



Montana Department of Transportation

2701 Prospect Avenue  
PO Box 201001  
Helena MT 59620-1001

Jim Lynch, Director  
Brian Schweitzer, Governor

County BROADWATER

February 7, 2005

**RECEIVED**

FEB 09 2005

LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE

To Whom It May Concern:

Subject: Cooperating Agency Environmental Documentation

As a Cooperating Agency under the provisions of 23 CFR 771.111 the Montana Department of Transportation (MDT) is providing you a copy of this project's environmental documentation.

This environmental documentation complies with the provisions of 23 CFR 771.117(a) and (d) for categorically excluding this proposed project from further National Environmental Policy Act (NEPA) (42 U.S.C. 4321, et seq.) documentation requirements. The attached also complies with the provisions of 75-1-103 and 75-1-201, MCA (see ARM 18.2.237 and 18.2.261, MEPA "Actions that qualify for a Categorical Exclusion" as applicable to the MDT).

If you have any questions concerning the attached environmental documentation please call the MDT Environmental Services Division at (406) 444-7228.

Sincerely,

Jean A. Riley, P.E.  
Engineering Bureau Chief  
Environmental Services Division

S:\ADMIN\48\_GEN\_CORRESP\MAILINGS\COOP AGENCY LTR.DOC\STPHS14-1(12)2\_2001-TB\_E\_TOWNSEND\_CN5020

Attachment

Broadwater



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

January 27, 2005

Janice W. Brown, Division Administrator
Federal Highway Administration (FHWA)
2880 Skyway Drive
Helena, MT 59602

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FEB 07 2005

ENVIRONMENTAL

Subject: STPHS 14-1(12)2
2001-TURNBAY-E OF TOWNSD
(P.M.S. Control # 5020)

This is to request approval of this proposed project as a Categorical Exclusion (CE) under the provisions of 23 CFR 771.117(d), and the Programmatic Agreement as signed by the MONTANA DEPARTMENT OF TRANSPORTATION (MDT) and the FHWA on April 12, 2001. Copies of its Preliminary Field Review Report (dated January 22, 2004) and Project Location Map are attached. This proposed action also qualifies as a CE under ARM 18.2.261 (Sections 75-1-103 and 75-1-201, MCA).

The following form provides the documentation required to demonstrate that all of the conditions are satisfied to qualify for a Programmatic Categorical Exclusion Approval (PCE) as initially agreed by the (former) MONTANA DEPARTMENT OF HIGHWAYS (MDOH) and the FHWA on December 6, 1989. (Note: An "X" in the "N/A" column is "Not Applicable" to, while one in the "UNK" column is "Unknown" at the present time for this proposed project.)

NOTE: A response in a box will require additional documentation for a Categorical Exclusion request in accordance with 23 CFR 771.117(d).

Table with 4 columns: YES, NO, N/A, UNK. Contains 3 main rows of questions regarding environmental impact, unusual circumstances, and Right-of-Way requirements, with sub-rows for specific details. Includes checkboxes and 'X' marks in the NO column.

Environmental Services
Phone: (406) 444-7228
Fax: (406) 444-7245

Web Page: www.mdt.state.mt.us
Road Report: (800) 226-7623
TTY: (800) 335-7592

YES    NO    N/A    UNK

- 3. There is a high rate of commercial growth in this proposed project's area. \_\_\_ X \_\_\_ \_\_\_
  
- 4. Work would be on and/or within approximately 1.6 kilometers (1± mile) of an Indian Reservation. \_\_\_ X \_\_\_
  
- 5. There are parks, recreational, or other properties acquired/improved under *Section 6(f)* of the 1965 *National Land & Water Conservation Fund Act (16 U.S.C. 460L, et seq.)* on or adjacent to proposed the project area. \_\_\_ X \_\_\_
  
- The use of such *Section 6(f)* sites would be documented and compensated with the appropriate agencies. (e.g.: MDFW&P, local entities, etc.). \_\_\_  \_\_\_ X \_\_\_
  
- 6. Are there any sites either on, or eligible for the National Register of Historic Places with concurrence in determination of eligibility or effect under *Section 106* of the *National Historic Preservation Act (16 U.S.C. 470, et seq.)* by the State Historic Preservation Office (SHPO), which would be affected by this proposed project. \_\_\_ X \_\_\_
  
