reuss

file

Office Copy

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

RECEIVED
JAN 28 1975
ENVIRONMENTAL QUALITY COUNCIL

January 23, 1975

IN REPLY REFER TO:
I 94-3 (31) 89
Forsyth West
Safety

08 30.22 B3

Environmental Quality Council
Capitol Station
Helena, Montana 59601

Gentlemen:

Attached, for your information, are two (2) copies of the Agency Impact Determination for the above project, as approved by the Federal Highway Administration.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

By Stephen C. Kologi
Stephen C. Kologi, P.E., Chief
Preconstruction Bureau

32:SCK:KFS:mb
Enclosures

cc: K.F. Skoog

WM. M. MESSNER, JR. BLACK EAGLE
C. R. TIBBITS SHELBY
R. L. BACHELLER BILLINGS
JAY LA LONDE SIDNEY

MONTANA DEPARTMENT
OF HIGHWAYS

Date Recd. Preconst. 1-17-75

Act	Info	MAIL ROUTE	Attach	Initial
		30		
		30 Engineering Services		
		31 Plans		
		32 Road Design	✓	
		33 Environmental	✓	
		34 Hydraulics		
		35 Surface Design		
		36 Photogrammetry		
		37 Traffic		
		37 Pub. Hearing		
		38 Sec. Urban		
		39 Consultant Design		
		File	✓	✓

STATE OF MONTANA

DEPARTMENT OF HIGHWAYS

January 10, 1975

I 94-3 (31) 89
Forsyth West
Safety

08 30.22 B3

U. S. Department of Transportation
Federal Highway Administration
501 North Fee Street
Helena, Montana 59601

Gentlemen:

This Agency Impact Determination is being submitted for your approval on I 94-3(31)89. This project is located in Rosebud County on I-94 beginning approximately 7.2 miles east of the Treasure-Rosebud County Line and extending 7± miles easterly, although the project may be lengthened pending addition test results.

The anticipated work to be performed will be an appropriate remedy to correct the slippery condition on this section of interstate.

It is our opinion that this project is not a major action and it will not significantly affect the environment. The project should not significantly affect the air, noise or water quality of the areas.

The work will not affect other public works activities or result in any alternation of land use or traffic flow patterns. No new right-of-way will be required. The major impact of the project will be to provide safer and more efficient transportation for the traveling public.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

By Stephen C. Kologi
Stephen C. Kologi, P. E., Chief
Preconstruction Bureau

I concur R M Dorr
For H. N. Stewart
Federal Highway Administration

Date 1-15-75

32-SCK:KFS:WHW:mg

cc: S. C. Kologi
K. G. Rapp
K. F. Skoog
R. E. Hall
D. D. Anderson

File

Office Copy

Department of Health and Environmental Sciences
STATE OF MONTANA HELENA, MONTANA 59601

John S. Anderson M.D.
DIRECTOR

RECEIVED
JAN 28 1975
ENVIRONMENTAL QUALITY
COUNCIL

January 21, 1975

Honorable Thomas Judge, Governor, State of Montana, Helena
Ann Marie Hagel, Route 1, Box 87, Butte
Butte - Silver Bow City County Planning Board, Prudential Towers, Butte
Leo Balanger, Box 3342, Butte
Leonard Vainio, Miners Bank Bldg., Butte
Consumer Advocate, Governor's Office, Helena
Environmental Quality Council, Helena
Fish and Game Department, Helena
Department of Intergovernmental Relations, Division of Planning, Helena
Montana State Library, Helena
City-County Health Dept., Silverbow County Courthouse, Butte
Environmental Information Center, Box 12, Helena
Paul T. Richards, 902 North Park, Helena
Student Environmental Research Center, University of Montana, Room 212 Venture Ctr., Missoula
Department of Natural Resources and Conservation, Helena
C. W. Gonder, 823 East Call St., Livingston
Mrs. Winifred Lucky, 420 South Sixth, Livingston
Mrs. Vel Jansen, 430 South Sixth, Livingston
Northern Rockies Action Group, #9 Placer Street, Helena
Doris Milner, Montana Wilderness Assn., Route #1, Box 1410, Hamilton
Larry Uman, Environmental Studies Dept., University of Montana, Missoula
Rick Graetz, Box 894, Helena

MONTANA DEPARTMENT OF HEALTH
AND
ENVIRONMENTAL SCIENCES

An Agency Impact Determination
for
GREEN ACRES,
a proposed subdivision in Silver Bow County, Montana

January 21, 1975

Pursuant to the Montana Environmental Policy Act, Section 69-6405 (b) (3); the act controlling both public and private water supply and sewage disposal for subdivisions, Section 69-5001 through 69-5009; and the act to control water pollution, Section 69-4801 through 69-4827, the following agency impact determination is prepared by the Department of Health and Environmental Sciences, Environmental Sciences Division, Water Quality Bureau, concerning Green Acres, a proposed subdivision in Silver Bow County, Montana, for which a submittal has been received requesting subdivision plat approval.

The purpose of this negative declaration is to inform all interested governmental agencies and the concerned public of the Water Quality Bureau's intent not to prepare a full environmental impact statement. This document will be circulated for 15 days. A comprehensive environmental assessment is available at the Butte - Silver Bow City County Planning Board and the Helena office of the Water Quality Bureau.

This proposed development is located approximately six miles south of urban Butte, Montana in Section 16, Township 2 North, Range 7 West, MPM. The land is bordered on the west by U. S. Highway 10, on the east by Blacktail Creek and a haymeadow and on the south by suburban residential tracts of one to ten acres each. Native rangeland lies north of the proposed development.

The 70.91 acres would be divided into forty-eight residential lots. Most of the land area is part of a subdivision known as Green Acre Home Sites. A plat was filed and the DHES removed the sanitary restrictions in 1968. This in effect is a replatting of that subdivision with additional land being added on the south. A public park of 4.6 acres would be dedicated with this subdivision.

Water Supply

Water would be supplied through individual wells. Five wells have been drilled on the property and range from 80 to 120 feet. All wells have a satisfactory discharge.

Sewage Disposal

Sewage would be treated in individual septic tanks and disposed of through subsurface drainfields. Soil profile descriptions, percolation tests, and groundwater data indicate the lots are suitable for this purpose.

Solid Waste Disposal

It is proposed that solid wastes be disposed of in the Silver Bow County landfill. Commercial pick up service is available.

Utilities

Electricity and natural gas will be provided by Montana Power Company and telephone service by Mountain Bell Company. All utilities would be installed underground.

Roads

Every lot will have access and frontage on a street or cul-de-sac. Streets are proposed with a minimum right-of-way width of 50 or 60 feet, and all with a weather gravel surface of 24 ft. width. Access to the subdivision will be from three ingress-egress points with U. S. #10. Entrances and roads will be constructed at the expense of the developer. All street rights-of-way in the subdivision will be Dedicated-To-Public. It is anticipated that 275 daily vehicle trips will be generated by this project on U.S. Highway #10.

Services

The area is not currently served by a fire district. This growing suburban area together with Terra Verdi Heights and Ridgeview Acres will create a need for a volunteer fire department.

The area will be served by the Silver Bow County Sheriff's Department. Medical services are available in Butte.

Schools

If all lots are fully developed the estimated impact on the local schools would be:

Elementary School Margaret Leary	42
Junior High School East Junior High	14
Senior High School Butte High	14

It should be remembered that many potential residences are existing Butte residences who would be displaced by mining activities.

Tax Revenue

The land on which Green Acres is proposed generated about $40.00 for Silver Bow County last year. It is estimated that $3,130.00 would be generated with this land classed as suburban tract land. Assuming the value of a home to be in the $30,000.00 neighborhood the county could expect around $40,000 in tax revenue.

Environmental Impacts

A long-term adverse impact to the flora and fauna occurs with the development of any residential subdivision. However, the land area that would become Green Acres subdivision has no unique species, is not highly productive agricultural land and is not considered big game habitat. Native plant species would be replaced with ornamentals with the subsequent effect on birds and small terrestrial species.

There would be a slight alteration of landforms due to slight grading operations and road construction. There would also be the usual construction disruptions with the associated dust, smoke, noise, and disposal of construction wastes.

There are also other environmental impacts associated with suburban residential development. These would generally be:

a) A change from a rural pastoral landscape to a suburban landscape.

b) Increase in traffic.

c) Long-term burden on the school system.

d) Long-term increase in needed community services.

e) Decrease in air quality.

Since this is intended to be a primary home residential development and not a secondary home subdivision, the severity of the above mentioned impacts would be reduced as the potential property owners would reside somewhere in the greater Butte area if not at Green Acres.

Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity

The project's demand on natural and scenic resources such as water, non-renewable energy (fossil fuels, etc.), views and open space amounts to unavoidable adverse effects. However, many of these demands occur whenever and wherever construction takes place; they are merely symptoms of the expanding or shifting population problems.

