



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

February 9, 2005

ENVIRONMENTAL QUALITY COUNCIL
Legislative Environmental Policy Office
P.O. Box 201704
Helena, MT 59620-1704

Subject: **MT-STPS 236-1(8)44**
CLAGETT HILL
(PPMS-OPX2 Control #4840)

RECEIVED

FEB 10 2005

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Attached is one (1) copy of the (2nd) Re-Evaluation of the Categorical Exclusion request for this proposed project as approved by the U.S. DEPARTMENT OF TRANSPORTATION's Federal Highway Administration (FHWA) on April 29, 1999.

The attached also complies-with the *Montana Environmental Policy Act (75-1-103 & 75-1-201, M.C.A.)* provisions under ARM 18.2.261, "Actions that qualify for a Categorical Exclusion" as applicable to the MONTANA DEPARTMENT OF TRANSPORTATION (MDT).

Thomas L. Hansen, P.E.
Engineering Section Supervisor
MDT Environmental Services Bureau

JAR:TLH:asj: [W] [S:\PROJECTS\BILLINGS\3176\EQC-2RCE.DOC]

Attachment

copy: project main/"white label" file

A.H. Hasseem
MASTER FILE
COPY

Montana Department of Transportation
Helena, Montana 59620-1001

RWB
BJS
JWC

Memorandum

To: Gary A. Gilmore, P.E., Administrator
Highways and Engineering Division

From: *jeff* Carl S. Peil, P.E.
Preconstruction Engineer *long*

Date: March 31, 1999

Subject: STPS 236-1(8)44
Claggett Hill
Control No. 3176
Project Type 120

The Scope of Work Report for the subject project is attached with the approval or concurrence from Bruce Wade, Ken Neumiller, Joe Kolman, Jeff Ebert, Jim Stevenson, Joel Marshik, Gary Neville, Bob Tholt, and Vern Peterson (Fergus County). Comments were received from Jeff Ebert, Joel Marshik, Gary Neville, Bob Tholt, and Carl Peil.

Regarding the comments from the reviewers:

- 1) Jeff Ebert asked if the draft Categorical Exclusion document had been finalized.

The revised Categorical Exclusion provided by the Consultant has been sent to Legal Services for legal sufficiency review.

- 2) Joel Marshik stated that right-of-way parcels not owned by DNRC or BLM could be purchased under the 'advanced acquisition' Categorical Exclusion.

Considering the stage of the project development and the eminent completion of the Categorical Exclusion for the project, we believe that we might as well wait for the regular Categorical Exclusion to be approved prior to beginning right-of-way acquisition.

Joel Marshik also noted that although the initial draft Categorical Exclusion was submitted to MDT in January 1998, the final revised Categorical Exclusion was not made available for circulation until November 13, 1998.

- 3) Gary Neville included a memo with several questions about the project:

- a) He asked if the project was being built to rural collector standards.

The project is being designed using MDT rural collector standards.

- b) He noted that the project description should include the route – State Secondary Route 236.

- c) He noted that although the accident history of the existing road may not be relevant because of the new alignment, it might still be important to justify the new alignment due to accidents on the existing alignment.

A review of the accident data for the past 10 years (1989-1998) showed only two recorded vehicle accidents: one vehicle went off the road and overturned and one was a sideswipe accident. Therefore, the accident history by itself would not justify realignment of the existing roadway.

- d) He asked if the slope of 1.25:1 at Station 67 had the Geotech Section's concurrence.

The noted 1.25:1 slope was included in both the Consultant's preliminary geotechnical report and the draft final Geotechnical Report, which were distributed for review to the Materials Bureau.

- e) He suggested that a turnout lane might be considered through the 10% grade area even though traffic counts might not justify such a design.

The existing design has extensive cut/fill sections (i.e., cut into hillside on one side, fill into the valley on the other side) through this area. We question whether the additional cut/fill requirements which required adding another lane would be practical. However, this issue could be reviewed at the Plan-in-Hand Review to determine if a practical location for such a turnout lane could be identified.

- f) He asked what National Register eligible archaeological site 24 FT 289 was.

The noted archaeological site is a scatter of "cultural material" (bones, lithic debitage, projectile points, etc.).

- 4) Robert Tholt noted that a good geotechnical review was needed of the problems encountered at the south road approach to Fred Robinson Bridge.

The County hired the Consultant to design this project. Part of the design included responsibility for the materials investigation. The Consultant has completed both a preliminary geotechnical report and a draft Final Geotechnical

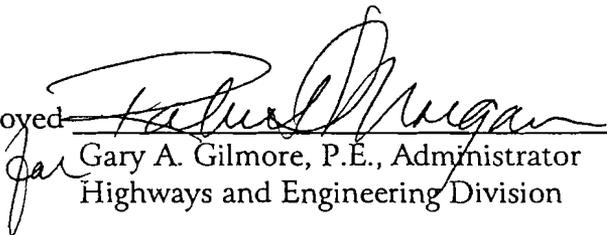
Report that has been distributed to the Department for review. We do recognize that the soils types and potential problems are similar to the Fred Robinson Bridge situation and this issue should be considered at the Plan-in-Hand Review.

5) Carl Peil asked if the final geotechnical technical investigation/report (noted on page 5) could affect the project scope.

The Consultant had already completed a preliminary geotechnical investigation to determine slope stability and other concerns necessary to finalize right-of-way requirements and has provided a draft Final Geotechnical Report for review. It is not anticipated that there would be significant scope changes due to the final geotechnical investigation.

With your approval, we will proceed with the design in accordance with the attached report and the recommendations described in this memo.

Approved


Gary A. Gilmore, P.E., Administrator
Highways and Engineering Division

Date

3/31/99

CSP:FWB:G:CD:194.dlm.doc

Attachment

cc: G. A. Gilmore	J. P. Kolman	B. H. Barrett, w/attach.
D. P. Dusek	FHWA (HFO-MT)	S. A. Naseem, w/attach.
D. J. Blacker	K. H. Neumiller	Robert Peccia & Assoc., w/attach.
C. S. Peil	D. R. McIntyre	Fergus County, w/attach.
R. D. Morgan	B. F. Juvan	Preconstruction File, w/attach.
J. M. Marshik	Pat Saindon	
T. E. Martin	D. A. Jensen	

FILE
CCP

Montana Department of Transportation
Helena, Montana 59620-1001

Memorandum

To: ~~Distribution~~

From: Carl S. Peil, P.E.
TO: Preconstruction Engineer *[Signature]*

Date: November 4, 1998

Subject: STPS 236-1(8)44
Claggett Hill
Control No. 3176
Work Type 120

The Scope of Work Report prepared by the Consultant for the subject project is attached. We request that those on the distribution review this report and submit their concurrence by 11/25, 1998.

Your comments and recommendations are also requested if you do not concur or concur subject to certain conditions.

When all personnel on the distribution list have submitted their comments, this report will be submitted to the Administrator, Engineering Division, for final approval.

CSP:FWB:G:CD:127.dlm.doc

Attachments

Distribution:

- T. E. Martin, w/attach.
- K. H. Neumiller, "
- J. P. Kolman, "
- D. J. Blacker, "
- Pat Saindon, "
- J. M. Marshik, "
- B. H. Barrett, "
- R. D. Tholt, "
- Fergus County, "

I recommend approval:
[Signature] FOR:
T. E. MARTIN

Date: 1-25-99

- cc: D. P. Dusek, w/attach.
- D. R. McIntyre, "
- C. S. Peil, "
- S. A. Naseem, "
- FHWA, "
- .Precon. File, "

RECEIVED

NOV 18 1998 Montana Department of Transportation
Helena, Montana 59620-1001

MONTANA DEPT. OF TRANSPORTATION
BILLINGS DISTRICT
BILLINGS, MONTANA
Memorandum

To: Distribution

From: *for* Carl S. Peil, P.E.
Preconstruction Engineer *Peil*

Date: November 4, 1998

Subject: STPS 236-1(8)44
Claggett Hill
Control No. 3176
Work Type 120

ROUTE	ENGINEERING DIVISION	MAINTENANCE
	DISTRICT ADMIN. SERVICES	
	CONSTRUCTION	
	Eng. Project Mgrs.	
	Eng. Officer	
	MAINTENANCE CHIEF - B	
	MAINTENANCE CHIEF - L	
	Mtr. Supls.	
	Section Supr.	
	Shop Supr.	
	Storage Supr.	
	Utility Worker	
	Carpenter	
	Communications Tech	
1	ENGINEERING SERVICES ENG.	<i>BA</i>
	Design Supr.	
	Materials Supr.	
	Utilities Agent	
	Traffic Eng.	
	RIGHT-OF-WAY SUPV.	
	CENTRALIZED SERVICES SUPV.	
	Alt. Office	
	Accty. Spec.	
	Payroll	
	Purchasing/Supply	
	Stocker	
	Radio Room	
	PERSONNEL SPECIALISTS	
2	MOS SUPERVISOR	
	Engineering File	
	District File	

The Scope of Work Report prepared by the Consultant for the subject project is attached. We request that those on the distribution review this report and submit their concurrence by 11/25, 1998.

Your comments and recommendations are also requested if you do not concur or concur subject to certain conditions.

When all personnel on the distribution list have submitted their comments, this report will be submitted to the Administrator, Engineering Division, for final approval.

CSP:FWB:G:CD:127.dlm.doc

Attachments

Distribution:

T. E. Martin,	w/attach.
K. H. Neumiller,	"
J. P. Kolman,	"
D. J. Blacker,	"
Pat Saindon,	"
J. M. Marshik,	"
<i>C</i> B. H. Barrett,	"
R. D. Tholt,	"
Fergus County,	"

I recommend approval:

Gay Mills

Date: 12-18-98

cc: D. P. Dusek,	w/attach.
D. R. McIntyre,	"
C. S. Peil,	"
S. A. Naseem,	"
FHWA,	"
Precon. File,	"

ATTACHMENT

MONTANA DEPARTMENT OF TRANSPORTATION
Billings District

MASTER
FILE
COPY

Memorandum

To: Carl Peil, P.E.
Preconstruction Engineer

From: Gary Neville *Gary Neville*
District Engineering Services Supervisor
Billings District

Date: November 19, 1998

Subject: STPS 236-1(8)44
Clagget Hill
Control No. 3176
Work Type 120

The following are our comments on the Scope of Work dated November 4, 1998.

1. Scope of Work – No mention of the standard to which the road is to be built. Rural collector road standards?
2. Project Location and Limits – Route 236 is not mentioned in the description.
5. Accident History – The comment states that accident history is not relevant because of a new alignment. However, wouldn't it be relevant and pertinent to justifiably do a new alignment because of accidents on the old alignment?
6. Major Design Features, G. Slope Design – At Station 67 it mentions a slope of 1.25:1, does this have Geotechnical concurrence? (See 7. Design Exception)
6. Major Design Features, K. Safety Enhancements – Suggestion if feasible, should we consider a turnout lane for the 10% grade even though traffic count is low.
10. Environmental Considerations – The last sentence refers to National Register-eligible archaeological site (24FR829). What is that?

GLN:30236018.sc1.doc

C. Gary Neville
Engineering File

FILED
OCT 1998

Montana Department of Transportation
Helena, Montana 59620-1001

Memorandum

To: Distribution

From: *for* Carl S. Peil, P.E.
Preconstruction Engineer *Shug*

Date: November 4, 1998

Subject: STPS 236-1(8)44
Claggett Hill
Control No. 3176
Work Type 120

The Scope of Work Report prepared by the Consultant for the subject project is attached. We request that those on the distribution review this report and submit their concurrence by 11/25, 1998.

Your comments and recommendations are also requested if you do not concur or concur subject to certain conditions.