- 7. There are parks, recreation sites, school grounds, wildlife refuges, historic sites, historic bridges, or irrigation that might be considered under *Section 4(f)* of the 1966 *U.S. DEPARTMENT OF TRANSPORTATION Act (49 U.S.C. 303)* on or adjacent to the project area. \_\_\_ X \_\_\_
  
- a. "Nationwide" Programmatic *Section 4(f)* Evaluation forms for these sites are attached. \_\_\_  \_\_\_ X \_\_\_
  
- b. This proposed project requires a full (i.e.: DRAFT & FINAL) *Section 4(f)* Evaluation.  \_\_\_ \_\_\_ X \_\_\_
  
- B. The activity would involve work in a streambed, wetland, and/or other waterbody(ies) considered as "waters of the United States" or similar (e.g.: "state waters"). \_\_\_ X \_\_\_
  
- 1. Conditions set forth in *Section 10* of the *Rivers and Harbors Act (33 U.S.C. 403)* and/or *Section 404* under 33 CFR Parts 320-330 of the *Clean Water Act (33 U.S.C. 1251-1376)* would be met. \_\_\_  \_\_\_ X \_\_\_
  
- 2. Impacts in wetlands, including but not limited to those referenced under Executive Order (E.O.) #11990, and their proposed mitigation would be coordinated with the Montana Inter-Agency Wetland Group. \_\_\_  \_\_\_ X \_\_\_
  
- 3. A 124SPA Stream Protection permit would be obtained from the MDFW&P? \_\_\_ \_\_\_ \_\_\_ X \_\_\_

YES   NO   N/A   UNK

4. There is a delineated floodplain in the proposed project area under FEMA's Floodplain Management criteria.

\_\_\_ X \_\_\_

The water surface at the 100-year flood limit elevation would exceed floodplain management criteria due to an encroachment by the proposed project.

\_\_\_ X \_\_\_

5. Tribal Water Permit would be required.

\_\_\_ X \_\_\_

6. Work would be required in, across, and/or adjacent to a river which is a component of, or proposed for inclusion in Montana's Wild and/or Scenic Rivers system as published by the U.S. Department of Agriculture, or the U.S. Department of the Interior.

\_\_\_ X \_\_\_

The designated National Wild & Scenic River systems in Montana are:

- a. Middle Fork of the Flathead River (headwaters to South Fork confluence).
- b. North Fork of the Flathead River (Canadian Border to Middle Fork confluence).
- c. South Fork of the Flathead River (headwaters to Hungry Horse Reservoir).
- d. Missouri River (Fort Benton to Charles M. Russell National Wildlife Refuge).

\_\_\_  
 \_\_\_  
 \_\_\_  
 \_\_\_

In accordance with *Section 7 of the Wild and Scenic Rivers Act (16 U.S.C. 1271 – 1287)*, this work would be coordinated and documented with either the Flathead National Forest (Flathead River), or U.S. Bureau of Land Management (Missouri River).

\_\_\_  X \_\_\_

- C. This is a "Type I" action as defined under 23 CFR 772.5(h), which typically consists of highway construction on a new location or the physical alteration of an existing route which substantially changes its horizontal or vertical alignments or increases the number of through-traffic lanes.

\_\_\_ X \_\_\_

1. If yes, are there potential noise impacts?

\_\_\_ \_\_\_ X \_\_\_

2. A Noise Analysis would be completed.

\_\_\_  X \_\_\_

3. There would be compliance with the provisions of both 23 CFR 772 for FHWA's Noise Impact analyses and MDT's Noise Policy.

\_\_\_  X \_\_\_

YES   NO   N/A   UNK

D. There would be substantial changes in access control involved with this proposed project.

\_\_\_   X

If yes, would they result in extensive economic and/or social impacts on the affected locations?

  \_\_\_   X

E. The use of a temporary road, detour, or ramp closure having the following conditions when the action(s) associated with such facilities:

1. Provisions would be made for access by local traffic, and be posted for same.

X      \_\_\_

2. Adverse effects to through-traffic dependant businesses would be avoided or minimized.

X      \_\_\_

3. Interference to local events( e.g.: festivals) would be minimized to all possible extent.

X      \_\_\_

4. Substantial controversy associated with this pending action would be avoided.

X      \_\_\_

F. Hazardous wastes /substances, as defined by the U.S. Environmental Protection Agency (EPA) and/or the Montana Department of Environmental Quality (MDEQ), and/or (a) listed "Superfund" (under CERCLA or CECRA) site(s) are currently on and/or adjacent to this proposed project.