The proposed use is in conformance with community policies previously established. The cumulative effects of decreased air quality, additional traffic, effects on water quality, additional public services required by this and other similar small developments will reduce the future productivity and environmental quality of the Green Acres area.

Given a need for such development in the area, it is necessary to seriously consider methods of reducing cumulative adverse effect, so that such developments, both past and future, may be made more compatible with future environmental quality.

Irreversible and Irretreivable Commitment of Resources

The project will irreversibily commit resources as it is developed; land-forms and the ecosystem will be permanently changed; land uses will be allocated for the long-term by virtue of dwelling and utility construction; money, power, construction materials and labor will be irrevocably used in the project, as well as continual supplies of services such as power, water, gas, waste treatment, police and fire protection and schools. Transportation facilities and other county maintenance services will also be allocated to this development on a long-term basis.

Alternatives to the Project

Many alternatives are always available regarding land use decisions. It would be possible to discuss the no action alternative, a lower density alternative or a higher density alternative. In the case of Green Acres there are just two alternatives available, since most of the land was previously platted. They are to proceed with the current plan or to revert to the previous plat and proceed. The property prefers to pursue the current plan.

Alternatives Available to this Department

There are two alternatives available to this department:

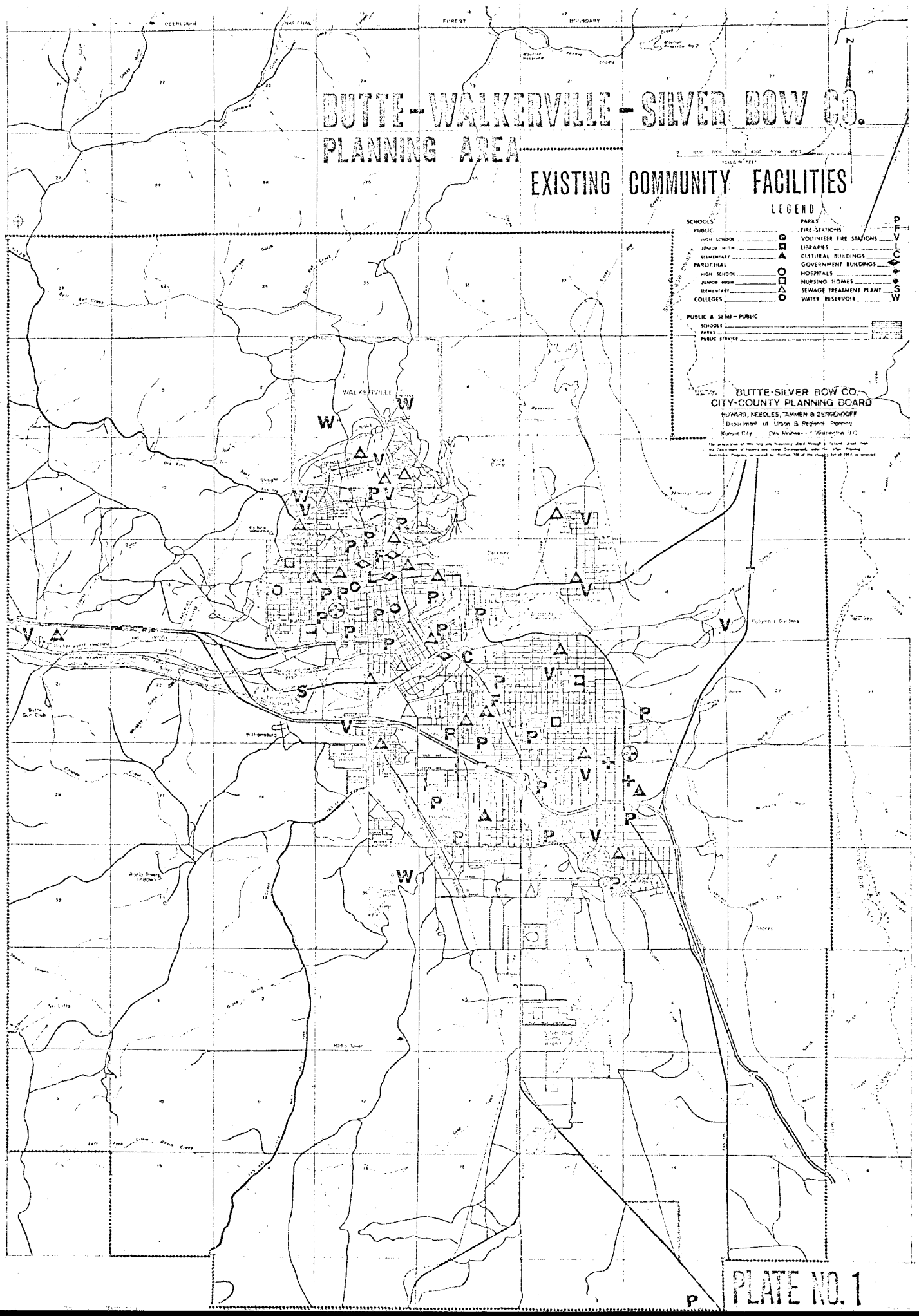
a) Approve the plat as submitted in light of the environmental considerations previously discussed.

b) Not approve the plat thereby having most of the subject property developed according to the plat that was filed in 1968.

Conclusions

It has been established that the requirements for water supply, sewage disposal and solid waste disposal can satisfy the laws and regulations of the Montana DHES. A certificate of approval will be issued fifteen days after the issuance of this document unless evidence is presented detailing heretoafore unknown adverse impacts. This department's action is not considered to have significant adverse environmental impacts.

This statement has been prepared by Alfred P. Keppner, B.S.F., M.S., Soils Scientist, Water Quality Bureau, Environmental Sciences Division, Utilizing information presented by the developer.


BUTTE-WALKERVILLE-SILVER BOW CO.
PLANNING AREA
EXISTING COMMUNITY FACILITIES
LEGEND
SCHOOLS
PUBLIC
HIGH SCHOOL
JUNIOR HIGH
ELEMENTARY
PAROCHIAL
HIGH SCHOOL
JUNIOR HIGH
ELEMENTARY
COLLEGES
PARKS
FIRE STATIONS
VOLUNTEER FIRE STATIONS
LIBRARIES
CULTURAL BUILDINGS
GOVERNMENT BUILDINGS
HOSPITALS
NURSING HOMES
SEWAGE TREATMENT PLANT
WATER RESERVOIR
PUBLIC & SEMI-PUBLIC
SCHOOLS
PARKS
PUBLIC SERVICE
BUTTE-SILVER BOW CO.
CITY-COUNTY PLANNING BOARD
HOWARD, NEEDLES, TAMMEN & BERGENDOFF
Department of Urban & Regional Planning
Kansas City Des Moines Washington D.C.
WALKERVILLE
Willowbrook
PLATE NO. 1

Carol - file under

STATE OF MONTANA

DEPARTMENT OF

FISH AND GAME

RECEIVED

FEB 13 1975

ENVIRONMENTAL QUALITY COUNCIL

Helena, Montana 59601
February 11, 1975

Mr. Dan Vichorek
Department of Health and Environmental Sciences
Helena, Montana 59601

Dear Dan:

As requested in your letter of January 21, 1975, we have reviewed the agency impact determination for the Green Acres subdivision in Silver Bow County.

We have no comments to make on this statement.

Sincerely,

James A. Posewitz, Administrator
Environment and Information Division

JAP/ad

cc: Environmental Quality Council
Don Bianchi

file Office Copy.

RECEIVED
JAN 29 1975
ENVIRONMENTAL QUALITY COUNCIL

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 24, 1975

IN REPLY REFER TO:

36-SCK
RF 191(17) U-90
Somers & Lakeside
Overhead Flashers

Executive Director
Environmental Quality Council
Capital Station
Helena, Montana 59601

Gentlemen:

Enclosed for your information are two (2) copies of the Agency Impact Determination for the above subject project, as approved by the Federal Highway Administration.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

BY: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

36-SCK:AGZ:DVS:sk

Enclosure

GEORGE VUCANOVICH, CHAIRMAN
HELENA

Wm. M. KESSNER, VICE CHAIRMAN
BLACK EAGLE

G. R. COONEY
BUTTE

P. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

FORM 4 A

INTER-DEPARTMENTAL MEMORANDUM

DEPARTMENT OF HIGHWAYS

To J. R. Beckert, P.E., Administrator-Engineering Division Date January 22, 1975

From Stephen C. Kologi, P.E., Chief-Preconstruction Bureau Subject RF 191(17) U-90 Somers & Lakeside Overhead Flashers

This Agency Impact Determination is being submitted for your concurrence that an Environmental Impact Statement or Negative Declaration is not required for this Non-Major Action.