When all personnel on the distribution list have submitted their comments, this report will be submitted to the Administrator, Engineering Division, for final approval.

CSP:FWB:G:CD:127.dlm.doc

Attachments

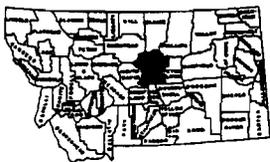
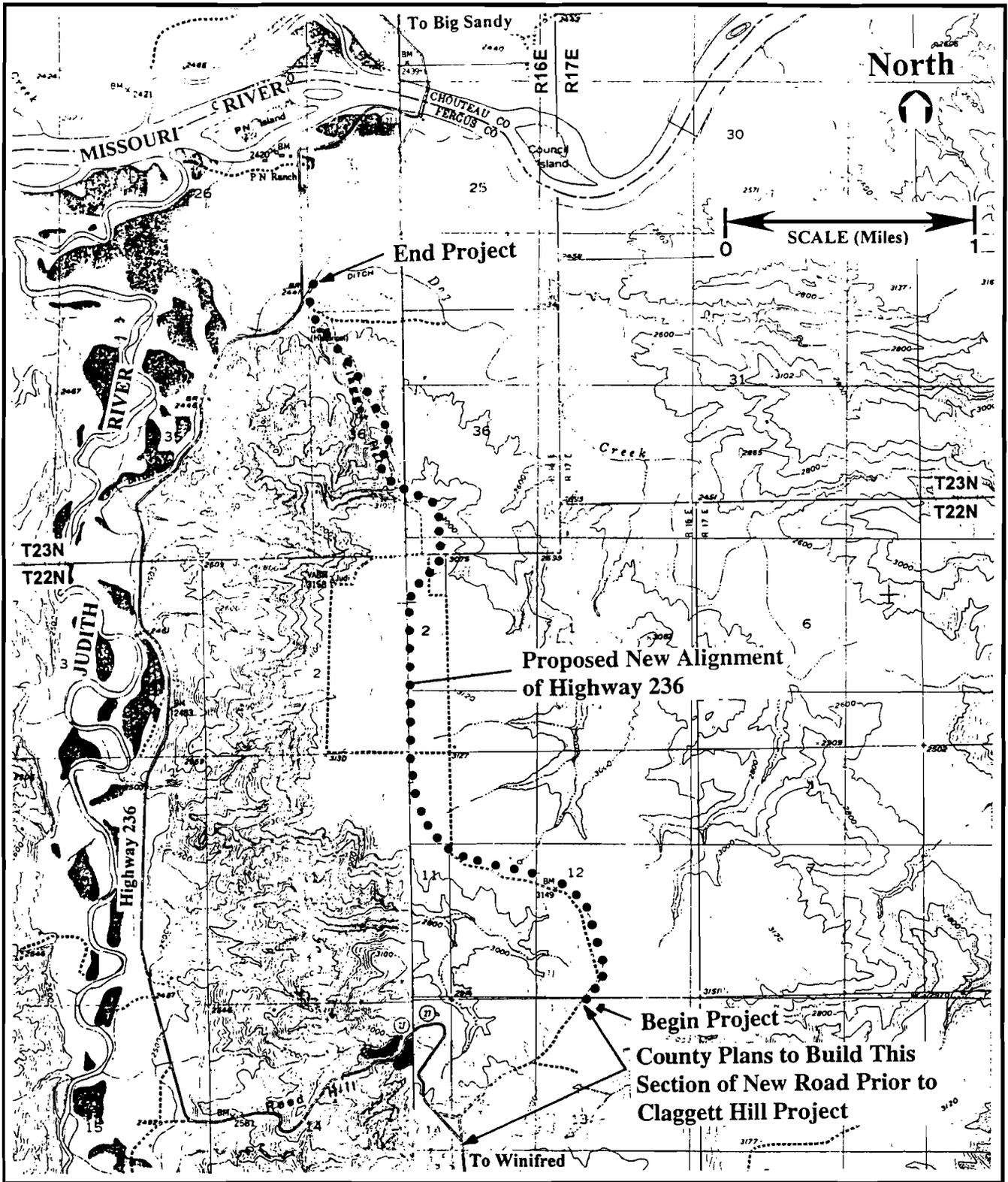
Distribution:

- T. E. Martin, w/attach.
- K. H. Neumiller, "
- J. P. Kolman, "
- ✓* D. J. Blacker, "
- Pat Saindon, "
- J. M. Marshik, "
- B. H. Barrett, "
- R. D. Tholt, "
- Fergus County, "

I recommend approval:
for James Steward
D. John Blacker

Date: 11/30/98

- cc: D. P. Dusek, w/attach.
- D. R. McIntyre, "
- C. S. Peil, "
- S. A. Naseem, "
- FHWA, "
- Precon. File, "



Project Location



FERGUS COUNTY

Project Location Map

Claggett Hill

STPS 236-1 (8) 44; Control No. 3176

MONTANA DIVISION

**"NATIONWIDE" SECTION 4(f) EVALUATION FOR MINOR IMPACTS
ON
HISTORIC SITES
EXCLUDING HISTORIC BRIDGE REPLACEMENTS**

Project # STPS 236-1 (8) 40, (P.M.S. C#3176)

Date: April 13, 1999

Project Name: Claggett Hill

Location: Judith Landing Historic District (24FR199)

Fergus County, Montana

The proposed Claggett Hill project is the construction of a new 5.97 km (3.7 mile) long section of Secondary Route 236. The proposed project will include clearing and grubbing, grading, gravel surfacing, drainage improvements, relocating conflicting utilities, signing, seeding, fencing and other miscellaneous items necessary to construct the proposed roadway. This proposed project will cause minor impacts to the Judith Landing Historic District (24FR199), a 24 square km (15 square mile) area centered on the confluence of the Missouri and Judith Rivers, and to other historic features located within the district. The Judith Landing Historic District is listed on the NATIONAL REGISTER OF HISTORIC PLACES. A map showing the location of 24FR199 is attached.

NOTE: Any response in a box requires additional information. Consult the [Nationwide] Section 4(f) Evaluation criteria.

	<u>YES</u>	<u>NO</u>
1. Are the 4(f) sites adjacent to the existing highway? The proposed road would be constructed on an entirely new alignment. Part of the existing highway is located in designated boundaries of 24FR199.	—	<input checked="" type="checkbox"/>
2. Does the proposed project require the removal or alteration of historic structures, and/or objects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Does the proposed project disturb or remove archaeological resources which are important to preserve in-place rather than to recover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Are the impacts on the 4(f) sites considered minor (i.e. no effect, or no adverse effect)? MDT has determined the proposed project will have [No Adverse Effect] on 24FR199.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Has the STATE HISTORIC PRESERVATION OFFICE (SHPO) agreed in writing with the assessment of impacts, and the proposed mitigation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action under an <u>Environmental Impact Statement (E.I.S.)</u> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the proposed project on a new location? This project is being developed on an entirely new location since the existing route is subject to slides and portions of the roadway are being eroded by the Judith River.	<input checked="" type="checkbox"/>	—
8. The Scope-of-Work for the proposed project is one of the following:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Improved traffic operation;		
b) Safety improvements;		
c) 3R;		
d) Bridge replacement on essentially the same alignment; or		

- e) Addition of lanes.

NOTE: Any response in a box requires additional information. Consult the "Nationwide" Section 4(f) Evaluation criteria.

ALTERNATIVES CONSIDERED

- | | <u>YES</u> | <u>NO</u> |
|---|------------|-------------------------------------|
| 1. The "do-nothing" ALTERNATIVE has been evaluated, and is <u>not</u> considered to be feasible and prudent. | <u>X</u> | <input type="checkbox"/> |
| 2. An ALTERNATIVE has been evaluated on the existing alignment which improves the highway without any 4(f) impacts, and is also <u>not</u> considered to be feasible and prudent. Improving the existing alignment does not meet the purpose and need for the proposed project. Fergus County intends to eliminate a section of road which has historically been difficult and costly to maintain due to steep grades and curves, frequent landslides, and erosion by the Judith River. | — | <input checked="" type="checkbox"/> |
| 3. An ALTERNATIVE on a new location avoiding the 4(f) sites has been evaluated, and is <u>not</u> considered to be feasible and prudent. Various location options for the new road were examined, however, each option was found to effect one or more Section 4(f) properties in the project area. Effects to the Judith Landing Historic District (24FR199) were found to be unavoidable for each of the location options considered for this proposed project. | <u>X</u> | <input type="checkbox"/> |

MINIMIZATION OF HARM

- | | | |
|--|----------|--------------------------|
| 1. The proposed project includes all possible planning to minimize harm. | <u>X</u> | <input type="checkbox"/> |
| 2. Measures to minimize harm include the following: | | |

The Claggett Hill Trail (24FR217) is a contributing element of the Judith Landing Historic District. The proposed alignment for the new road has been designed to minimize impacts on portions of the old Claggett Hill Trail which retain substantial integrity and historical appearance.

Because the old road is important to the development of central Montana, MDT and Fergus County propose to erect a historical marker describing the history and significance of the old Claggett Hill Trail. The marker would be installed adjacent to the new road at a vantage point where several important features of the Historic District and area such as Fort Claggett, Fort Chardon, Council Island, and Camp Cooke are visible.

The acquisition of new right-of-way will not impact the Judith Landing Historic District (24FR199), but the eventual construction of a new road would have an effect to it. The cuts and fills associated with the new road's descent down Claggett Hill will be visible from the Missouri River valley and portions of the new road will impact the old Claggett Hill Trail (24FR217), a contributing element of the historic district. The cuts and fills were designed to be as small as possible and were placed on the hillside in a manner to be less apparent from viewpoints in the valley bottom. The alignment has also been designed to minimize effects on contributing elements of the historic district.

COORDINATION

- | | | |
|---|----------|--------------------------|
| 1. The proposed project has been COORDINATED with the following: | | |
| a) SHPO (April 5, 1995 and August 5, 1997) | <u>X</u> | <input type="checkbox"/> |
| b) ADVISORY COUNCIL ON HISTORIC PRESERVATION (November 17, 1997) | <u>X</u> | <input type="checkbox"/> |
| c) Property owners Personal communications by Robert Peccia & Associates (consulting engineers) in May and November of 1997. | <u>X</u> | — |

- d) Local/State/Federal agencies X
 Bureau of Land Management (November 10, 1997)--site 24FR829
 Montana DNRC (July 2, 1997) -- cultural sites on State land
 Montana DFW&P (June 19, 1997) --4(f)/6(f) Impacts

COORDINATION (continued)

- d) Local/State/Federal agencies X
 USDA - NRCS (October 17, 1997) -- Farmland Impacts
 Bureau of Land Management (May 1, 1998)--Wild & Scenic River/4(f) impacts

2. Two of the preceding had the following comment(s) regarding this proposed project, and/or the mitigation:

The SHPO agreed with MDT's Determination of Effect in correspondence dated November 12, 1997. Since the ACHP chose not to offer comments on MDT's Determination of Effect for this project during the prescribed review period, the agency's concurrence with the Determination is assumed.

The BLM indicated in correspondence to MDT dated May 1, 1998 that this proposed project would not adversely affect the Upper Missouri National Wild & Scenic River. The BLM stated this proposed project will not significantly impair the Wild & Scenic River qualities in this area or impede recreational use along this river system.