\_\_\_   X

All reasonable measures would be taken to avoid and/or minimize substantial impacts from same.

\_\_\_      X

G. The Montana Pollutant Discharge Elimination System's conditions (ARM 16.20.1314), including temporary erosion control features for construction would be met.

\_\_\_      X

H. Permanent desirable vegetation with an approved seeding mixture would be established on exposed areas.

X   \_\_\_   \_\_\_

I. Documentation of an "invasive species" review to comply with both E.O.#13112 and the *County Noxious Weed Control Act (7-22-21, M.C.A.)*, including directions as specified by the county(ies) wherein its intended work would be done.

X      \_\_\_

YES    NO    N/A    UNK

J. There are "Prime" or "Prime if Irrigated" Farmlands designated by the Natural Resources Conservation Service on or adjacent to the proposed project area.

\_\_\_    X

If the proposed work would affect Important Farmlands, then an AD-1006 Farmland Conversion Impact Rating form would be completed in accordance with the *Farmland Protection Policy Act (7 U.S.C. 4201, et seq.)*.

\_\_\_        X

K. Features for the *Americans with Disabilities Act (P.L. 101-336)* compliance would be included.

\_\_\_        X

L. A written Public Involvement Plan, would be completed in accordance with MDT's Public Involvement Handbook.

X   

4. This proposed project complies with the *Clean Air Act's Section 176(c) (42 U.S.C. 7521(a))*, as amended) under the provisions of 40 CFR 81.327 as it's either in a Montana air quality:

A. "Unclassifiable"/attainment area. This proposed project is not covered under the EPA's September 15, 1997 Final Rule on air quality conformity.

X    \_\_\_

and/or

B. "Nonattainment" area. However, this type of proposed project is either exempted from the conformity determination requirements (under EPA's September 15, 1997 Final Rule), or a conformity determination would be documented in coordination with the responsible agencies: (Metropolitan Planning Organizations, MDEQ's Air Quality Division, etc.).

\_\_\_        X

C. Is this proposed project in a "Class I Air Shed" (Indian Reservations) under 40 CFR 52.1382(c)(3)?

\_\_\_    X

5. Federally listed Threatened or Endangered (T/E) Species:

A. There are recorded occurrences, and/or critical habitat in this proposed project's vicinity.

X    \_\_\_

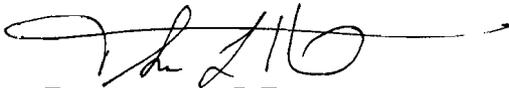
B. Would this proposed project result in a "jeopardy" opinion (under 50 CFR 402) from the Fish & Wildlife Service on any Federally listed T/E Species?

    X         

The proposed project would not induce significant land use changes, nor promote unplanned growth. There would be no significant effects on access to adjacent property, nor to present traffic patterns.

This proposed project would not create disproportionately high and/or adverse impacts on the health or environment of minority and/or low-income populations (E.O.#12898). It also complies with the provisions of *Title VI* of the *Civil Rights Act* of 1964 (**42 U.S.C. 2000d**) under the FHWA's regulations (23 CFR 200).

In accordance with the provisions of 23 CFR 771.117(a), this pending action would not cause any significant individual, secondary, or cumulative environmental impacts. Therefore, the FHWA's concurrence is requested that this proposed project is properly classified as a Categorical Exclusion.