The proposed project is located in Somers and Lakeside, Montana. Flashers and two 400 watt mercury vapor luminaires will be installed at the intersection of U.S. 93 and Main Street in Somers. A similar installation will be installed at the intersection of U.S. 93 and the main street to Lakeside.

This project has been requested by local civic groups, the County Commissioners, and concerned citizens. There was recently a pedestrian death at the Somers intersection.

The power that will be used by the flashers and luminaires at the two intersections will be 712 kilo-watt hours per month. This is approximately the same amount of power used by the average home per month.

There will be no significant effect upon the natural and cultural resources of the area. Soil erosion, park, recreational areas, wildlife, water fowl refuges, historic and natural landmarks are not involved in this project.

The water quality of the area will not be affected. The Department of Health and Environmental Sciences has reviewed this project and assured us that this project will not affect the air quality of the area. The noise levels should not change due to this project.

Based on the foregoing, it is felt that the proposed project will not significantly affect the environment and does not warrant the preparation of an Environmental Impact Statement or a Negative Declaration.

Your early return of a signed copy of this Determination will be appreciated.

36-SCK:AGZ:DVS:sk

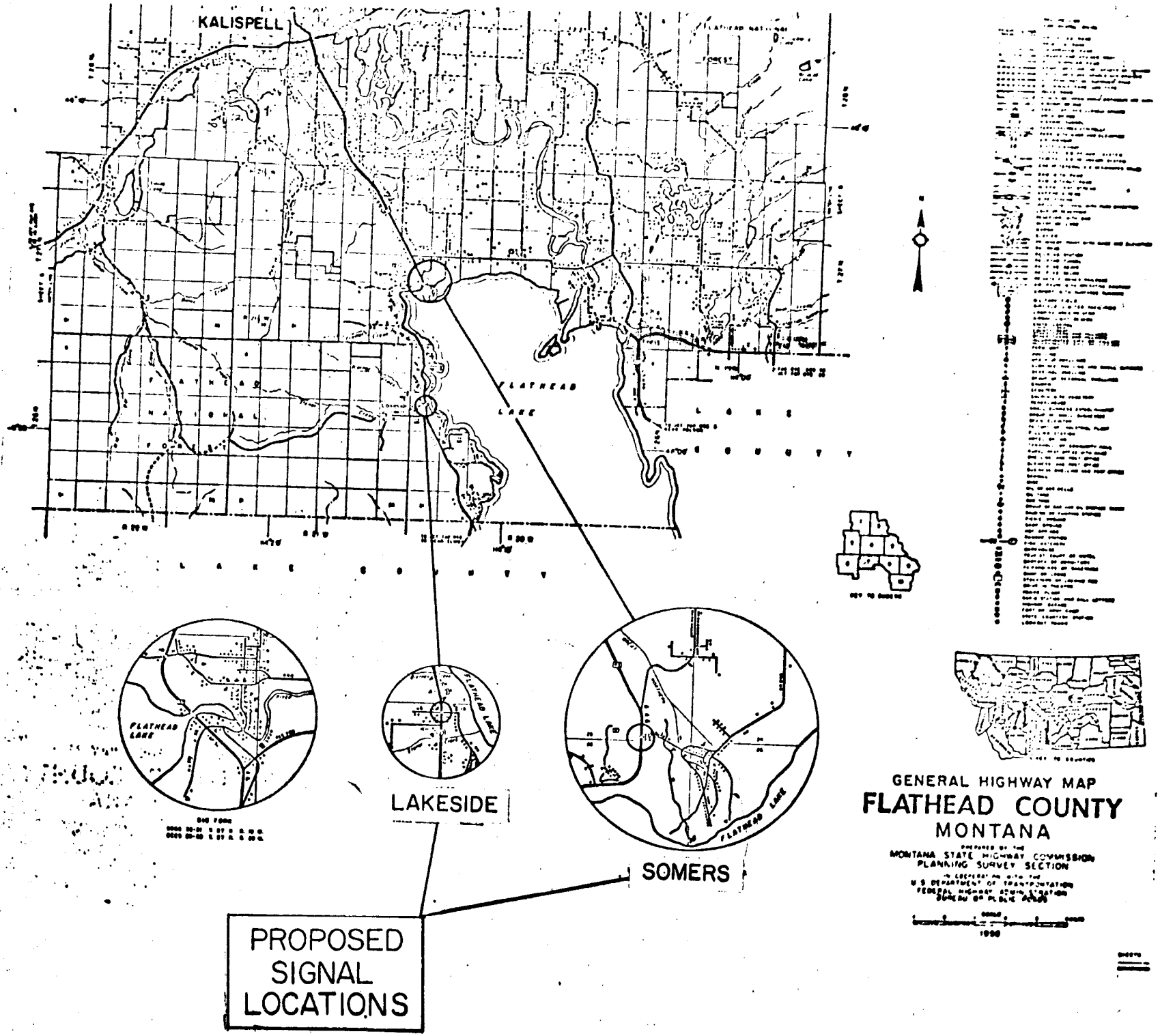
Enclosure

Stephen C. Kologi

Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

I Concur Jack R. Beckert Date 1-23-75
J. R. Beckert, P.E.
Administrator-Engineering Division

Avoid Verbal Instructions


KALISPELL
FLATHEAD LAKE
LAKESIDE
SOMERS
PROPOSED SIGNAL LOCATIONS
GENERAL HIGHWAY MAP
FLATHEAD COUNTY
MONTANA
MONTANA STATE HIGHWAY COMMISSION
PLANNING SURVEY SECTION

MAIL & FILE

Department of Health and Environmental Sciences

STATE OF MONTANA HELENA, MONTANA 59601

John S. Anderson M.D.
DIRECTOR

December 11, 1974

Stephen C. Kologi, P.E.
Chief, Preconstruction Bureau
Department of Highways
Sixth and Roberts Streets
Helena, MT 59601

Re: 36-SCK Flasher, Sign and Lighting Projects

Dear Mr. Kologi:

We concur that flasher, signing and/or lighting projects should have no adverse effects on air quality. Until further notice, we will not need to be advised of action on these projects.

Sincerely,

R. Clark Neilson

R. Clark Neilson
Air Pollution Control Specialist
Air Quality Bureau

RCN:dmg

Date Recd. Preconst. 12-13-74

Act	Info	MAIL ROUTE	Attach	Initial
		30		
	✓	30 Engr. Specialties		
		31 Contractions		
	✓	32 Local Road Design		
		33 Environmental		
		34 Hydraulic		
		35 Surfacing Design		
		35 Photogrammetry		
	✓	36 Traffic		
	✓	37 Pub. Hearing		
		38 Sec. - Urban		
		39 Consultant Design		
	✓	File		

Office Copy

Department of Health and Environmental Sciences

STATE OF MONTANA HELENA, MONTANA 59601

John S. Anderson M.D.
DIRECTOR

January 27, 1975

Re: Golden West Addition No. 1,
Missoula County

Honorable Thomas Judge, Governor, State of Montana, Helena
Golden West Development Co., Box 782, Missoula
Sorenson and Co., Box 3418, Missoula
The Missoulian, Missoula
City-County Planning Board, Courthouse, Missoula
City-County Health Department, Courthouse Annex, Missoula
Department of Intergovernmental Relations, Division of Planning, Helena
Department of State Lands, Helena
Department of Natural Resources and Conservation, Helena
Department of Highways, Helena
Rick Graetz, Box 894, Helena
Mary Lee Reese, 29 South Alta, Helena
Department of Fish and Game, Helena
Northern Rockies Action Group, #9 Placer Street, Helena
Environmental Quality Council, Helena
Student Environmental Research Center, Room 212, Venture Center, University of Montana, Missoula
Montana State Library
Doris Milner, Montana Wilderness Association, Route 1, Box 1410, Bozeman
Missoula Public Library, Missoula
Environmental Studies Department, University of Montana, Missoula
County Assessor, Courthouse, Missoula
County Sheriff, Courthouse, Missoula
County School Superintendent, Courthouse, Missoula
Environmental Information Center, Box 12, Helena
Paul T. Richards, 920 North Park, Helena
Dan Smith, Citizens Alert for Guided Growth, 812 So. Eighth, Bozeman
C. W. Gonder, 823 East Call Street, Livingston
Mrs. Winifred Lucky, 420 So. Sixth, Livingston
Mrs. Vel Jansen, 430 So. Sixth, Livingston
Montana Wildlife Federation, 410 Woodworth Avenue, Missoula

1 cy only rec'd 1/31/75
Duplicate 8/22/75

Enclosed is a negative declaration that has been prepared for Golden West Addition #1, a proposed subdivision in Missoula County, Montana.