SUMMARY

The portion of the existing route to be replaced by the proposed project is subject to unstable soils, occasional landslides, and erosion by the Judith River. The "Do Nothing" alternative ignores the basic purpose and need for this proposed project of developing a road on a new alignment that will minimize maintenance time and expenditures for Fergus County. Studies showed that building a new road on another alignment cannot be accomplished without increasing construction costs, causing substantial disruptions to existing farmland operations, and affecting other Section 4(f) properties. The ability to construct other routes down the face of Claggett Hill is also highly doubtful due to steep slopes and the existence of unstable soils. Therefore, no feasible and prudent alternatives exist to avoid the use of land within the Judith Landing Historic District (24FR199).

All required **ALTERNATIVES** have been evaluated and the proposed project meets all the criteria included in the "Nationwide Programmatic" Section 4(f) evaluation approved on December 23, 1986. This Programmatic Evaluation includes all possible planning to minimize harm which will be incorporated in this proposed project.

MONTANA DIVISION

**"NATIONWIDE" SECTION 4(f) EVALUATION FOR MINOR IMPACTS
ON
HISTORIC SITES
EXCLUDING HISTORIC BRIDGE REPLACEMENTS**

Project # STPS 236-1 (8) 40, (P.M.S. C#3176)
Project Name: Claggett Hill

Date: April 13, 1999
Location: Claggett Hill Trail (24FR217)
Fergus County, Montana

The proposed Claggett Hill project is the construction of a new 5.97 km (3.7 mile) long section of Secondary Route 236. The proposed project will include clearing and grubbing, grading, gravel surfacing, drainage improvements, relocating conflicting utilities, signing, seeding, fencing and other miscellaneous items necessary to construct the proposed roadway. This proposed project will cause minor impacts to Claggett Hill Trail (24FR217), an historic road located within the Judith Landing Historic District (24FR199). The Claggett Hill Trail is listed on the NATIONAL REGISTER OF HISTORIC PLACES. A map showing the location of 24FR217 is attached.

NOTE: Any response in a box requires additional information. Consult the [Nationwide] Section 4(f) Evaluation criteria.

	<u>YES</u>	<u>NO</u>
1. Are the 4(f) sites adjacent to the existing highway? The proposed road would be constructed on an entirely new alignment.	—	<input checked="" type="checkbox"/>
2. Does the proposed project require the removal or alteration of historic structures, and/or objects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Does the proposed project disturb or remove archaeological resources which are important to preserve in-place rather than to recover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Are the impacts on the 4(f) sites considered minor (i.e. no effect, or no adverse effect)? MDT has determined the proposed project will have [No Adverse Effect] on 24FR217.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Has the STATE HISTORIC PRESERVATION OFFICE (SHPO) agreed in writing with the assessment of impacts, and the proposed mitigation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action under an <u>Environmental Impact Statement (E.I.S.)</u> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the proposed project on a new location? This project is being developed on an entirely new location since the existing route is subject to slides and portions of the roadway are being eroded by the Judith River.	<input checked="" type="checkbox"/>	—
8. The Scope-of-Work for the proposed project is one of the following:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Improved traffic operation;		
b) Safety improvements;		
c) 3R;		
d) Bridge replacement on essentially the same alignment; or		
e) Addition of lanes.		

NOTE: Any response in a box requires additional information. Consult the "Nationwide" Section 4(f) Evaluation criteria.

ALTERNATIVES CONSIDERED

	<u>YES</u>	<u>NO</u>
1. The "do-nothing" ALTERNATIVE has been evaluated, and is <u>not</u> considered to be feasible and prudent.	<u>X</u>	<input type="checkbox"/>
2. An ALTERNATIVE has been evaluated on the existing alignment which improves the highway without any 4(f) impacts, and is also <u>not</u> considered to be feasible and prudent. Improving the existing alignment does not meet the purpose and need for the proposed project. Fergus County intends to eliminate a section of road which has historically been difficult and costly to maintain due to steep grades and curves, frequent landslides, and erosion by the Judith River.	—	<input checked="" type="checkbox"/>
3. An ALTERNATIVE on a new location avoiding the 4(f) sites has been evaluated, and is <u>not</u> considered to be feasible and prudent. Various location options for the new road were examined, however, options which avoided the Claggett Hill Trail resulted in impacts to other Section 4(f) properties in the project area.	<u>X</u>	<input type="checkbox"/>

MINIMIZATION OF HARM

1. The proposed project includes all possible planning to minimize harm.	<u>X</u>	<input type="checkbox"/>
2. Measures to minimize harm include the following:		

The alignment for the new road has been designed to minimize impacts on portions of the old Claggett Hill Trail (24FR217) which retain substantial integrity and historical appearance.

Because the old road is important to the development of central Montana, MDT and Fergus County propose to erect a historical marker describing the history and significance of the old Claggett Hill Trail. The marker would be installed adjacent to the new road at a vantage point where several important historical features of the area such as Fort Claggett, Fort Chardon, Council Island, and Camp Cooke are visible.

The cuts and fills associated with the new road's descent down Claggett Hill will be visible from the Missouri River valley and portions of the new road will impact the old Claggett Hill Trail (24FR217), a contributing element of the historic district. The cuts and fills were designed to be as small as possible and were placed on the hillside in a manner to be less apparent from viewpoints in the valley bottom. The alignment has also been designed to minimize effects on contributing elements of the historic district.

COORDINATION

1. The proposed project has been COORDINATED with the following:		
a) SHPO (April 5, 1995 and August 5, 1997)	<u>X</u>	<input type="checkbox"/>
b) ADVISORY COUNCIL ON HISTORIC PRESERVATION (November 17, 1997)	<u>X</u>	<input type="checkbox"/>
c) Property owners Personal communications by Robert Peccia & Associates (consulting engineers) in May and November of 1997.	<u>X</u>	—
d) Local/State/Federal agencies	<u>X</u>	<input type="checkbox"/>
Bureau of Land Management (November 10, 1997)--site 24FR829		
Montana DNRC (July 2, 1997) -- cultural sites on State land		
Montana DFW&P (June 19, 1997) --4(f)/6(f) Impacts		

COORDINATION (continued)

2. Two of the preceding had the following comment(s) regarding this proposed project, and/or the mitigation:

- The SHPO agreed with MDT's Determination of Effect in correspondence dated November 12, 1997.
- Since the ACHP chose not to offer comments on MDT's Determination of Effect for this project during the prescribed review period, the agency's concurrence with the Determination is assumed.

The BLM indicated in correspondence to MDT dated May 1, 1998 that this proposed project would not adversely affect the Upper Missouri National Wild & Scenic River. The BLM stated this proposed project "will not significantly impair the Wild & Scenic River qualities in this area or impede recreational use along this river system."

SUMMARY

The portion of the existing route to be replaced by the proposed project is subject to unstable soils, occasional landslides, and erosion by the Judith River. The "Do Nothing" alternative ignores the basic purpose and need for this proposed project of developing a road on a new alignment that will minimize maintenance time and expenditures for Fergus County. Studies showed that building a new road on another alignment cannot be accomplished without increasing construction costs, causing substantial disruptions to existing farmland operations, and affecting other Section 4(f) properties. The ability to construct other routes down the face of Claggett Hill is also highly doubtful due to steep slopes and the existence of unstable soils. Therefore, no feasible and prudent alternatives exist to avoid using portions of the old Claggett Hill Trail (24FR217).

All required **ALTERNATIVES** have been evaluated and the proposed project meets all the criteria included in the "Nationwide Programmatic" *Section 4(f)* evaluation approved on December 23, 1986. This Programmatic Evaluation includes all possible planning to minimize harm which will be incorporated in this proposed project.

**MASTER FILE
COPY**

**"NATIONWIDE" SECTION 4(f) EVALUATION FOR MINOR IMPACTS
ON
HISTORIC SITES
EXCLUDING HISTORIC BRIDGE REPLACEMENTS**

Project # STPS 236-1 (8) 40, (P.M.S. C#3176)
Project Name: Claggett Hill

Date: April 13, 1999
Location: (24FR829)
Fergus County, Montana

The proposed Claggett Hill project is the construction of a new 5.97 km (3.7 mile) long section of Secondary Route 236. The proposed project will include clearing and grubbing, grading, gravel surfacing, drainage improvements, relocating conflicting utilities, signing, seeding, fencing and other miscellaneous items necessary to construct the proposed roadway. Site 24FR829 is a cultural material scatter site located near the south end of the Claggett Hill project. A variety of prehistoric cultural materials including flakes, tools, fire-broken rocks, and bone and historical artifacts have been recovered from the site. The proposed project will not impact 24FR829, which has been determined eligible for listing on the NATIONAL REGISTER OF HISTORIC PLACES. A map showing the location of 24FR829 is attached.

NOTE: Any response in a box requires additional information. Consult the [Nationwide] Section 4(f) Evaluation criteria.

	<u>YES</u>	<u>NO</u>
1. Are the 4(f) sites adjacent to the existing highway? The proposed road would be constructed on an entirely new alignment.	—	<input checked="" type="checkbox"/>
2. Does the proposed project require the removal or alteration of historic structures, and/or objects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Does the proposed project disturb or remove archaeological resources which are important to preserve in-place rather than to recover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Are the impacts on the 4(f) sites considered minor (i.e. no effect, or no adverse effect)? MDT has determined the proposed project will have <input type="checkbox"/>No Effect<input type="checkbox"/> on 24FR829.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Has the STATE HISTORIC PRESERVATION OFFICE (SHPO) agreed in writing with the assessment of impacts, and the proposed mitigation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action under an <u>Environmental Impact Statement (E.I.S.)</u> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the proposed project on a new location? This project is being developed on an entirely new location since the existing route is subject to slides and portions of the roadway are being eroded by the Judith River.	<input checked="" type="checkbox"/>	—
8. The Scope-of-Work for the proposed project is one of the following:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Improved traffic operation;		
b) Safety improvements;		
c) 3R;		
d) Bridge replacement on essentially the same alignment; or		
e) Addition of lanes.		

ALTERNATIVES CONSIDERED

NOTE: Any response in a box requires additional information. Consult the "Nationwide" Section 4(f) Evaluation criteria.

- | | <u>YES</u> | <u>NO</u> |
|---|------------|-------------------------------------|
| 1. The "do-nothing" ALTERNATIVE has been evaluated, and is <u>not</u> considered to be feasible and prudent. | <u>X</u> | <input type="checkbox"/> |
| 2. An ALTERNATIVE has been evaluated on the existing alignment which improves the highway without any 4(f) impacts, and is also <u>not</u> considered to be feasible and prudent. Improving the existing alignment does not meet the purpose and need for the proposed project. Fergus County intends to eliminate a section of road which has historically been difficult and costly to maintain due to steep grades and curves, frequent landslides, and erosion by the Judith River. | — | <input checked="" type="checkbox"/> |
| 3. An ALTERNATIVE on a new location avoiding the 4(f) sites has been evaluated, and is <u>not</u> considered to be feasible and prudent. Various location options for the the new road were examined. The new alignment avoids 24FR829; however, impacts to other Section 4(f) properties in the project area are unavoidable. | <u>X</u> | <input type="checkbox"/> |

MINIMIZATION OF HARM

- | | | |
|--|----------|--------------------------|
| 1. The proposed project includes all possible planning to minimize harm. | <u>X</u> | <input type="checkbox"/> |
| 2. Measures to minimize harm include the following: | | |

The centerline of the new road has been designed to totally avoid impacts to an NRHP-eligible archaeological site (24FR829) as well as several other known archaeological and historical sites in the project area.