Tom Hansen, P.E.  
Engineering Section Supervisor  
MDT Environmental Services

Concur Jeffrey A Patten, Date: 2-1-05  
Federal Highway Administration

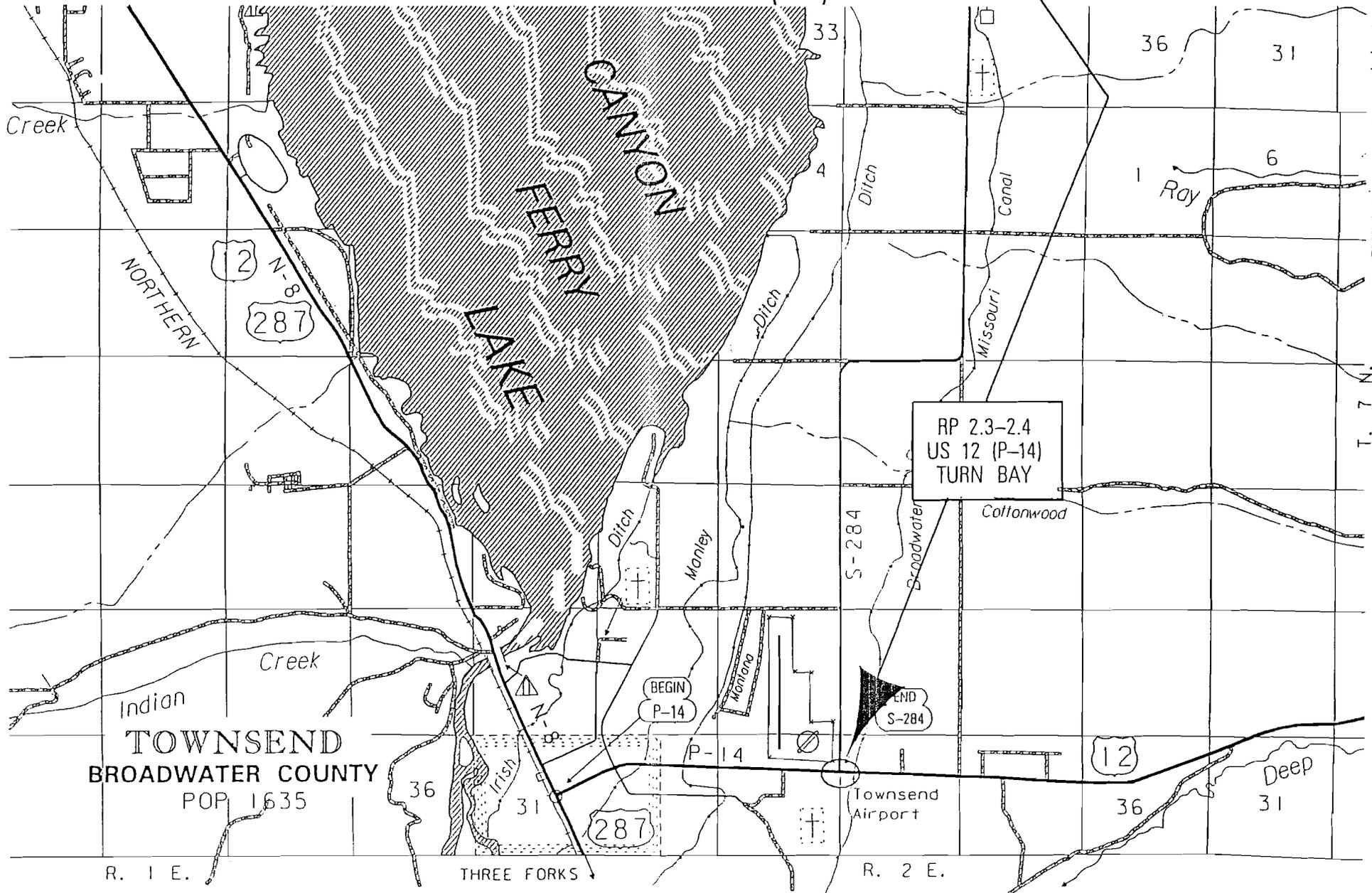
Attachments

**"ALTERNATIVE ACCESSIBLE FORMATS OF  
THIS DOCUMENT WILL BE PROVIDED ON  
REQUEST."**

cc: Jeff Ebert, Butte Administrator - MDT  
Kent Barnes, P.E. – MDT Bridge Engineer  
Paul Ferry, P.E. - MDT Highway Engineer  
John H. Horton - MDT Right-of-Way Bureau Chief  
Suzy Althof - MDT Contract Plans Section Supervisor  
David W. Jensen, Supervisor - MDT Fiscal Programming Section  
Tom Hansen - MDT Engineering Section Supervisor  
file

# 2001-TURN BAY-E OF TOWNSEND STPHS 14-1(12)2

X:PIERRESTPHS 14-1(12)2 U7844 -APR-2002



TOWNSEND  
BROADWATER COUNTY  
POP. 1635

RP 2.3-2.4  
US 12 (P-14)  
TURN BAY

BEGIN  
P-14

END  
S-284

R. 1 E.

THREE FORKS

R. 2 E.

T. 7 N.



Montana Department of Transportation  
 PO Box 201001  
 Helena, MT 59620-1001

BARRY

MASTER FILE  
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**Memorandum**