Subdivision plans and specifications have been submitted to the Department of Health and Environmental Sciences for approval of water supply, sewage disposal, and solid waste disposal systems. This declaration defines the project and specifies those conditions under which the subdivision will receive approval without the development of an

environmental impact statement. This declaration is intended to assure all interested governmental agencies and public groups that this approval is being sought within the intent of both the Montana Environmental Policy Act and the Montana subdivision laws.

Sincerely yours,

D. G. Willems

D. G. Willems, P.E., Chief
Water Quality Bureau
Environmental Sciences Division

DGW:AJG:vlf
Enclosure
cc: Ben Wake
Terry Carmody
Jim Peterson

Montana Department of Health
and
Environmental Sciences

January 27, 1975

A NEGATIVE DECLARATION
FOR
Golden West Addition #1,
a proposed subdivision in Missoula County, Montana

Pursuant to the Montana Environmental Policy Act, Section 69-6504(b)(3), R.C.M. 1947; the act controlling both public and private water supply and sewage disposal for subdivisions, Section 69-5001 through 69-5009, R.C.M. 1947; and the act controlling water pollution, Section 69-4801 through 69-4827, R.C.M. 1947, the following negative declaration is prepared by the Department of Health and Environmental Sciences, Environmental Sciences Division, Water Quality Bureau, concerning Golden West Addition #1, a proposed subdivision in Missoula County for which a request has been received requesting subdivision plat approval.

The purpose of this negative declaration is to inform all interested governmental agencies and the public of the Water Quality Bureau's intent not to prepare an environmental impact statement. This document will be circulated for 15 days. A general map showing the exact location of this subdivision is attached to this declaration.

The proposed Golden West Addition #1 Subdivision is located in the NW¼ of Section 23 and the NE¼, of Section 22; the E½ of Section 15 and the W½ of Section 14; Township 13 North, Range 20 West, MPM. It consists of 114.94 acres divided into 35 lots. The development will take low productivity agricultural land out of production.

Individual wells to be drilled by individual lot owners are proposed. A lagoon will be used. The consulting engineer states that the lagoon has been sized to provide for elimination of all wastewater through evaporation and percolation, and therefore will have no overflow into any stream or surface water. A homeowners' association will provide for the operation and maintenance of the systems.

Depth to water table is noted as 75 feet. Solid waste disposal is available through a private disposal company.

The land in this subdivision is noted by the developer as a clay soil and has very marginal dry land farming and pasture use.

An alternate would be to use the land as small acreage tracts with individual wells and individual sewage plants. Septic tank systems are not acceptable in the soils in this area. Individual sewage plants have not had enough operational experience to assure acceptable systems within the financial ability of the lot buyer. Larger lots would also be required under this alternate. Larger lots will not utilize the land as well as the proposed subdivision with individual water and centralized sewer systems.

The remaining alternate is to not allow this subdivision. Some other land at another location would need to be provided to satisfy the need for lots for homeowners. This land as submitted is well suited for this purpose. Plans and specifications for the water system, sewerage system, and the solid waste disposal facilities will be in compliance with the Montana Department of Health and Environmental Sciences standards. This department's action is considered not significant.

This negative declaration was prepared by Albert J. Gasvoda, Architect, Water Quality Bureau, from information submitted by the Golden West Development Co., and Sorenson & Company, consulting engineers.

FRENCH DITCH
CHICAGO MILWAUKEE ST PAUL AND PACIFIC
DOUGHERTY DITCH
FIELD
MULLAN ROAD
ELMAR ESTATES
Sunset Memorial Gardens
Cem
GOLDEN WEST ADD
½ MILE
LAGOON SITE
COUNCIL HILL ADD
Council Hill
GRASS VALLEY
FRENCH DITCH
CLARK FORK
CLAR
Radio Tower (KYSS)
THIRD

file

THOMAS L. JUDGE
GOVERNOR

RECEIVED

JAN 31 1975

ENVIRONMENTAL QUALITY COUNCIL

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 29, 1975

32-SCK

IN REPLY REFER TO:
I 90-8(76)439
Mossmain
Weigh Station
South Frontage
Road

Environmental Quality Council
Capitol Station
Helena, Montana 59601

Gentlemen:

Attached, for your information, are two (2) copies of the Agency Impact Determination for the above project, as approved by the Federal Highway Administration.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

By Stephen C. Kologi
Stephen C. Kologi, P.E., Chief
Preconstruction Bureau

32:SCK:KFS:mb
Enclosures

cc: K. F. Skoog

GEORGE LINEAWEAVER, CHAIRMAN
HELENA

WM. M. KESSNER, VICE CHAIRMAN
BLACK EAGLE

G. R. COONEY
BUTTE

F. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

MONTANA DEPARTMENT
OF HIGHWAYS

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

January 14, 1975

I-90-8(76)439
Mossmain-Weigh Station
South Frontage Road

U. S. Department of Transportation
Federal Highway Administration
501 North Fee
Helena, Montana 59601

Gentlemen:

This Agency Impact Determination is being submitted for your approval on I-90-8(76)439.

This project is located in Yellowstone County 4.5 miles east of Laurel at the location of the existing duel weigh stations on I-90.

The proposed project will consist of designing and constructing an additional weigh station with access to and from the south frontage road.

The project will not affect other public works activities or result in any alteration of land use. It will affect the traffic flow pattern as it is anticipated that the large percentage of trucks now using the south frontage road to by-pass the weigh stations will return to the interstate as soon as this weigh station is opened. It appears that no new right-of-way will be required. The major impact of the project will be the expected decline in truck volume on the south frontage road thereby returning it to a safer route for local traffic and school children to use as it was originally intended.

We feel that this project is not a major action and will not significantly affect the environment, air, noise, or water quality or the area.

We also request waiver of a public hearing, location and design notification requirements and clearinghouse approval.

32-SCK.KFS.WHW.GRS.mb

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

By Stephen C. Kologi
Stephen C. Kologi, P.E., Chief
Preconstruction Bureau

cc: S.C. Kologi
C.W. Klimper
K.F. Skoog
D.D. Anderson
R.E. Hall

I concur R.H. Quist
FHWA
1-28-75
Date

Office Copy

file

THOMAS L. JUDGE
GOVERNOR

RECEIVED
FEB 3 1975
ENVIRONMENTAL QUALITY COUNCIL

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 31, 1975

IN REPLY REFER TO:

36-SCK
M 1206(1)
Bozeman Couplet

Executive Director
Environmental Quality Council
Capital Station
Helena, Montana 59601

Gentlemen:

Enclosed for your information are two (2) copies of the Agency Impact Determination for the above subject project, as approved by the Federal Highway Administration.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

BY: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

36-SCK:AGZ:DVS:sk

Enclosure

GEORGE VUCANOVICH, CHAIRMAN
HELENA

WM. M. KESSNER, VICE CHAIRMAN
BLACK EAGLE

G. R. COONEY
BUTTE

P. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 28, 1975

IN REPLY REFER TO

36-SCK
M 1206(1)
Bozeman Couplet
REF: 08-30.22-B1

U. S. Department of Transportation
Federal Highways Administration
Helena, Montana 59601

Reply Requested by:
February 4, 1975

Gentlemen:

This Agency Impact Determination is being submitted for your concurrence that an Environmental Impact Statement of a Negative Declaration is not required for this nonmajor action.

1. DESCRIPTION OF THE PROPOSED HIGHWAY IMPROVEMENT AND ITS SURROUNDINGS

A. Location and Description of the Project

This project is located in Bozeman, Montana. Work to be completed will consist of installing a one-way couplet on Babcock Street and Mendenhall Street. The couplet will start at Rouse Avenue and follow Mendenhall westerly to 11th Avenue. The other portion of the couplet will start at 8th Avenue and follow Babcock Street easterly to Rouse Avenue. The two portions of the couplet will both have two lanes of travel.

Two intersections will be signalized. The intersections are North 7th Avenue with Mendenhall Street and Babcock with South Willson Avenue. North 7th Avenue with Mendenhall Street will have a full-actuated controller with pedestrian push buttons and pedestrian heads. Babcock Street with South Willson Avenue will have a fixed time controller with pedestrian push buttons and pedestrian heads. Service and all wiring will be installed underground.

B. Purpose of the Project

This project was included in the Bozeman TOPICS Report. City Officials, The Chamber of Commerce and the Downtown Parking Commission have all requested that this project be built as soon as possible in order to eliminate congestion on Main Street.

Presently, Mendenhall Street is carrying an Average Daily Traffic Volume (ADT) of approximately 3900, Main Street has an ADT of 17,000, and Babcock Street has an ADT of 4400. After the couplet is operational, Mendenhall Street will have an ADT of approximately 7300, Main Street will have an ADT of 11,000, and Babcock

(Cont'd)

Street will have an ADT of 8400. The present traffic congestion on Main Street will be reduced significantly by the installation of the couplet.