COORDINATION

- | | | |
|---|----------|--------------------------|
| 1. The proposed project has been COORDINATED with the following: | | |
| a) SHPO (April 5, 1995 and August 5, 1997) | <u>X</u> | <input type="checkbox"/> |
| b) ADVISORY COUNCIL ON HISTORIC PRESERVATION (November 17, 1997) | <u>X</u> | <input type="checkbox"/> |
| c) Property owners Personal communications by Robert Peccia & Associates (consulting engineers) in May and November of 1997. | <u>X</u> | — |
| d) Local/State/Federal agencies | <u>X</u> | <input type="checkbox"/> |
| Bureau of Land Management (November 10, 1997)--site 24FR829 | | |
| Montana DNRC (July 2, 1997) -- cultural sites on State land | | |
| Montana DFW&P (June 19, 1997) -- 4(f)/6(f) Impacts | | |
| USDA - NRCS (October 17, 1997) -- Farmland Impacts | | |
| Bureau of Land Management (May 1, 1998)-- Wild & Scenic River/4(f) impacts | | |
| 2. Two of the preceding had the following comment(s) regarding this proposed project, and/or the mitigation: | | |

The SHPO agreed with MDT's Determination of Effect in correspondence dated November 12, 1997. Since the ACHP chose not to offer comments on MDT's Determination of Effect for this project during the prescribed review period, the agency's concurrence with the Determination is assumed.

The BLM indicated in correspondence to MDT dated May 1, 1998 that this proposed project would not adversely affect the Upper Missouri National Wild & Scenic River. The BLM stated this proposed project will not significantly impair the Wild & Scenic River qualities in this area or impede recreational use along this river system.

SUMMARY

The portion of the existing route to be replaced by the proposed project is subject to unstable soils, occasional landslides, and erosion by the Judith River. The "Do Nothing" alternative ignores the basic purpose and need for this proposed project of developing a road on a new alignment that will minimize maintenance time and expenditures for Fergus County. Studies showed that building a new road on another alignment cannot be accomplished without increasing construction costs, causing substantial disruptions to existing farmland operations, and affecting other Section 4(f) properties. The ability to construct other routes down the face of Claggett Hill is also highly doubtful due to the existence of steep slopes and unstable soils. Therefore, no feasible and prudent alternatives exist to the proposed action.

All required **ALTERNATIVES** have been evaluated and the proposed project meets all the criteria included in the "Nationwide Programmatic" *Section 4(f)* evaluation approved on December 23, 1986. This Programmatic Evaluation includes all possible planning to minimize harm which will be incorporated in this proposed project.

APPROVAL

These three "Nationwide" Section 4(f) Evaluation documents are submitted pursuant to **49 U.S.C. 303** and in accordance with the provisions of **16 U.S.C. 470f**.

Karl M. Helvik
Karl M. Helvik, P.E.
Engineering Bureau Chief
Environmental Services

Date: April 13, 1999

Approved: Dorrian Gussell
Federal Highway Administration

Date: 4/29/99

"ALTERNATIVE ACCESSIBLE FORMATS OF THIS
WILL BE PROVIDED UPON REQUEST"

KMH:PECCIA:dmn

Attachment

cc: Bruce H. Barrett, Administrator - MDT Billings District (1 5)
Carl S. Peil, P.E. - MDT Preconstruction Engineer
Thomas E. Martin, P.E., Chief - MDT Right-of-Way Bureau
Timothy W. Reardon, Chief Counsel - MDT Legal Services
Dale W. Paulson, Program Development Engineer - FHWA Montana Division
Vernon Peterson, Commissioner - Fergus County
Chuck Otto, Area Manager - U.S. Dept. Of the Interior - BLM
Barry D. Smith, Lewistown Unit Manager - Dept. Of Natural Resources & Conservation
Joel M. Marshik, P.E., MDT Environmental Services Manager
project file



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Judith Resource Area Office
Airport Road, P.O. Box 1160
Lewistown, MT 59457
406/538-7461

IN REPLY TO:
8140.1P

November 10, 1997

Mr. Paul Putz
Montana State Historic Preservation Office
1410 8th Ave., P.O. Box 201202
Helena, MT 59620-1202

RECEIVED

NOV 12 1997

ENVIRONMENTAL

Dear Mr. Putz:

We have reviewed the Determination of Effect for the realignment of Route 236 along Claggett Hill, prepared by the Montana Department of Transportation (MDOT). The proposed realignment would avoid 24FR829, a significant archaeological site on BLM administered land.

We therefore concur in MDOT's determination of "no effect" to 24FR829 for the proposed realignment project.

Sincerely,

Stanley Jaynes
Stanley Jaynes
Archaeologist

cc: Jon Axline, MDOT



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Judith Resource Area Office
Airport Road, P.O. Box 1160
Lewistown, MT 59457
406/538-7461

IN REPLY TO:
8351

RECEIVED

MAY - 4 1998

**ROBERT PECCIA
& ASSOCIATES**

May 1, 1998

Robert Peccia & Associates, Inc
Attn: Dan Norderud, Environmental Planner
PO Box 5653
Helena, MT 59604

Subject: STPS 236-1(8) 44
CLAGGETT HILL
Control No. 3176

We concur that the proposed Claggett Hill project using Alternate A3 route will not adversely affect the Upper Missouri National Wild & Scenic River (UMNWSR) corridor near the Judith Landing Recreation Area - a developed recreation site managed by BLM.

The BLM manages this 149 mile component of the Wild & Scenic River System in Central Montana. The area of proposed activity is under the guidance of a "Recreational" designated segment of this system.

Under the provisions of Section 4(f) of the 1966 US Department of Transportation Act we agree that this proposed reconstruction project on Montana Secondary Highway 236 will not significantly impair the Wild & Scenic River qualities in this area nor will it impede recreational use along this river system.

The visual values in this portion of the river corridor are managed under a Visual Resource Management (VRM) Class II. This means that the level of change to the characteristic landscape should be low. Any management activities may be seen but should not attract the attention of the casual observer. According to information provided by your company, dated December 30, 1997, the cut and fills for Alternate A3 route have been designed to minimize the visual impacts and measures will be incorporated with the construction of project to ensure that revegetation occurs on disturbed areas. These efforts should meet the objectives of the VRM Class II designation.

If you have any further questions, please contact me or Clark Whitehead at 406/538-7461.

Sincerely,

for Chuck Otto
Area Manager



United States Department of the Interior

MASTER FILE
COPY

BUREAU OF LAND MANAGEMENT

Lewistown Field Office

Airport Road

P.O. Box 1160

Lewistown, Montana 59457-1160 December 7, 1998

IN REPLY REFER TO:

RECEIVED

DEC 08 1998

ENVIRONMENTAL

Karl M. Helvik, P E
Engineering Bureau Chief
Environmental Services
Mont Dept of Transportation
PO Box 201001
Helena, MT 59620

Dear Mr. Helvik:

We have received and reviewed the rough draft environmental documentation for the Claggett Hill Project, STPS 236-1(8)44. We have one comment. On page 3 of the *Section 4(f)* Evaluation, the second paragraph under Number 2 should read:

"The BLM indicated.....that this proposed project would NOT adversely affect the Upper Missouri....."

We appreciate the opportunity to comment.

Sincerely,

David L. Mari
Field Manager

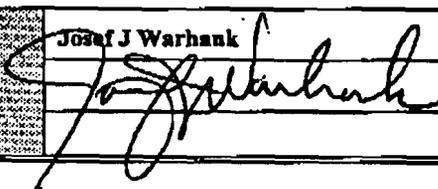
RECEIVED

NOV 13 1997

MONTANA STATE HISTORIC PRESERVATION OFFICE

NHPA Section 106 Other Consultation ENVIRONMENTAL

This form constitutes a record of your consultation with the Montana Historic Preservation Officer on a particular project and is the official SHPO reply. The dates of SHPO actions appear in the appropriate boxes.

Please Route This Form To:		MDT Jon	
Your Agency Requested Consultation with the Montana State Historic Preservation Officer (SHPO) on this Project under this Law or Regulation:			
		Section 106	
PROJECT NUMBER	STPS236-1(8)44	AGENCY	MDT
PROJECT NAME and Other Descriptions	Claggett Hill	Dates and Separate Requests to SHPO on This Project	10/24/97
THIS FORM documents		individual actions:	
Memo(s) to Sender:			
DETERMINATION OF ELIGIBILITY The SHPO has considered whether, per your request, sites either meet or do not meet the criteria of the National Register of Historic Places. The finding of the SHPO is as follows:		Sites which Meet National Register Criteria	Sites Not Meeting National Register Criteria
Criterion A Findings:	Criterion B Findings:	Criterion C Findings:	Criterion D Findings:
DETERMINATIONS OF EFFECT The shpo has considered whether this undertaking will have an effect on significant historic properties. The finding of the shpo is as follows:		No Eligible or Listed Properties Are Within the Area of Potential Effect	The Project Will Have NO EFFECT on These
Descriptions of Effects on Eligible Property Using 36 CFR 800.9		Eligible Properties	24FR829
		The Effect on These Properties is:	
		Adverse	
		Not Adverse	24FR217 24FR199
Other Comments:			
Reviewer Signatures	Josef J Warhank 	12 Nov 97	Dated:

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
NORTHEASTERN LAND OFFICE

MASTER FILE
COPY



STATE OF MONTANA

(406) 538-7759 Telephone
(406) 538-7780 FAX

November 20, 1998

613 NE MAIN
PO BOX 1021

LEWISTOWN, MONTANA 59457-1021

RECEIVED

cc: B. H. Barrett
C. S. Piel
S. A. Naseem
P. W. Johnson

NOV 23 1998

ENVIRONMENTAL

Environmental Services
2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Attn: Karl M. Helvik, P.E., Engineering Bureau Chief

Subj: STPS 236-1(8)44
Claggett Hill
Control No. 3176

Dear Mr. Helvik:

The Northeastern Land Office is submitting the following comments concerning the rough draft environmental document for the proposed project:

On pages 4 and 5 the paragraph entitled "**Seeding**" states that "*revegetation guidelines will be developed by MDT that must be followed by the contractor. These specifications ... The Seeding Special Provisions developed for this proposed project will be forwarded to the Fergus County Weed District for approval.*"

It is recommended that the MT Department of Natural Resources and Conservation/ Northeastern Land Office also be forwarded these special seeding provisions for review and approval prior to any seeding of the state lands involved with this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barney Smith".

BARNY SMITH
Lewistown Unit Manager
Northeastern Land Office

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
NORTHEASTERN LAND OFFICE

MAST
COPY
LE



STATE OF MONTANA

(406) 538-7789 Telephone
(406) 538-7780 FAX

July 2, 1997

613 NE MAIN
PO BOX 1021
LEWISTOWN, MONTANA 59457-1021

MT Department of Transportation
Attn: Karl M Helvik PE
PO Box 201001
Helena MT 59620-1001

RECEIVED

cc: Sam Naseem

JUL 03 1997

RE: State Lands
SE $\frac{1}{4}$, Sec. 35, T23N, R16E
SW $\frac{1}{4}$, Sec. 36, T23N, R16E
Fergus County

ENVIRONMENTAL

Dear Karl,

This is in response to your request for further information on the Claggett Hill Project.

Brian Townsend, our Area Forest Management Supervisor, has already responded regarding merchantable timber on the above described tracts.

Patrick Rennie, Department archaeologist, has reviewed this project. He requested that if site #24 FR 209 or site #24 FR 210 will be impacted, then those particular sites be re-evaluated.

There are no present mineral leases or mining activities associated with these tracts.

DNRC does not have any planned or ongoing projects for this particular area that would be affected by this proposed action.

I am not qualified to respond to your questions concerning the National Land & Water Conservation Fund or the National Register of Historic Places.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barney D. Smith", with a horizontal line extending to the right.