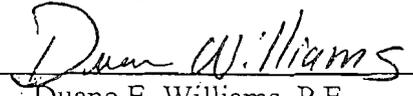
To: Duane E. Williams, P.E.  
 Traffic and Safety Engineer

From:  Donald P. Dusek, P.E.  
 Traffic Engineer

Date: January 22, 2004

Subject: STPHS 14-1(12)2  
 2001 - Turn Bay - E of Townsend  
 U.P.N. 5020  
 Work Type - 310 Roadway & Roadside Safety Improvements

We request that you approve the Preliminary Field Review Report for the subject project.

Approved  Date 1-23-04  
 Duane E. Williams, P.E.  
 Traffic and Safety Engineer

We are requesting comments from the following individuals, who have also received a copy of the Report. We will assume their concurrence if no comments are received within two weeks of the approved date.

Distribution:

- |                |                     |                |                      |
|----------------|---------------------|----------------|----------------------|
| J.M. Ebert     | Butte DA            | J.A. Walther   | Program Development  |
| J.P. Kolman    | Bridge              |                | Engineer             |
| J.H. Horton    | Right of Way        | Sue Sillick    | Pavement Analysis &  |
| M.A. Wissinger | Construction Bureau |                | Research             |
| K.M. Barnes    | Material Bureau     | Carol Strizich | Planning             |
| D.J. Blacker   | Maintenance         | Jerry Dupler   | MDT Communications   |
| S.S. Straehl   | Planning            |                | FHWA (HOP-MT)        |
| R.E. Williams  | Road Design         | J.J. Moran     | Geotechnical         |
| M.A. Goodman   | Hydraulics          | P.A. Jomini    | Traffic & Safety     |
| B.A. Larsen    | Photogrammetry      | B.F. Juvan     | Information Services |
| D.M. Hill      | Environmental       | Walt Scott     | Utilities            |
| Wayne Noem     | Planning            | Matt Strizich  | Butte - Construction |

cc: D.W. Jensen      Fiscal Planning w/attachment  
 File                    w/attachment

## Preliminary Field Review Report

The field review for the subject project was held February 5, 2003 with the following personnel in attendance:

Ross Gammon	Maintenance Chief	Bozeman
Frank Quilici	Safety Design Section	Helena
Tom Hanek	Safety Management Section	Helena
Maurice DeDycker	Maintenance Supervisor	Bozeman
Lesly Tribelhorn	DESS	Butte
Sandie Stiffler	Safety Design Section	Helena
Danielle Bolan	Traffic Project Engineer	Helena

### Proposed Scope of Work

The proposed project has been nominated through the Safety Engineering Improvement Program to install an EB left turn bay at the intersection of P-14 (US 12) and S-284. There were crashes involving left turn movements at this intersection in both the EB and WB directions. The proposed scope of work is to widen P-14 by 4.2 m (2.1 m on each side of centerline) to install both an EB and WB left turn bay at this intersection. The WB left turn bay would be for a private approach directly opposite of S-284. **This project will be designed by Road Design.**

### Cost Estimate

The initial cost estimate provided by the Safety Management Section is \$300,000. The benefit cost ratio is 3.57.

### Project Location and Limits

This project is located East of Townsend in Broadwater County on P-14 (US 12) at R.P. 2.3± (2.2) and extends to R.P. 2.4± (2.6). The project length is 0.64 km. The functional classification is a minor arterial. The as-built numbers are F 264(8) and F 14-1(2).

### Physical Characteristics

The existing roadway was built in 1964 and received a 76 mm plant mix overlay in 1989. A seal and cover is planned for the summer of 2004 under project STPP 13-1(14)0 Townsend – E, UPN 5109. After the overlay in 1989, the typical section for the roadway consists of an existing top width of 9.0 m. The travel lanes are 3.6 m and the shoulder width is 0.9 m. The proposed width is 13.2 m to provide a 3.6 m left turn lane, 3.6 m through lanes, and 1.2 m shoulders.