Experience has indicated that properly designated and controlled one-way streets will improve the operation of vehicular and pedestrian traffic by:

Increasing Capacity. Because delays due to turning movements are minimized and because full use can be made of streets which are an odd number of lanes in width, the capacity of a street under one-way operation may increase from 20 to 50 percent, with the greatest advantage occurring on narrow streets.

Increasing Safety. The safety of moving traffic is increased by one-way operation because pairs of one-way streets essentially provide a "divided highway". Pedestrian crossings are more orderly and safe. Vehicular grouping and speed control can be more easily maintained. Better gap frequency is present for vehicles or pedestrians crossing or entering from such cross streets, driveways, pedestrian crossings, etc., as may exist between signals. The inherent smoothness and orderliness of mid-block and intersection operation tends to reduce driver impatience and, therefore, the probability of accident-producing behavior. The required field of vision on approach to intersections is reduced because drivers on one-way streets need to observe fewer movements than those drivers on two-way streets.

Improving Operation. One-way movement will improve traffic operation because travel time to a destination usually is reduced because of the improved signal progression and the reduction in congestion. Turning vehicles are not hindered by opposing traffic. A predominant turning movement may be permitted from more than one lane more easily than with two-way operation. Some vehicular movement from adjacent heavily traveled two-way streets may be attracted to one-way streets.

Traffic signal timing arrangements are simplified. Conversion to one-way operation frequently makes available multiple-lane efficiency between intersections, allowing the traffic stream more readily to pass around stalled vehicles, street repairs, vehicles being maneuvered at parking spaces, etc. Driving may be simplified by the elimination or reduction in the multiplicity of two-way street controls such as turn prohibitions, parking bans, complex signal phasing, reversing lanes, etc. The movement of public transit vehicles will usually be expedited.

Improving Economic Conditions. The facilitation of traffic movement and increased traffic safety is generally recognized as being of broad economic benefit to adjacent land users and to the general public. One-way operation of traffic may be economically advantageous because substantial improvements in capacity and ease of movement may be accomplished quickly and with a minimum of physical changes. A greater flexibility in meeting changing traffic patterns is possible with one-way measures than with physical changes. Expenditures are usually nominal. One-way operation may postpone or eliminate the need for parking prohibitions.

(Cont'd)

The traffic signals at each of the two intersections have met warrants under Warrant No. 1, Minimum Vehicle Volume.

2. PROBABLE ENVIRONMENTAL IMPACT

This couplet and signal project is located in mainly a commercial area. Therefore, we can foresee no significant environmental impact. As pointed out earlier, there are many advantages to a couplet system, thus, making the roadway safer for motorists and pedestrians.

The power used by the signals at the two intersections will be approximately 2800 kilo-watt hours per month. This is approximately 4 times the amount of power used by the average home per month.

All work will be completed within the existing right-of-way.

3. PROBABLE ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

We can foresee no significant adverse environmental effects which will be caused by this project.

4. ALTERNATIVES

The "No Build" alternate was considered, but it was decided that the congestion downtown would still exist unless the couplet was installed.

5. RELATIONSHIP BETWEEN SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

The traffic pattern should not be changed during the construction phase of the work, as all of the work can be completed on the edge of the roadway.

No natural or man made features of the surrounding land will be changed.

As stated earlier, there are many advantages of a one-way couplet system, increased safety, less congestion, and improved business.

Because this is an urban area, wildlife will not be affected and no water or air pollution problems are foreseen.

6. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

There will be no significant effect upon the natural and cultural resources of the area.

7. REGIONAL AND COMMUNITY GROWTH

Land use will remain essentially the same, i.e., a commercial area. The businesses in this area will no doubt increase in numbers whether this project is built or not.

(Cont'd)

8. CONSERVATION AND PRESERVATION

Soil erosion, park, recreational areas, wildlife, waterfowl refuges, and historic and natural landmarks are not involved in this project.

9. PUBLIC FACILITIES AND SERVICES

Religious, health, educational facilities, fire protection, and other emergency services will not be affected directly; the signals will make the roadways safer for anyone involved in these public facilities and services.

10. COMMUNITY COHESION

No additional right-of-way will be required by this project.

Land value should not increase due to this project and, therefore, will not increase the tax base.

11. DISPLACEMENT OF PEOPLE, BUSINESSES OR FARMS

There will be no displacement of people, businesses, or farms due to this project.

The project is not expected to significantly affect the employment situation except for a possible temporary increase in employment for the duration of the construction.

12. AIR, NOISE, AND WATER POLLUTION

Some air and noise pollution may occur during construction of this project, but it should not be significant.

Even though this project is in an air quality maintenance area, this project does not meet the requirements for review of projects as established by the Environmental Protection Agency. Their concern for air quality generally begins when the 10 year projected daily traffic counts increase 10,000 vehicles per day. This is about 1 1/2 times the traffic increase expected on this project. By improving traffic flow, signal projects tend to decrease air pollution.

This project is not in conflict with the State's Implementation Plan for achieving Federal ambient air quality standards and we concur with the Department of Health and Environmental Sciences determination that this project will not have a significant adverse effect upon air quality of the area.

On December 11, 1974, an exception to the design noise levels was given by the Federal Highways Administration.

13. AESTHETIC AND OTHER VALUES

"View of the Road" and "View from the Road" should not be affected by this project. The installation of the couplet and signals will help the flow of traffic and thus increase the safety of the roadways.

(Cont'd)

U.S. Department of Transportation
M 1206(1)
Bozeman Couplet

The cost of this project will be far out weighed by the advantages gained from a facility with such greatly improved qualities as safety and efficiency.

BASIS FOR AGENCY IMPACT DETERMINATION

Based on the foregoing, it is felt that the proposed project will not significantly affect the environment and does not warrant the preparation of an Environmental Impact Statement or a Negative Declaration.

Your early return of a signed copy of this Determination will be appreciated.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