BARNY D. SMITH
Lewistown Unit Manager
Northeastern Land Office

BDS:af

copy to Counsel

**Montana Department
of
Fish, Wildlife & Parks**



1420 East Sixth Avenue
P O Box 200701
Helena Mt 59620-0701
June 19, 1997

Gordon L. Larson, P.E.
Robert Peccia & Associates
P O Box 5653
Helena MT 59604

Project: Claggett Hill Improvements - STPS 236-1(8)44; Control 3176

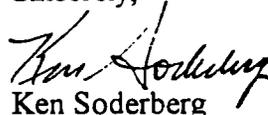
Dear Mr. Larson:

The Department of Fish, Wildlife & Parks does not currently own any property, nor are we aware of any proposed FWP land acquisitions within the boundaries shown on the map you provided which described the proposed highway construction project. In addition, our records do not indicate any lands purchased or developed for recreational purposes under Section 6(f) of the National Land & Water Conservation Fund Act within the project boundaries indicated on your map.

However, FWP recently transferred its interest in a site referred to as Judith Landing located in Sections 24 and 25, Township 23 North, Range 16 East, Chouteau County, to the Bureau of Land Management. This site is located on the Missouri River somewhat north of the project area shown on your map. This site, now managed by the BLM, was developed with LWCF funds.

We will copy this letter and your request to FWP regional staff in Great Falls so they are also aware of the project. They may have some additional comments regarding potential natural resource impacts since the new alignment appears to be moving some distance east from the Judith River. Thank you for the opportunity to comment.

Sincerely,



Ken Soderberg
Resource Program Manager



Debby Dils
Land Section Supervisor

cc: Mike Aderhold

2701 Prospect Avenue
 PO Box 201001
 Helena MT 59620-1001

**MASTER FILE
 COPY**

February 8, 2005

U.S. DEPARTMENT OF TRANSPORTATION
 Federal Highway Administration (FHWA)
 2880 Skyway Drive
 Helena, MT 59602-1230

Attention: Carl D. James,
 Environmental Specialist

Subject: MT-STPS 236-1(8)44
 CLAGGETT HILL
 (C#3176)

This office has reviewed this project's environmental impacts, and has determined that it continues to qualify as a Categorical Exclusion. Its original Categorical Exclusion request (CE, copy attached) was approved by the FHWA on April 29, 1999 and a Re-Evaluation (RCE, copy also attached) of same was made on November 15, 2001. This action also remains meeting the Categorical Exclusion criteria under the *Montana Environmental Policy Act (MEPA)* "Actions that qualify for a Categorical Exclusion" as applicable to the MONTANA DEPARTMENT OF TRANSPORTATION (MDT).

The Scope-of-Work (Report approved on March 31, 1999 copy attached as well) for this project has been reviewed, and has not changed. The U.S. DEPARTMENT OF THE INTERIOR Bureau of Land Management's (BLM's) changes for the Upper Missouri River Breaks National Monument listed in the RCE (also) continue to apply. The BLM continues to be a Cooperating Agency on this project.

This review is in accordance with the FHWA's "Re-Evaluated Categorical Exclusions" concurrence of April 15, 1999 (copy of this office's March 31, 1999 letter requesting same also attached). Therefore, this notification documents that this proposed action is still properly classified as a CE.



Thomas L. Hansen, P.E.
 Engineering Section Supervisor
 MDT Environmental Services Bureau

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

JAR:TLH:asj: [W][S:\PROJECTS\BILLINGS\3176\RCE-2.DOC]

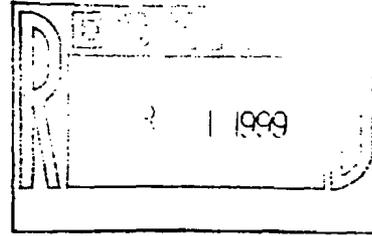
Attachment(s)

- copies: Bruce H. Barrett, Administrator - MDT Billings District (#5)
 Thomas S. Martin, P.E. - MDT Consultant Design Engineer
 John H. Horton, Jr. - MDT Right-of-Way Bureau Chief
 Mark A. Wissinger, P.E. - MDT Contract Plans Section Supervisor
 David W. Jensen, Supervisor - MDT Fiscal Programming Section
 Jean A. Riley, P.E. - MDT Environmental Services Bureau Chief
 Gary Slagel, Manager - BLM Upper Missouri River Breaks National Monument
 Barny D. Smith, Manager - MDNR&C NorthEastern Land Office Lewistown Unit
 FERGUS COUNTY COMMISSION



March 31, 1999

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



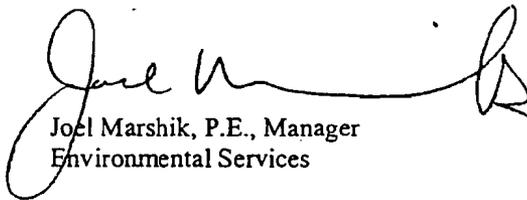
Subject: Re-Evaluated Categorical Exclusions

MDT, Environmental Services, is requesting a change to the policy regarding the process for re-evaluating categorical exclusions (CE). We propose to simplify the present process based on the fact CE's are not NEPA documents. They are the exceptions to NEPA documents; projects that have been determined to not require formal NEPA documentation based on 23 CFR 771.117.

Our request is to do a "yes or no" analysis on CE's that are more than three years old. The only question we intend to ask is whether the project still meets the criteria for a CE. If it does, our answer will be yes and no further documentation will be conducted. We will put a simple form letter together stating this fact and that will be the end of the re-evaluation. If the answer is no, that will mean some level of NEPA will be required, and a re-evaluated CE is inappropriate.

Oid CE's could be a concern, but we do not intend to ignore that fact. We will look at the quality of the field inventory and reconnaissance and update the data before the yes/no decision. Some features we will look at are threatened and endangered species, wetlands, cultural updates, demographic changes and new laws, rules or regulations. . Our experience indicates that normally there just isn't any new data needs. Should there be any however, we do not intend to formally incorporate this data into a new CE document. The new data will become part of the project file and public record

Our intentions are to only eliminate the lengthy re-evaluation write up. Our experience indicates that normally nothing has changed from when the project was first determined to be a CE. But over time a cumbersome policy/process has developed and these re-evaluations are taking five to ten working days to produce depending on the nature of the project.


Joel Marshik, P.E., Manager
Environmental Services

Concurrence:


Federal Highway Administration

Date: 4-15-99

Cc: Karl Helvik
Lyle Manley



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena, MT 59620 1001

David A. Galt, Director
Judith Martz, Governor

COPY

November 15, 2001

U.S. DEPARTMENT OF TRANSPORTATION
Federal Highway Administration (FHWA)
2880 Skyway Drive
Helena, MT 59602

Attention: Dale W. Paulson,
Program Development Engineer

Subject: STPS 236-1(8)44
CLAGGETT HILL
(P.M.S. Control #3176)

This office has reviewed this proposed project's environmental impacts, and has determined that it still qualifies as a Categorical Exclusion under the provisions of 23 CFR 771.129(c). Its original Categorical Exclusion request (CE, copy attached) was approved-by the FHWA on April 29, 1999. This proposed action also continues to qualify as a Categorical Exclusion under the provisions of ARM 18.2.261 (Sections **75-1-103** and **75-1-201, M.C.A.**).

The Scope-of-Work (Report approved-on March 31, 1999) for this proposed project has been reviewed, and has not changed. However, since that CE's approval, the Upper Missouri River Breaks National Monument was officially added-to the U.S. DEPARTMENT OF THE INTERIOR's National Landscape Conservation System on January 17, 2001. The northwesterly portion-of this proposed project will be within that National Monument. Therefore, that DEPARTMENT's Bureau of Land Management (BLM, which is a Cooperating Agency on this proposed project under 23 CFR 771.111(d)) has requested-that CE be "updated" accordingly. As a result of the BLM's request, the following changes will apply to this proposed project's CE:

Replace the 5TH (last full) paragraph near the bottom-of its 1st page with the following statements:

"An easement will be required where the proposed project crosses one parcel of BLM-administered tracts in Section 12, T-22-N; R-16-E. Those areas are not within the Upper Missouri National Wild & Scenic River Corridor, but are within the Upper Missouri River Breaks National Monument. However, a portion of this proposed project will be within the Upper Missouri National Wild & Scenic River Corridor as previously described; the surface ownership is either private or under the DNRC's jurisdiction. The DNRC administers the SE¹/₄ of Section 35 and the S¹/₂ of Section 36 in T-23-N, R-16-E. This proposed project crosses the SW¹/₄ of that (same) Section 36, where an additional easement from the DNRC will also be required."

Insert the following as a new section between those for "Air Quality" and "Wild and Scenic Rivers" on the lower-¹/₃ of Page 5:

Upper Missouri River Breaks National Monument – On January 17, 2001 the Upper Missouri River Breaks National Monument was officially added-to the U.S. DEPARTMENT OF INTERIOR's National Landscape Conservation System. The National Monument includes the Upper Missouri National Wild and Scenic River, contains approximately 151,750 hectares (375.000± acres) of public land managed-by the BLM, and that designation applies only to those BLM lands. " (concluded-on next page)

Dale W. Paulson
Page 2
November 15, 2001

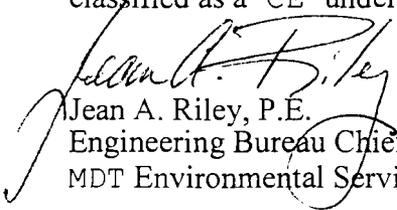
(BLM's changes to CE - conclusion:)

"The State Directors Interim Guidance for the Upper Missouri River Breaks National Monument, completed in June of 2001, documents the proposed S-236 re-alignment to both correct unsafe and hazardous conditions and maintain access to private land.

The proposed action will cross one parcel of public (BLM's) land within the National Monument in the SE¼ of Section 12 in T-22-N, R-16-E, M.P.M. This area is a plateau above the Missouri River valley's southerly side, and is relatively flat and gently rolling terrain. Cuts and fills associated with the minor road realignment will be minimal and shaped to match the natural contour of the land. None of the special objectives for which the National Monument was designated will be substantially impacted by this proposed action."

There are no alignment modifications and/or adjustments in the typical section for this proposed project that will be necessary as a result of the National Monument designation. No (new and/or additional) biological, cultural, or hazardous waste issues associated with that National Monument designation will affect this proposed action. There has been extensive public involvement both in the notification and interactive processes.

This review is in accordance with the FHWA's "Re-Evaluated Categorical Exclusions" concurrence of April 15, 1999 (copy of this office's March 31, 1999 letter requesting same also attached). Therefore, this notification documents that this proposed action is still properly classified as a CE under the provisions of 23 CFR 771.117(d).


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

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

JMM:JAR:asj: [S:\- BILLINGS DISTRICT\3176\RD RCE.LET]

Attachments

cc: Bruce H. Barrett, Administrator - MDT Billings District № 5
Carl S. Peil, P.E. - MDT Preconstruction Engineer
Samuel A. Naseem, P.E. - MDT Consultant Design Engineer
John H. Horton, Jr. - MDT Right-of-Way Bureau Chief
Mark A. Wissinger, P.E. - MDT Contract Plans Section Supervisor
David W. Jensen, Supervisor - MDT Fiscal Programming Section
Joel M. Marshik, P.E. - MDT Environmental Services Manager
Gary Slagel, Manager - BLM Upper Missouri R.Breaks Nat.Monument
Barny D. Smith, Manager - DNRC-NELO Lewistown Unit
FERGUS COUNTY COMMISSION
Brian Wacker, P.E. - RP&A Project Engineer



Montana Department
of Transportation

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MAY 03 1999



April 13, 1999

ENVIRONMENTAL

Janice W. Brown, Division Administrator
Federal Highway Administration (FHWA)
301 South Park, Drawer 10056
Helena, MT 59626

Subject: **Claggett Hill**
STPS 236-1 (8) 44
Control No. 3176

This is a request for the FHWA's concurrence that this proposed project meets the criteria for classification as a Categorical Exclusion under the provisions of 23 CFR 771.117(d). This proposed action also qualifies as a Categorical Exclusion under the provisions of ARM 18.2.261 (Sections **75-1-103** and **75-1-201, M.C.A.**).