## **Traffic Data**

Following is traffic data for the intersection:

On US 12 (P-14)  
2003 ADT = 2350 (Present)  
2005 ADT = 2480 (Letting)  
2015 ADT = 3310 (Future)  
DHV = 430  
T = 2.7%  
EAL = 48  
AGR = 2.9%

## **Accident History**

For the period of January 1, 1997 through December 31, 2001 there were 7 crashes at the intersection of P-14 and S-284. There were two sideswipe crashes involving eastbound vehicles with a left turn movement onto S-284, one sideswipe crash involving a westbound vehicle with a left turn movement into a private approach, one rear-end collision of two eastbound vehicles, one rear-end collision of two southbound vehicles, and two crashes involving a single vehicle. Four of the seven crashes can be addressed with the installation of EB and WB left turn bays at this intersection. The benefit cost ratio is 3.57.

## **Major Design Features**

**Design Speed** – This roadway traverses rolling terrain in a rural area. Design speed for the project should be 90 km/h in accordance with the criteria for rural minor arterial highway in rolling terrain.

**Horizontal Alignment** – There are no horizontal curves within the project limits on P-14.

**Vertical Alignment** – The vertical alignment consists of two sag vertical curves within the project limits. Both vertical curves exceed the desirable stopping sight distance for a design speed of 90 km/h. The intersection of P-14 and S 284 is within a 304.8 m sag vertical curve.

There are three grades within the project limits. They are +0.092%, +0.457%, and +4.378%. The 4.378% grade will not meet the maximum grade of 4%. Since this grade was not identified as a safety problem it will not be addressed with this project.

Typical Sections – The typical section for the roadway consists of an existing top width of 9.0 m. The travel lanes are 3.6 m and the shoulder width is 0.9 m. The existing inslopes are 5:1.

Surfacing Requirements – The existing surfacing consists of the following:

- 76 mm Plant Mix Overlay
- 76 mm Comp. Plant Mix Bit. Surf. (2 crse's.) (Type 3)
- 122 mm Comp. Plant Mix Bit. Base (2 crse's)
- 107 mm Comp. Cr. Base Surf. Type-A
- 305 mm Comp. Selected Surf.

New surfacing will be required.

Geotechnical Considerations – A soil survey will be required for service life calculations.

Hydraulics – The widening of the roadway may impact the irrigation structures in the area. There are two irrigation pipes that cross P-14 approximately 126 m and 139 m to the west of the intersection. These irrigation pipes may be impacted by the roadway widening, however, every effort will be made to avoid these irrigation pipes. The roadway will transition back to PTW before the irrigation structure located 220 m east of the intersection.

West of the intersection there is an irrigation channel that runs parallel to P-14 on the north side of the roadway. This channel is located outside of the existing right of way and should not be impacted with this project.

Bridges – There will be no bridge involvement.

Miscellaneous Features - There are two access roads within the right of way of P-14 east of the intersection. One road is north and one road is south of P-14. These access roads will be impacted with this project and will need to be addressed during the design process.

### **Traffic Engineering**

The intersection of P-14 and S-284 will be designed to a WB-20 design vehicle. There is an existing overhead flasher that will be perpetuated. Signing and pavement markings will be upgraded within the project limits.

### **Right of Way**

New right of way is anticipated east of the intersection of P-14 and S-384 on both the north and south sides of the roadway.

### **Utilities/Railroads**

There will be utility involvement.

There will be no railroad involvement with this project.

### **Survey**

A survey request is attached to the PFR.

### **Public Involvement**

Level A public involvement is required.

### **Other Projects**

A seal and cover is planned for the summer of 2004 under project STPP 13-1(14)0 Townsend – E, UPN 5109.

### **Ready Date**

The ready date will be established through the override process.

### **Environmental Considerations**

No adverse Biological or Cultural/Historical impacts are anticipated at this time. Bald Eagles are known to nest and forage in the vicinity of the project. The proposed project should have no effect on the bald eagle. If any new aggregate borrow source, gravel, crushing, storage or staging areas, or processing plants may potentially be located within one mile of a bald eagle nest, submit the location of such site(s) to MDT-Environmental Services Bureau for review. No water quality permits are required at this time. Environmental Services must be notified if the currently proposed scope changes in any way, and reevaluate potential impacts. A categorical exclusion is anticipated for this project.

### **Traffic Control**

Traffic will be maintained through the project construction with appropriate signing, flagging, etc., in accordance with the Manual on Uniform Traffic Control Devices.

DPD:DCB:5020sapfr.001