BY: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

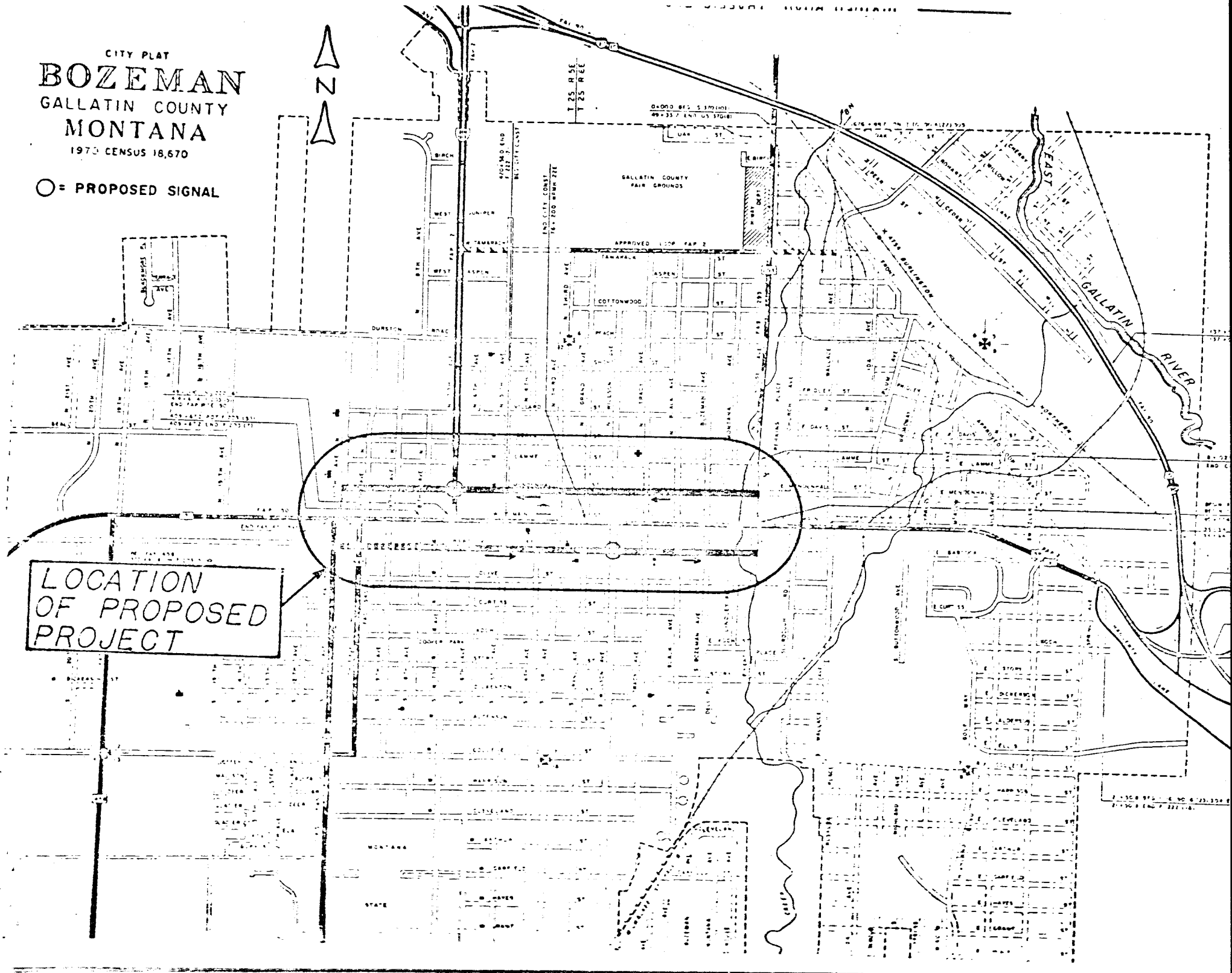
36-SCK:ACZ:DVS:sk

Enclosure

I Concur

H. T. Stewart, Division Engineer
Federal Highway Administration

Date 1-29-75


CITY PLAT
BOZEMAN
GALLATIN COUNTY
MONTANA
1970 CENSUS 18,670
O= PROPOSED SIGNAL
N
GALLATIN COUNTY FAIR GROUNDS
GALLATIN RIVER
EAST
LOCATION OF PROPOSED PROJECT

Mail & File

MONTANA DEPARTMENT
OF HIGHWAYS

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

November 20, 1974

30-50K
M 1206(1)
Bozeman Couplet

U. S. Department of Transportation
Federal Highway Administration
Helena, Montana 59601

Gentlemen:

This letter is to request an exception to the design noise levels as specified in PPM 90-2, for the subject project.

The couplet will start at Rouse Street and follow Mendenhall Street westerly to 11th Avenue. The couplet will then follow Main Street to 8th Avenue where it jogs south one block to Babcock Street. The Babcock portion of the couplet is between 8th Street and Rouse Street. (See enclosed sketch of the project). The couplet system as proposed, will consist of two travel lanes with parking on both sides. Two intersections will be signalized under this project. The intersections are North 7th Avenue with Mendenhall Street and Babcock Street with South Wilson Avenue.

A map is enclosed which shows the zoning of the area surrounding the couplet.

In order to determine the existing noise levels and future noise levels after the couplet is operational, nine noise sensitive locations were selected for study. The ambient measurements were taken on November 14, 1974. The NCHRP 117 method was used to calculate future L_{10} noise levels. Two sketches are enclosed which show the nine noise sensitive locations and the present ADT along with the estimated ADT after the couplet is operational.

Location No. 1

The receiver was located 27 feet from the curb at 716 Babcock. The noise sensitive area was a residence. The noise levels are as follows:

L_{10} Ambient = 66 dBA
L_{10} Calculated Future = 70 dBA

(Cont'd)

Location No. 2

The receiver was located 27 feet from the curb at 428 Babcock. The noise sensitive area was a residence. The noise levels are as follows:

L_{10} Ambient = 64 dBA
L_{10} Calculated Future = 70 dBA

Location No. 3

The receiver was located 81 feet from the curb on Babcock Street. The noise sensitive area was the classrooms facing Babcock Street at the Emerson Elementary School. The noise levels are as follows:

L_{10} Ambient = 63 dBA
L_{10} Calculated Future = 64 dBA

Location No. 4

The receiver was located 15 feet from the curb on Babcock Street. (See the enclosed sketch). The noise sensitive area was a residence. The noise levels are as follows:

L_{10} Ambient = 66 dBA
L_{10} Calculated Future = 72 dBA

Location No. 5

The receiver was located 21 feet from the curb on Mendenhall Street. The noise sensitive area was a residence. The noise levels are as follows:

L_{10} Ambient = 67 dBA
L_{10} Calculated Future = 72 dBA

Location No. 6

The receiver was located 17 feet from the curb on Mendenhall Street. The noise sensitive area was a residence. The noise levels are as follows:

L_{10} Ambient = 67 dBA
L_{10} Calculated Future = 73 dBA

Location No. 7

The receiver was located on the southwest corner of the intersection of 8th Avenue with Mendenhall Street. The receiver was 33 feet from the curb on Mendenhall Street. The noise sensitive area was a residence. The noise levels are as follows:

L_{10} Ambient = 64 dBA
L_{10} Calculated Future = 69 dBA

Location No. 8

The receiver was located 11 feet from the curb on Mendenhall Street. The noise sensitive area was a residence about one-half of a block from the Bozeman High School. The noise levels are as follows:

L_{10} Ambient = 63 dBA
L_{10} Calculated Future = 68 dBA

Location No. 9

This residence was chosen because it is located on Babcock Street between 11th Avenue South and 8th Avenue South. This section of babcock Street will not be part of the couplet, but it is anticipated that it will operate as a portion of the couplet. The receiver was located 27 feet from the curb on Babcock Street. The noise levels are as follows:

U.S. Department of Transportation
November 20, 1974

M 1206(1)
Bozeman Couplet

L_{10} Ambient = 64 dBA
L_{10} Calculated Future = 65 dBA

In three locations (No.44, No. 5, and No. 6) the calculated future noise levels exceed the design noise level of L_{10} = 70dBA. Location No. 2, the calculated future noise level equals the design noise level of L_{10} = 70 dBA. It should be noted that locations No. 4, No. 5, and No. 6 are residences located in area's zoned commercial.

Since three locations exceed the design noise levels, several types of attenuation devices were studied. Noise barriers will not work, because of the gaps which would have to provided for streets and approaches to driveways and alleys. If there was some type of barrier available that would provide adequate attenuation with openings for access, other problems would arise. The barriers not only would restrict sight distance, but would act as roadside obstacles because of the limited right-of-way available. Barriers which hid buildings would no doubt cause an increase of vandalism and robberies.

Buffer zones would be very expensive, not to mention being impractical in an urban situation.

Modifications to the buildings themselves was considered. In each of the three locations studied the buildings were older homes. The modifications required to reduce the interior noise levels in each of these would be quite expensive and the building would still be old after remodeling.

In summary, it appears to us that the benefits derived from noise abatement measures would be minimal compared to the costs and associated problems. Therefore, we request your concurrence that this exception to the design noise levels is in the best public interest.

Very truly yours,

R. J. [illegible]
DIRECTOR OF HIGHWAYS

By: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

36-SC:[illegible]:VS:SK

Enclosures
cc: [illegible]
K. [illegible]
Richard Holtzer [illegible]

I Concur [illegible]
[illegible], Division Engineer
Federal Highway Administration

Date DEC 11 1974

Date Rec'd. Precons.

Initial	Action	MAIL ROUTE	Date	Sig.

File p/s under

Office Memorandum

STATE DEPARTMENT OF HEALTH
AND ENVIRONMENTAL SCIENCES

RECEIVED
FEB 3 1975
ENVIRONMENTAL QUALITY COUNCIL

TO : Environmental Quality Council
Subdivision Coordinator

DATE: January 31, 1975

FROM : W. O. Aikin

SUBJECT : Village Properties, Kalispell, MT

I have recently received a familiar subdivision proposal newly identified, by name, as Village Properties, Kalispell, MT. I have also noted that you received notification of this project from the Flathead APO. To make certain that there is no misunderstanding on this project and the proper administrative procedures I would like to point out that this is the same subdivision concept which was reviewed by Draft Environmental Impact Statement (dated 9/5/72) under the name of The West Evergreen Community Development. The final impact statement was dated 12/15/72.

Personally, I feel that going through this procedure again would be a little like beating a dead horse, and I have informed the project engineer and the APO that as far as I can see the Department of Health review is already completed. Then it suddenly occurred to me that I had better get your views on this matter.

Actually it did not generate any significant controversy then, and it doesn't seem to be doing so now; primarily I would guess, because Mr. Bitney deeded so much ground to the city for an included golf course layout. If anything, he has a very large amount of local support and local committment derived from this quid pro quo approach to the problem. The only valid question that did emerge from the proposal at anytime was:

1. Would it pose any sort of threat to the Kalispell-Lawrence Park water supply intake? The question remains now as then a reassurring no, according to all information that we were able to gather.

2. How many phases of lots can be accepted within individual sewage disposal systems before the high density portions have to go to a community collector and treatment; presumably as a contribution to the Kalispell system? This point has been pretty well fixed in my mind and the APO has concurred, however this particular point is lacking in the 1972 assessment.