The proposed action is for the construction of a portion of Secondary Route 236 on a new location in northwestern Fergus County. The project area is in Sections 25, 35, and 36 of Township-23-North, Range-16-East and Sections 2, 11, 12, and 14 of Township-22-North, Range-16-East, M.P.M. A location map is attached.

The Claggett Hill project begins near the southern section line of Section 12 in Township-22-North, Range-16-East, about 25.7 km (16 miles) north of Winifred, and extends northerly for 5.97 km (3.7 miles) to end on Secondary Route 236 some 1.3 km (0.8 miles) south of the existing Missouri River bridge. The proposed project begins in flat to gently rolling terrain on the top of a plateau and descends through the rugged and steep bluffs on Claggett Hill before ending on the Missouri River bottom.

This proposed project crosses parcels of federally-owned land managed by the U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT (BLM), State-owned land managed by the MONTANA DEPARTMENT OF NATURAL RESOURCES & CONSERVATION (DNRC) (which includes the former Montana Department of State Lands), and privately-owned lands. The BLM-managed lands in the vicinity of this proposed project are located in the following legally described area of Fergus County:

N½ of Section 14, T-22-N; R-16-E
E½ of the NE¼ Section 15, T-22-N; R-16-E
E½ of the SE¼ Section 10, T-22-N; R-16-E
E½ of the NE¼ Section 10, T-22-N; R-16-E
E½ of the SE¼ Section 3, T-22-N; R-16-E
E½ of the NE¼ Section 3, T-22-N; R-16-E
W½ of Section 2, T-22-N; R-16-E

Acquired Lands (under *Bankhead-Jones Act*),
P. L. 96-294): W½ of the SE¼ and NE¼ of the
SW¼ of Section 12, T-22-N; R-16-E

Upper Missouri Wild & Scenic River Corridor:
SE¼ of the SE¼ of Section 26, and
Sections 35 and 36 -- all in T-23-N; R-16-E

The proposed project crosses BLM administered lands in Section 12, T-22-N; R-16-E and in the Upper Missouri National Wild & Scenic River Corridor described above. The DNRC

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owns the SE $\frac{1}{4}$ of Section 35 and the S $\frac{1}{2}$ of Section 36 in Township 23-North; Range-16-East. This proposed project crosses the SW $\frac{1}{4}$ of Section 36, where an additional easement from the DNRC will be required.

The proposed alignment will be designed to meet current standards for a 70 kilometers per hour (km/h) or 45 miles per hour design speed. This design speed is consistent with the geometric design criteria for rural minor collectors. The gravel surfaced roadway will be designed as a 7.2 m (24 foot) wide section and have a maximum gradient of ten percent (10.0%) on the Claggett Hill section of the route.

Standard cut and fill slopes will be constructed where possible. There are no bridges within the project limits. This proposed project will also include clearing and grubbing, grading, gravel surfacing, drainage improvements, relocating conflicting utilities, signing, seeding, fencing and other miscellaneous items necessary to construct the proposed roadway.

PURPOSE AND NEED

The existing route begins on a plateau more than 210 m (700 feet) above the Judith River and descends the steep terrain of Reed Hill and then parallels the river to the end of the project. The Reed Hill section of the existing route is constructed through areas of unstable soils and has been damaged on numerous occasions by landslides. The existing road through this section also contains numerous sharp curves and has steep grades. As a result of these problems, Fergus County has spent considerable time and money over the years to maintain travel on this part of Secondary Route 236.

Portions of the existing route at the bottom of Reed Hill are subject to erosion by the Judith River. In recent years, the river has moved closer to the roadway causing river banks to sluff in several areas. Fergus County Commissioners believe further movement by the river could wash out a section of the road causing a temporary or even a permanent closure to this portion of the route. Due to the steep terrain adjacent to the roadway, reconstructing the road to avoid such a catastrophic event would be difficult, if not impossible.

A temporary or permanent closure of Secondary Route 236 due to damage on the Reed Hill section would substantially affect agricultural activities and recreation in this area of north central Montana. Maintaining traffic on the route is essential to livestock grazing and farming operations in the general area. Additionally, this route provides access to recreational sites and opportunities on the Upper Missouri National Wild and Scenic River both in the project area and downstream.

Secondary Highway 236 provides the only Missouri River crossing for many miles and serves as an important transportation link between Big Sandy and other "Hi-line"

communities and Lewistown. The use of this route reduces the total one-way distance for travel between Lewistown and Havre by more than 51 km (32 miles) over alternate routes.

Therefore, the primary purpose of this proposed project is to develop a road on a new alignment that will minimize maintenance time and expenditures for Fergus County. The proposed action will help to ensure that Secondary Route 236 continues to function as a vital transportation link for agriculture and recreational activities in north central Montana.

ENVIRONMENTAL IMPACTS

This proposed project has been evaluated for, and does not have any adverse effect on the following environmental areas of concern:

<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Hazardous Waste
<input checked="" type="checkbox"/> Stormwater Runoff	<input checked="" type="checkbox"/> Social/Economic
<input checked="" type="checkbox"/> <i>Section 404 - Clean Water Act</i>	<input checked="" type="checkbox"/> Floodplains (E.O. 11988 /FEMA)
<input checked="" type="checkbox"/> Changes in Land Use	<input checked="" type="checkbox"/> <i>NL&WCF - 6(f) Act</i>
<input checked="" type="checkbox"/> Wetlands	

The proposed project will have a minor effect on the following environmental areas:

Land Use, Right-of-Way, and Utility Impacts - This proposed action will have minimal effects on land uses in the project corridor. Construction of the new road will not increase the rate of development, cause major changes to adjacent land uses, or contribute to unplanned growth in the project area. Further, the project will not eliminate access to adjacent publicly-owned and private properties and will substantially improve access to cultivated lands within the project corridor. The proposed project will not affect the Judith Landing Recreation Area, a BLM-managed public campground and river access, on the north bank of the Missouri River near the highway bridge.

The portion of the existing route to be abandoned after construction of the proposed project will not be obliterated. Ownership of the old road and its right-of-way will likely be transferred to adjacent landowners.

The proposed project has been coordinated with the Lewistown/Fergus County Planning Office. The Planning Director indicated that there are no planned or proposed developments in the area and does not believe this project will conflict with the Fergus County Land Use Policy, the County's adopted land use plan.

An estimated 38 ha (95 acres) of new right-of-way must be acquired over the length of the project to accommodate the planned road construction. The new road has been designed to minimize or avoid right-of-way impacts on cultivated lands where possible.

No major utility conflicts are expected with the proposed highway construction. Overhead power lines and/or buried telephone lines may be encountered near the north end of the proposed project where the tie-in to the existing road is planned. Any conflicting utilities will be relocated prior to construction.

Prime Farmlands - The Lewistown Field Office of the U.S. DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE (NRCS) was contacted in June, 1997 about the existence of "important" farmland in the project area. The NRCS indicated that three soils crossed by the Claggett Hill project are designated as Farmland of Statewide Importance. These soils include Evanston loam, 0 to 2 percent slopes; Floweree silt loam, 2 to 8 percent slopes; and Yamac loam, 2 to 8 percent slopes.

A Farmland Conservation Impact Rating form (#AD-1006) was processed for this project in accordance with the FARMLAND PROTECTION POLICY ACT (FPPA - 7 U.S.C. 4201, et seq.). The *Total Points* for this project's Site Assessment Criteria are less than 160 points. Therefore, under 7 CFR 658.4(c), no additional consideration for protection is necessary. The completed form was not submitted to the NRCS but a copy is attached to this document.

Permits Required - Water quality impacts are expected to be minimal because there are no stream crossings and other drainages crossed by the project are dry for most of the year. No long-term effects on the water quality of the area are anticipated.

The following permits will be acquired prior to any relevant disturbance:

This proposed project will be in compliance with the provisions of both Water Quality under 75-5-401(2) M.C.A. for *Section 3(a)* authorizations, and Stream Protection under 87-5-501 through 509 M.C.A., inclusive.

The need for a *124SPA* Stream Protection permit will be coordinated with the MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS (MDFW&P).

This proposed project will require the following permits under the *CLEAN WATER ACT* (33 U.S.C. 1251-1376):

A *Section 402*/Montana Pollutant Discharge Elimination System Permit (also known as a Storm Water Discharge General Permit) from the MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY'S (MDEQ) Permitting and Compliance Division. This permit is necessary because the area disturbed by construction will total more than 2 ha (5 acres).

All work will also be in accordance with the *WATER QUALITY ACT OF 1987 (P.L. 100-4)*, as amended.

Erosion Control - An Erosion Control Plan for this proposed project will be submitted to the MDEQ's Permitting and Compliance Division in accordance with their Montana Pollutant Discharge Elimination System Regulations (ARM 16.20.1314). Best Management Practices will be used in the design of this Plan using Guidelines established in MDT's Highway Construction Standard Erosion Control Work Plan. The objective is to minimize erosion of disturbed areas during and following construction of this proposed project.

Seeding - In accordance with 7-22-2152 and 60-2-208, M.C.A., MDT will reestablish a permanent desirable vegetation community along all areas disturbed by the proposed construction. A set of revegetation guidelines will be developed by MDT that must be followed by the contractor. These specifications will include instructions on seeding methods, dates, mix components, and the types and amounts of mulch and fertilizer. Seed mixes include a variety of species to assure that areas disturbed by construction are immediately stabilized by vegetative cover. The Seeding Special Provisions developed for this proposed project will be forwarded to the DNRC's Northeastern Land Office and the Fergus County Weed District for approval. A copy of a December 4, 1998 letter from the Unit Manager of the DNRC's Northeastern Land Office concurring with the Seeding Special Provisions is attached.

The spread of existing noxious weeds is a concern since the proposed road will be constructed through an area relatively free of noxious weeds. The proposed project will be coordinated with the Fergus County Weed District for required and recommended measures to control the spread of noxious weeds.

Air Quality - The Claggett Hill project is located in an "unclassifiable" attainment area for air quality under 40 CFR 81.327, as amended. As such, this proposed project is not covered under the U.S. Environmental Protection Agency's **Final Rule** of November 24, 1993 on Air Quality Conformity. Therefore, this proposed project complies with *Section 176(c)* of the *CLEAN AIR ACT*, as amended (42 U.S.C. 7521(a)).

Wild and Scenic Rivers - The Missouri River in the project area is part of the National Wild and Scenic River System under the *NATIONAL WILD AND SCENIC RIVERS ACT (16 U.S.C. 1271-1287)*. The reach of the Missouri River near this project is classified as a Recreational River Section within the Upper Missouri National Wild and Scenic River. Management of the Wild and Scenic River is the responsibility of the BLM. The *Upper Missouri Wild and Scenic River Management Plan*, prepared by the BLM in 1978, states that the boundaries of the Recreational River Section include "the Missouri River, floodplain, and slopes visible from the Missouri River, which reach to the crest or horizon formed by the general level of

the plains."

Although the river and its floodplain will not be affected, the proposed road will be located within the management corridor for the Upper Missouri National Wild and Scenic River. The proposed action will cross the Recreational River corridor in the SW $\frac{1}{4}$ of Section 25 and in the S $\frac{1}{2}$ and NW $\frac{1}{4}$ of Section 36 in Township-23 North, Range-16-East, M.P.M. The future road will be apparent from locations within the Recreational River corridor. Several cuts and fills on Claggett Hill will be visible from some viewpoints on or along the river.

The proposed action will have no foreseeable adverse effects on the free-flowing nature, the setting, or the water quality of the Upper Missouri National Wild and Scenic River. The BLM reviewed this proposed project's impacts in accordance with *Section 7* of the *WILD & SCENIC RIVERS ACT*. The BLM concluded that the proposed project will not have an adverse effect on this section of the Wild and Scenic River system. A letter from the agency dated May 1, 1998 stating this conclusion is attached.

Publicly-owned waters of designated Wild and Scenic Rivers are protected under *Section 4(f)* of the *DEPARTMENT OF TRANSPORTATION ACT*. Publicly-owned lands in the immediate proximity of such rivers may also be protected by *Section 4(f)* depending on the manner in which they are administered. The applicability of *Section 4(f)* to the Upper Missouri National Wild and Scenic River and its management corridor is discussed later in this document.

Historical and Archaeological Resources - The project area is rich in historical and archaeological resources. A cultural resource survey of the general project area was prepared by cultural resources consultant in March, 1997. In addition, a follow-up cultural resource survey which focused on the proposed alignment for the new road was completed in August, 1997. These surveys identified:

- Six previously recorded cultural sites identified as 24FR209, 24FR210, 24FR212, 24FR827, 24FR828, and 24FR829 consisting of prehistoric materials such as stone cairns, hearths, fire altered rock, chipped stone debris, and historical artifacts dating to the 1870's.
- An historic grave site identified as 24FR216.
- The remnants of a road through the area dating to the mid-1860's identified as the Claggett Hill Trail (24FR217).
- Two previously unrecorded cultural sites identified as 24FR830 and 24FR831 consisting of a modern cultural material scatter from an old farmstead and a collapsed structure dating to the 1950's.
- The Judith Landing Historic District (24FR199), a 24-square km (15-square mile) historic district centered around the confluence of the Judith and Missouri Rivers.

The district contains fifty-one features and sites relating to the area's extensive prehistoric and historic cultures, including the historic Claggett Hill Trail.

Based on evaluations of the prehistoric and historic sites identified above, only 24FR217 and 24FR829 were found to be eligible for listing on the National Register of Historic Places (NRHP). The Judith Landing Historic District (24FR199) was listed in the NRHP in 1975.

Several areas of the old Claggett Hill Trail will be lost to the construction of the new road. However, much of the intact section of the historic road will not be impacted by right-of-way acquisition and subsequent construction of the new road. 24FR829 falls within the proposed right-of-way corridor for the new road but not within the area to be disturbed by the proposed construction of Secondary Highway 236.

The proposed construction of the new roadway will have a minor effect on the Judith Landing Historic District (24FR199). Some of the cuts and fills associated with the new road will be apparent from the floor of the valley. However, the cuts and fills for the new road have been designed and positioned on the bluffs to minimize visual impacts from viewpoints along the river. With the exception of the Claggett Hill Trail, no other contributing elements of the Judith Landing Historic District will be affected.

A Determination of Effect was prepared by MDT and submitted to the Montana STATE HISTORIC PRESERVATION OFFICE (SHPO) and the BLM in October, 1997 and to the ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP) in November, 1997. The Determination stated this project will have **NO ADVERSE EFFECT** on the NRHP-eligible Claggett Hill Trail (24FR217) or the NRHP-listed Judith Landing Historic District (24FR199). The determination also found there will be **NO EFFECT** on the NRHP-eligible archaeological site 24FR829. Letters from the Montana SHPO and the BLM indicating their concurrence with the Determination of Effect are attached. Since no response was received from the ACHP during the prescribed review period for the Determination, the agency's concurrence was assumed.

Federally-funded actions affecting sites that are on, or considered as eligible for the NRHP also must comply with *Section 4(f)* of the *U.S. DEPARTMENT OF TRANSPORTATION ACT*. This compliance is discussed below.

Section 4(f) Impacts - The proposed project is subject to the provisions of *Section 4(f)* of the *U.S. DEPARTMENT OF TRANSPORTATION ACT (49 U.S.C. 303)*, as amended. These provisions apply to Federally-funded transportation actions that affect sites on or eligible for the NRHP, publicly-owned parks, recreation lands, and wildlife and waterfowl refuges. Overall, thirteen potential *Section 4(f)* properties within the Claggett Hill project area were examined. Based on a review of these properties, it was determined that *Section 4(f)* applies

only to the following properties:

- a NRHP-eligible prehistoric site identified as 24FR829;
- the NRHP-eligible Claggett Hill Trail; and
- the NRHP-listed Judith Landing Historic District.

Section 4(f) can apply to lands within designated Wild and Scenic River areas. However, the statute applies only to those portions of the Wild and Scenic River which are being used, or designated under an approved management plan for use as a park or recreation site; wildlife, or waterfowl refuge; or for historic purposes. There are no specific sites, which are either presently used or that have been specifically designated for *Section 4(f)* uses, within the portion of the Upper Missouri National Wild and Scenic River management corridor affected by the proposed action. Portions of the historic Claggett Hill Trail and the Judith Landing Historic District lie within the management corridor and are subject to *Section 4(f)*.

"Nationwide" Programmatic *Section 4(f)* Evaluations have been prepared for this proposed project's minor involvements with the NRHP-eligible prehistoric site (24FR829), the historic Claggett Hill Trail, and the Judith Landing Historic District.

Threatened/Endangered Species - The following Threatened/Endangered Species were identified in MDT's **Biological Resources Report** of October, 1997, in accordance with the U.S. FISH AND WILDLIFE SERVICE's letter of November 19, 1996 (and January 23, 1997 supplement) as being in the vicinity of this proposed project:

The bald eagle (*Haliaeetus leucocephalus*) is a threatened raptor species and the peregrine falcon (*Falco peregrinus*) is an endangered raptor species in Montana. The black-footed ferret (*Mustela nigripes*) is listed as an endangered predator species in the State. The least tern (*Sterna antillarum*) is an endangered wading bird and the piping plover (*Charadrius melodus*) is a threatened shorebird in Montana. The pallid sturgeon (*Scaphirhynchus albus*) is an endangered fish species.

The swift fox (*Vulpes velox*) and the mountain plover (*Charadrius montanus*) are designated as candidate species for listing under the *ENDANGERED SPECIES ACT*.

The conclusion of the **Biological Resources Report** is that this proposed project is "not likely to adversely affect" the bald eagle, peregrine falcon, black-footed ferret, least tern, piping plover, pallid sturgeon, or their respective habitats. Although the swift fox and mountain plover could occur in the project area, no information exists that suggests they occur in the vicinity of the Claggett Hill project.

Rare and Sensitive Species - In addition to species listed by the USFWS under the

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ENDANGERED SPECIES ACT, other species have been designated as rare, sensitive, or of special concern by the MONTANA NATURAL HERITAGE PROGRAM (MNHP) and the MDFW&P. Seven mammal, four reptile, and twenty bird species of special concern to these agencies may occur in the vicinity of this proposed project area. Based on habitat requirements, the only rare or sensitive species that may occur in the area are: the Merriam shrew, black-tailed prairie dog, the spiny softshell turtle, snapping turtle, ferruginous hawks, golden eagles, prairie falcons, long-billed curlews, upland sandpipers, burrowing owls, long-eared owls, clay-colored sparrows, Brewer's sparrows, and bobolinks.

Any impacts to these rare or sensitive wildlife species would be minor and associated with short-term displacement during construction and loss of habitat. No long-term negative impacts or irretrievable losses to rare and sensitive wildlife or their habitats are likely to occur from this project. The cumulative impacts of this project and other developments in the area will not result in a decline of these species or populations.

The MNHP lists five plants of special concern as occurring within Fergus County. However, potential habitat for only one sensitive plant, Little Indian bread-root, may exist in the general project area. No occurrences of Little Indian bread-root were observed during a field review conducted in July, 1997.

Fisheries - The proposed project is located near the confluence of the Judith and Missouri Rivers. Dog Creek, a tributary of the Missouri, also drains portions of the project area. These streams support a variety of fish including four species found in the Missouri River classified as sensitive species by the USFWS or the MNHP. There are no stream crossings on this proposed project and it is unlikely that new road construction would cause erosion that would result in sediment reaching the Judith or Missouri Rivers or Dog Creek. Overall, the potential impacts to fish from the proposed project will be insignificant, and possibly beneficial because the new road will be moved away from the Judith River.

Visual Impacts - The portion of the proposed alignment that crosses the plateau above the Judith and Missouri Rivers is located in relatively flat and gently rolling terrain. The cuts and fills associated with the proposed highway construction will be small and shaped to match the natural contour of the land.

As the proposed alignment descends from the plateau into the Missouri River valley down Claggett Hill, it traverses steep and rugged terrain and larger cuts and fills will be required to maintain acceptable horizontal and vertical alignments. The road cuts will generally be on the north and east slopes of Claggett Hill and will not be apparent to motorists traveling to the north. However, the cuts will be visible from the Missouri River bottom. Fills associated with the proposed new alignment will generally be perpendicular to the valley making them less obvious from locations on the Missouri River bottom. Road cuts and fills have been designed to minimize the area disturbed by future road construction. Visual impacts will

also be minimized by promptly revegetating disturbed areas.

Cumulative Impacts - Projects proposed, under construction, or recently completed by Fergus County, MDT, and others in the vicinity of the Claggett Hill project were reviewed to help assess the cumulative impacts of this proposed action. It was determined that only one project is planned or proposed in the vicinity of this project. Fergus County plans to construct a 1.4 km (about 0.9 miles) section of Secondary Route 236 immediately south of the Claggett Hill project. This project would occur prior to construction of the Claggett Hill project.

The cumulative effects from the Claggett Hill project and others proposed, under construction, or recently completed were found to be insignificant. This conclusion was reached because the timing of construction activities for these projects will not coincide.

COORDINATION

The DNRC (which includes the former Montana Department of State Lands), and Fergus County are **Cooperating Agencies** on this proposed project in accordance with the FHWA's regulations (23 CFR 771.111(d)).

A news release discussing the proposed action was prepared and distributed in May, 1997. In a follow-up to the news release, the *Lewistown News-Argus* published a story about this proposed project on May 28, 1997.

Each landowner in the project corridor was contacted during May, 1997 and provided with information about the scope of the proposed project. These contacts also provided an opportunity to solicit input on issues pertinent to the proposed realignment of Secondary Route 236.

Several meetings with Cooperating Agencies were held during the development of this environmental document and preliminary plans for the proposed road. To date, Cooperating Agency meetings were held in May, 1997 to discuss project issues and in October, 1997 to review the proposed changes to the alignment of the route.

Letters notifying several public agencies of the Claggett Hill project were distributed during June, 1997. These letters provided agencies with a general description of the scope of work for the proposed project, and in some cases, solicited new information needed for the development of this environmental document.

A newsletter has also been produced and distributed during the development of this project. The newsletter is being used to keep affected landowners, Cooperating Agencies, and the general public informed of the project and related activities. The newsletters also provided

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forms for offering comments on the project and listed the names, addresses and telephone numbers of persons that could be contacted for more information.

A public informational meeting about the proposed project was held on November 12, 1997. The purpose of the meeting was to inform the public of the proposed new alignment for Secondary Route 236 and to request comments on the future development of the route. The meeting was held at the Community Room in Winifred and consisted of an afternoon open house and an evening meeting. Only one person attended the meetings. The scope of the project and the proposed alignment for the new road were discussed at the meeting. Copies of the project newsletters were made available at the public meeting.