   If you are wondering why there has been such a long lag from the statement time to the actual review period, it has been a problem of acceptable design and configuration. The Flathead APO has spent a lot of time on this proposal and there have been a lot of work sheets on everyones desks in the last two years. The arrangements in firming up the golf course, in particular took a considerable amount of time. The plan you now know as Village Properties has taken a lot of beating to get it into an acceptable shape.

Unless I hear something to the contrary I will assume as I have thus far, that the administrative procedure for the land use decision has been satisfied for the Village Properties project.

John W. Reuss
xxxxxxxxxxxx

MEMORANDUM

To: W. O. Aikin, DHES Kalispell

From: Ronald J. Schleyer, EIS Coordinator, EQC

Re: VILLAGE PROPERTIES, KALISPELL, AKA WEST EVERGREEN COMMUNITY DEVELOPMENT

Date: February 10, 1975

Regarding your decision to allow the final EIS on this project (dated December 15, 1972) to stand, Dr. Bahls and I concur. Thanks for your consideration in letting us know what is happening.

Office Copy

File

RECEIVED

FEB 3 1975

ENVIRONMENTAL QUALITY COUNCIL

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 31, 1975

IN REPLY REFER TO:

36-SCK
HHS 95(20)
Lighting - Havre

Executive Director
Environmental Quality Council
Capital Station
Helena, Montana 59601

Gentlemen:

Enclosed for your information are two (2) copies of the Agency Impact Determination for the above subject project, as approved by the Federal Highway Administration.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

BY: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

36-SCK:AGZ:DVS:sk

Enclosure

GEORGE VUCANOVICH, CHAIRMAN
HELENA

WM. M. KESSNER, VICE CHAIRMAN
BLACK EAGLE

G. R. COONEY
BUTTE

P. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

January 28, 1975

36-SCK
HHS 95(20)
Lighting - Havre
REF: 08-30.22-B1

Reply Requested by:
February 4, 1975

U. S. Department of Transportation
Federal Highway Administration
Helena, Montana 59601

Gentlemen:

This Agency Impact Determination is being submitted for your concurrence that an Environmental Impact Statement or Negative Declaration is not required for this nonmajor action.

The proposed project is located approximately 2 miles west of Havre, Montana, at the junction of U.S. 2 and U.S. 87. Three 250 watt sodium vapor luminaires with a mounting height of 40 feet are proposed at this junction.

The junction presently has some raised median for channelization and needs to be lighted so drivers can more easily see the median. Thus, improving a potentially hazardous junction.

The power which will be used by the three luminaries will be 180 kilo-watt hours per month. This is approximately 1/3 the power used by the average home per month.

There will be no significant effect upon the natural and cultural resources of the area. Soil erosion, park, recreational areas, wildlife, water fowl refuges, historic and natural landmarks are not involved in this project.

The water quality of the area will not be affected. The Department of Health and Environmental Sciences has reviewed this project and assured us that this project will not affect the air quality of the area. The noise levels should not change due to this project.

Based on the foregoing, it is felt that the proposed project will not significantly affect the environment and does not warrant the preparation of an Environmental Impact Statement or a Negative Declaration.

(Cont'd)

U. S. Department of Transportation
HHS 95(20)
Lighting - Havre

Your early return of a signed copy of this Determination will be appreciated.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

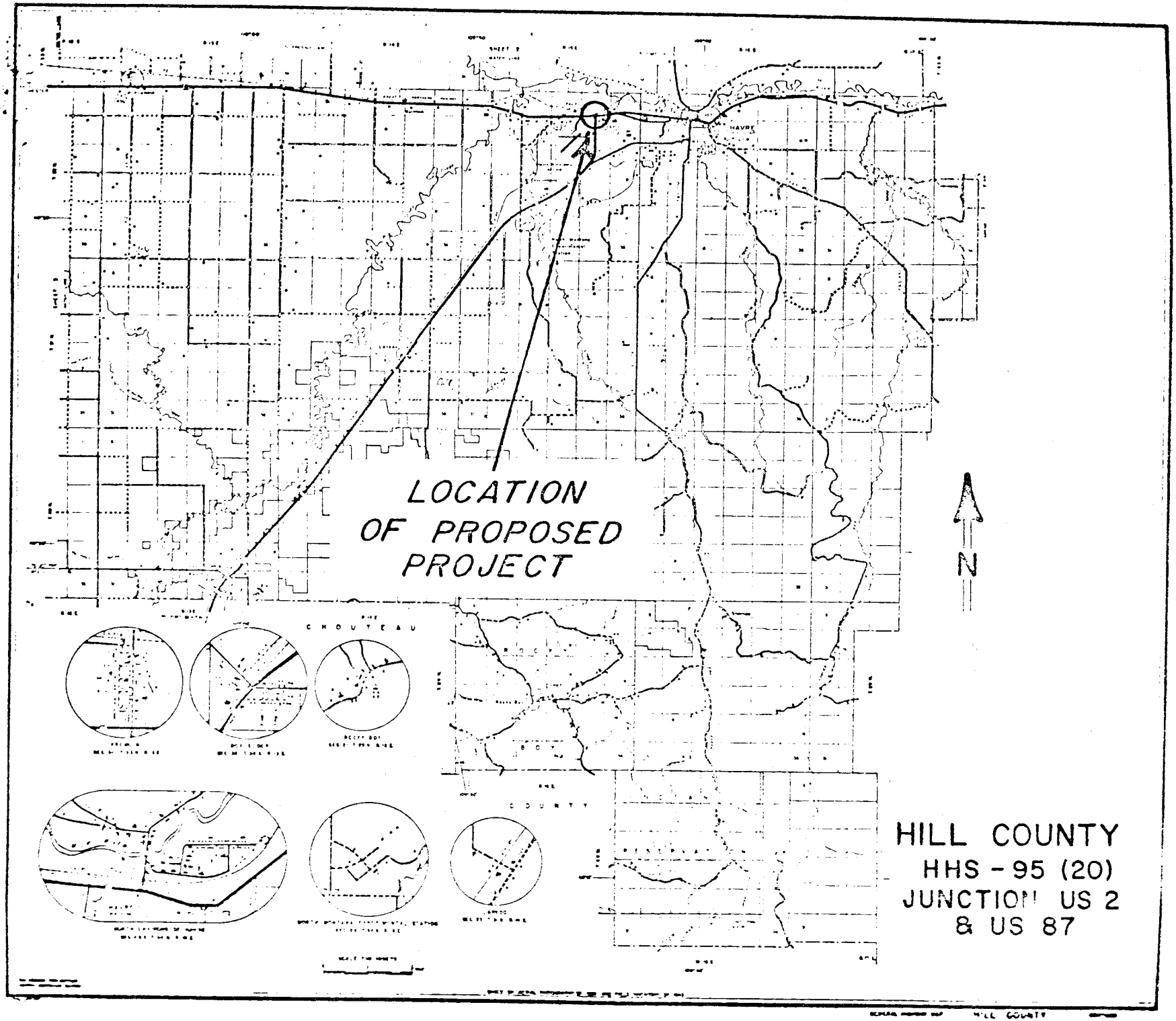
BY: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

3G-SCK:AGZ:DVS:sk

Enclosures

cc

I concur R. F. Jacus Date 1-29-75
for H. J. Stewart, Division Engineer
Federal Highway Administration


LOCATION
OF PROPOSED
PROJECT
N
HAVRE
CHOUTEAU
COUNTY
HILL COUNTY
HHS - 95 (20)
JUNCTION US 2
& US 87

Department of Health and Environmental Sciences
STATE OF MONTANA HELENA, MONTANA 59601

John S. Anderson M.D.
DIRECTOR

December 11, 1974

Stephen C. Kologi, P.E.
Chief, Preconstruction Bureau
Department of Highways
Sixth and Roberts Streets
Helena, MT 59601

Re: 36-SCK Flasher, Sign and Lighting Projects

Dear Mr. Kologi:

We concur that flasher, signing and/or lighting projects should have no adverse effects on air quality. Until further notice, we will not need to be advised of action on these projects.

Sincerely,

R. Clark Neilson

R. Clark Neilson
Air Pollution Control Specialist
Air Quality Bureau

RCN:dmg

Date Recd. Preconst. 12-12-74

Act	Info	MAIL ROUTE	Attach	Initial

file office copy

THOMAS L. JUDGE
GOVERNOR

RECEIVED
FEB 3 1975
ENVIRONMENTAL QUALITY COUNCIL

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

January 31, 1975

IN REPLY REFER TO:

36-SCK
M 8001(1)
Signals - Intersection
8th Ave. & Main St.
Miles City

Executive Director
Environmental Quality Council
Capital Station
Helena, Montana 59601

Gentlemen:

Enclosed for your information are two (2) copies of the Agency Impact Determination for the above subject project, as approved by the Federal Highway Administration.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

BY: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

36-SCK:AGZ:DVS:sk

Enclosure

GEORGE VUCANOVICH, CHAIRMAN
HELENA

Wm. M. KESSNER, VICE CHAIRMAN
BLACK EAGLE

C. R. COONEY
BUTTE

P. L. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

Mail & File

MONTANA DEPARTMENT OF HIGHWAYS

THOMAS L. JUDGE
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

Act	Info		
		DIV ENGR	
		ENG COORD	
		ASST ENGR	
		ADM	
		FIN SPEC	
		F&R ENGR	
		ASST F&R	
		DIV RW OFF	
		RW OFFICER	
		STR ENGR	
		DIST ENGR-A	
		AREA A-1	
		AREA A-2	
		AREA A-3	
	✓	DIST ENGR-B	✓
		AREA B-1	
		AREA B-2	
	✓	AREA B-3	✓
		ASST AREA	
		DF ENGR	
		AUDITORS	
		PRO CONT	

January 22, 1975

IN REPLY REFER TO:

36-SCK
M 8001(1)
Signals - Intersection of 8th Ave. & Main St.
Miles City
REF: 08-30.22-B3

I CONCUR 1/23/75

Reply Requested by:
January 29, 1975

I concur w SP

U. S. Department of Transporation
Federal Highway Administration
Helena, Montana 59601

Gentlemen:

This Agency Impact Determination is being submitted for your concurrence that an Environmental Impact Statement or Negative Declaration is not required for this Non-Major Action.

This proposed project is located in Miles City, Montana, at the intersection of Main Street with 8th Avenue. A fixed time controller with pedestrian indications will be installed at this intersection and it will be interconnected with the controllers at the intersections of 7th and 10th Avenues with Main Street. The corner radii will be enlarged to improve turning movements and some striping will be provided for lane channelization. No additional right-of-way will be required.

This intersection is located in the central business district of Miles City.

The project is the number one priority of the Miles City Chamber of Commerce Transportation Committee and the Street and Alley Committee of the City Council.

The signal has met warrants under WARRANT NO. 2, Interuption of Continuous Traffic for 8 hours a day. This warrant applies to operating conditions where the traffic volume on a major street is so heavy that traffic on a minor intersecting street suffers excessive delay or hazard in entering or crossing the major street.

The power which will be used by the signals on this project will be 1728 kilowatt hours per month, this is approximately three times as much as the power used by the average home per month.

There will be no significant effect upon the natural and cultural resources of the area. Soil erosion, park, recreational areas, wildlife, water fowl refuges, historic and natural landmarks are not involved in this project.

(Cont'd)

GEORGE VUCANOVICH, CHAIRMAN
HELENA

P. T. BACHELLER
BILLINGS

JAY LA LONDE
SIDNEY

U. S. Department of Transportation
M 8001
Miles City

The water quality of the area will not be affected. The Department of Health and Environmental Sciences has reviewed this project and assured us that if anything the project will improve the air quality of the area. The noise levels should not change due to this project.

Based on the foregoing, it is felt that the proposed project will not significantly affect the environment and does not warrant the preparation of an Environmental Impact Statement or a Negative Declaration.

Your early return of a signed copy of this Determination will be appreciated.

Very truly yours,

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

BY: Stephen C. Kologi
Stephen C. Kologi, P.E.
Chief-Preconstruction Bureau

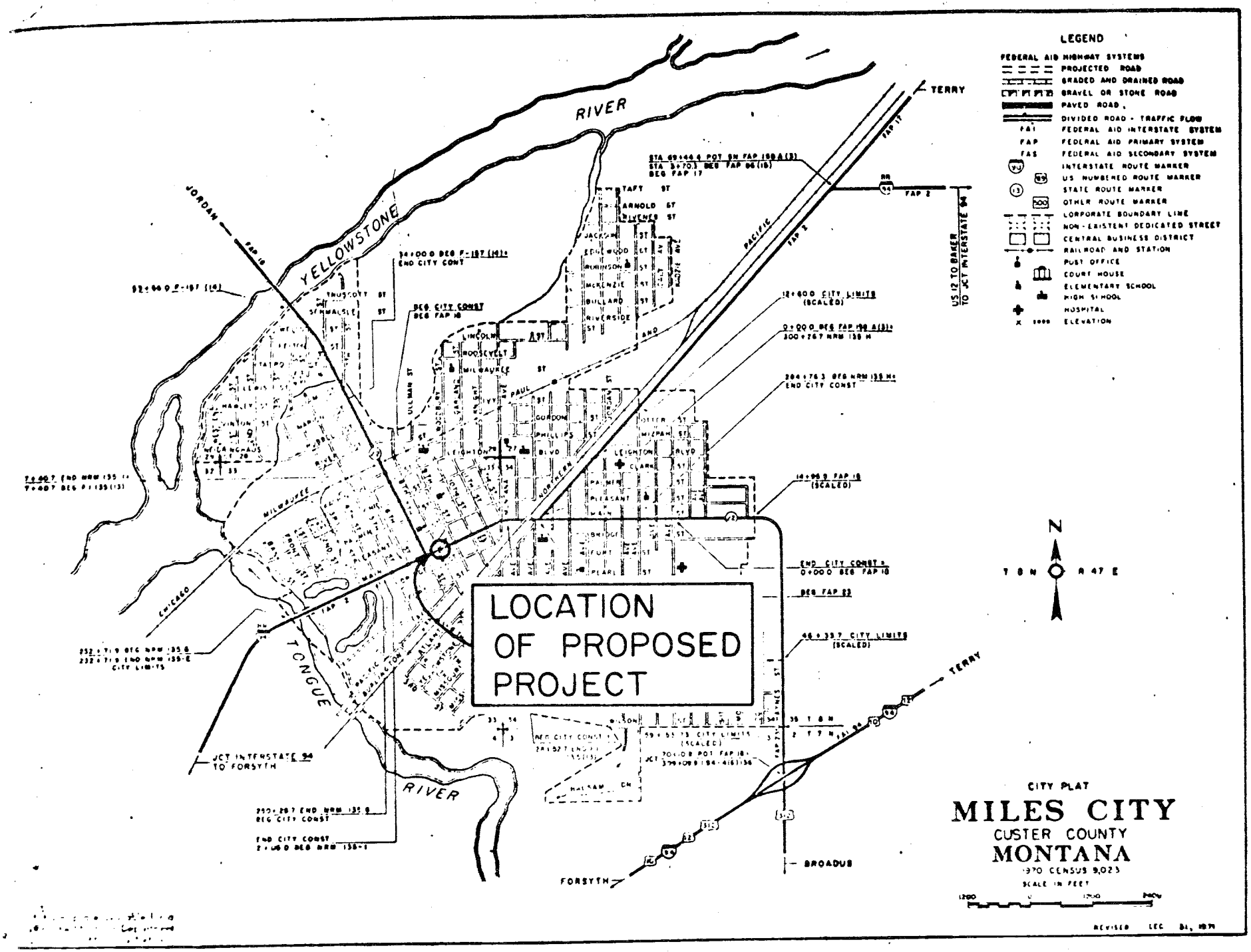
36-SCK:AGZ:DVS:sk

Enclosure

I Concur R.H. Jones Date 1-23-75
H. N. Stewart, Division Engineer
Federal Highway Administration

Date Recd. Preconst. 1-24-75

Act	Info	MAIL ROUTE	Attach	Initial
	✓		✓	
	✓	K.G. Rapp	✓	✓
	✓		✓	
	✓	File		✓


LEGEND
FEDERAL AID HIGHWAY SYSTEMS
PROJECTED ROAD
GRADED AND DRAINED ROAD
GRAVEL OR STONE ROAD
PAVED ROAD
DIVIDED ROAD - TRAFFIC FLOW
FAI FEDERAL AID INTERSTATE SYSTEM
FAP FEDERAL AID PRIMARY SYSTEM
FAS FEDERAL AID SECONDARY SYSTEM
INTERSTATE ROUTE MARKER
US NUMBERED ROUTE MARKER
STATE ROUTE MARKER
OTHER ROUTE MARKER
CORPORATE BOUNDARY LINE
NON-EXISTENT DEDICATED STREET
CENTRAL BUSINESS DISTRICT
RAILROAD AND STATION
POST OFFICE
COURT HOUSE
ELEMENTARY SCHOOL
HIGH SCHOOL
HOSPITAL
ELEVATION
LOCATION OF PROPOSED PROJECT
YELLOWSTONE RIVER
TONGUE RIVER
JORDAN
TERRY
BROADUS
FORSYTH
JCT INTERSTATE 94 TO FORSYTH
US 12 TO BAKER TO JCT INTERSTATE 94
CITY PLAT
MILES CITY
CUSTER COUNTY
MONTANA
1970 CENSUS 9,023
SCALE IN FEET
N
T 8 N R 47 E