Both the BLM and DNRC were afforded opportunities to review and comment on the "rough draft" Categorical Exclusion/*Section 4(f)* Evaluations for this project. Comments received as a result of this review are attached.

CONCLUSION

The project will not induce significant land use changes or promote unplanned growth and will not affect existing access to adjacent property or change present traffic patterns. This project will not create disproportionately high and adverse human health or environmental effects on minority and low income populations (**E.O. 12898**) and complies with Title VI of the *CIVIL RIGHTS ACT OF 1964* (**42 U.S.C. 2000d**). In accordance with 23 CFR 771.117(a), this action will neither individually nor cumulatively have any significant environmental impacts. Therefore, the FHWA's concurrence is requested that this proposed project is properly classified as a Categorical Exclusion.

Karl M Helvik

Karl M. Helvik, P.E.
Engineering Bureau Chief
Environmental Services

Concur *Darin Grenfell*
Federal Highway Administration

Date 4/29/99

KMH:PECCIA:dmn

Attachments

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cc: Bruce Barrett, P.E., Administrator - MDT Billings District (Nº 5)
Carl S. Peil, P.E., MDT Preconstruction Engineer
Thomas E. Martin, P.E., Supervisor - MDT Right-of-Way Bureau
David W. Jensen, Supervisor - MDT Fiscal Programming Section
Mark a. Wissinger, P.E., Supervisor - MDT Contract Plans Section
Joel M. Marshik, P.E., MDT Environmental Services Manager
Fergus County Commissioners
U.S. Department of the Interior - BLM - Judith Resource Area Office
Department of Natural Resources And Conservation, Northeastern Land Office
Project File

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

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)	Date of Land Evaluation Request October 15, 1997
Name of Project Claggett Hill--Secondary Route 236 STPS 236-1 (8) 44; MDT Control # 3176	Federal Agency Involved U.S. DOT Federal Highway Administration/MDT and Fergus County
Proposed Land Use New Right-of-Way Corridor for Future Highway Construction	County and State Fergus County, Montana

PART II (To be completed by SCS)	Date Request Received by SCS 10 - 17 - 97
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Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply - do not complete additional parts of this form).	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Acres Irrigated 12,000	Average Farm Size 2777 acres
Major Crop(s) Small grains, Livestock, Hay	Farmable Land in Govt. Jurisdiction Acres: 742,800 %	Amount of Farmland As Defined in FPPA Acres: 436,836 %	
Name of Land Evaluation System Used Statewide	Name of Local Site Assessment System N.A.	Date Land Evaluation Returned by SCS 10 - 24 - 97	

PART III (To be completed by Federal Agency) Land Evaluation Information	Alternative Site Rating			
	Proposed Action	Site B	Site C	No-Action
A. Total Acres To Be Converted Directly	40.3	N/A	N/A	0.00
B. Total Acres To Be Converted Indirectly	0.0	N/A	N/A	0.00
C. Total Acres in Site	94.9	N/A	N/A	0.00

PART IV (To be completed by SCS) Land Evaluation Information	
A. Total Acres Of Prime And Unique Farmland in Fergus County	304,647
B. Total Acres Of Statewide or Local Important Farmland in Fergus County	132,189
C. Percentage Of Farmland in County or Local Govt. Unit To Be Converted	.0002%
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	59%

PART V (To be completed by SCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)	100
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PART VI (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))	Maximum Points			
1. Area in Nonurban Use	15	15		
2. Perimeter in Nonurban Use	10	10		
3. Percent of Site Being Farmed	20	6		
4. Protection Provided by State and Local Government	20	0		
5. Distance From Urban Builtup Area	N/A	N/A		
6. Distance to Urban Support Services	N/A	N/A		
7. Size of Present Farm Unit Compared to Average	10	10		
8. Creation of Nonfarmable Farmland	25	0		
9. Availability of Farm Support Services	5	1		
10. On-Farm Investments	20	5		
11. Effects of Conversion on Farm Support Services	25	0		
12. Compatibility With Existing Agricultural Use	10	2		
TOTAL SITE ASSESSMENT POINTS	160	49		

PART VII (To be completed by Federal Agency)				
Relative Value Of Farmland (From Part V)	100	100		
Total Site Assessment (From Part VI above or a local site assessment)	160	49		
TOTAL POINTS (Total of above 2 lines)	260	149		

Site Selected:	Date of Selection 10-29-97	Was a Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

Step 1 - Federal agencies involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form.

Step 2 - Originator will send copies A, B and C, together with maps indicating locations of site(s), to the Soil Conservation Service (SCS) local field office and retain copy D for their files. (Note: SCS has a field office in most counties in the US. The field office is usually located in the county seat. A list of field office locations are available from the SCS State Conservationist in each state).

Step 3 - SCS will, within 45 calendar days after receipt of form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland.

Step 4 - In cases where farmland covered by the FPPA will be converted by the proposed project, SCS field offices will complete Parts II, IV and V of the form.

Step 5 - SCS will return copy A and B of the form to the Federal agency involved in the project. (Copy C will be retained for SCS records).

Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form.

Step 7 - The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

INSTRUCTION FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

Part I: In completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: In completing item B (Total Acres to be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

Part VI: Do not complete Part VI if a local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type projects such as transportation, powerline and flooded control, criteria #5 and #6 will not apply and will be weighted zero, however, criterion #8 will be weighted a maximum of 25 points, and criterion #11 a maximum of 25 points.

Individual Federal agencies at the national level, may assign relative weights among the 13 site assessment criteria other than those shown in the FPPA rule. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total weight points at 160.

In rating alternative sites, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Sites most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

Part VII: In computing the "Total Site Assessment Points", where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160. Example: if the Site A maximum is 200 points; and alternative Site "A" is rated 180 points:

Total points assigned Site A = $\frac{180}{200} \times 160 = 144$ points for Site "A."
Maximum points possible 200

MISS IS FILE
COPY

Montana Department of Transportation
Helena, Montana 59620-1001

Memorandum

To: Distribution

From: *for* Carl S. Peil, P.E.
Preconstruction Engineer *Peil*

Date: November 4, 1998

Subject: STPS 236-1(8)44
Claggett Hill
Control No. 3176
Work Type 120

RECEIVED
NOV 16 1998
MATERIALS DIVISION

RECEIVED
NOV 20 1998
GEOTECHNICAL SECTION

The Scope of Work Report prepared by the Consultant for the subject project is attached. We request that those on the distribution review this report and submit their concurrence by 11/25, 1998.

Your comments and recommendations are also requested if you do not concur or concur subject to certain conditions.

When all personnel on the distribution list have submitted their comments, this report will be submitted to the Administrator, Engineering Division, for final approval.

CSP:FWB:G:CD:127.dlm.doc

Attachments

Distribution:

- T. E. Martin, w/attach.
- K. H. Neumiller, "
- J. P. Kolman, "
- D. J. Blacker, "
- Pat Saindon, "
- J. M. Marshik, "
- B. H. Barrett, "
- R. D. Tholt, "
- Fergus County, "

I recommend approval:
Kenneth H. Neumiller

Date: 11-24-98

- 1. Tompkins *RT* Date 11-18-98
- 2. Barnes *AB* Date 11-18-98
- 3. Clark *RVT* Date 11/20/98
- 4. Moran *TC* Date 11/23/98
- 5. Neumiller *UN* Date 11-24-98

FILE
COPY

Montana Department of Transportation
Helena, Montana 59620-1001

Memorandum

~~TO:~~ Distribution

TO:

~~FROM:~~ Carl S. Peil, P.E.
Preconstruction Engineer *CS Peil*

NOV 16 1998

Date: November 4, 1998

Subject: STPS 236-1(8)44
Claggett Hill
Control No. 3176
Work Type 120

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J. P. Kolman,	"
D. J. Blacker,	"
Pat Saindon,	"
J. M. Marshik,	"
B. H. Barrett,	"
R. D. Tholt,	"
Fergus County,	"

I recommend approval:

Fred Robinson

Date: 11/23/98

cc: D. P. Dusek,	w/attach.
D. R. McIntyre,	"
C. S. Peil,	"
S. A. Naseem,	"
FHWA,	"
Precon. File,	"

① Need a good geotechnical review to avoid problems we now have at Fred Robinson bridge - particularly south approach road

RECEIVED

NOV 16 1998

Montana Department of Transportation
Helena, Montana 59620-1001

FILE
COPY

ENVIRONMENTAL

Memorandum

To: Distribution

From: *for* Carl S. Peil, P.E.
Preconstruction Engineer 

Date: November 4, 1998

Subject: STPS 236-1(8)44
Claggett Hill
Control No. 3176
Work Type 120

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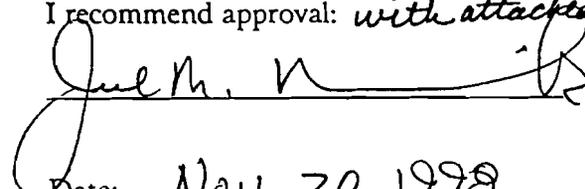
CSP:FWB:G:CD:127.dlm.doc

Attachments

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- D. J. Blacker, "
- Pat Saindon, "
- J. M. Marshik, "
- B. H. Barrett, "
- R. D. Tholt, "
- Fergus County, "

I recommend approval: *with attached memo*



Date: Nov 20, 1998

- cc: D. P. Dusek, w/attach.
- D. R. McIntyre, "
- C. S. Peil, "
- S. A. Naseem, "
- FHWA, "
- Precon. File, "

MONTANA DEPARTMENT OF TRANSPORTATION
Helena, Montana

MASTER FILE
COPY

Memorandum

To: Carl S. Peil, P.E.
Preconstruction Engineer

Attention: Samuel A. Naseem, P.E.
Consultant Design Engineer

From: Joel M. Marshik, P.E. *Joel 11/20/98*
Environmental Services Manager

Date: November 23, 1998

Subject: STPS 236-1(8)44
CLAGGET HILL
(P.M.S. C#3176)

This proposed project's Scope of Work Report approved-for distribution on November 4, 1998 has been reviewed. This office has the following comments concerning this Report:

Page	Subject	Comments
6	8. Right-Of-Way	The "parcels" on this proposed project which are not "owned and administered by the . . . (DNRC) and the . . . (BLM)" may be obtained-under the "advanced acquisition" categorical exclusion.
7	10. Environmental Considerations	Those initial ROUGH "Draft Categorical Exclusion and Programmatic 4(f) . . . submitted to MDT" were received by this office in January, 1998. However, both ROUGH DRAFTS were incomplete as BLM's determination on this proposed project's impacts-to "the Wild and Scenic River qualities" was not received until four months later. Revised ROUGH "Draft Categorical Exclusion and Programmatic 4(f)" documents were not received in this office until October 5, 1998. Those (revised) ROUGH DRAFT documents contained numerous errors and omissions. Therefore, both-of those ROUGH DRAFTS needed additional modifications prior-to their circulation (on November 13, 1998) for review and legal sufficiency.

FILE
COPY

Montana Department of Transportation
Helena, Montana 59620-1001

Memorandum

To: Distribution
From: *for* Carl S. Peil, P.E.
Preconstruction Engineer 
Date: November 4, 1998
Subject: STPS 236-1(8)44
Claggett Hill
Control No. 3176
Work Type 120

The Scope of Work Report prepared by the Consultant for the subject project is attached. We request that those on the distribution review this report and submit their concurrence by 11/25, 1998.

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J. P. Kolman, "
D. J. Blacker, "
Pat Saindon, "
J. M. Marshik, "
B. H. Barrett, "
R. D. Tholt, "
✓ Fergus County, "

I recommend approval:



Date: 11-18-98

cc: D. P. Dusek, w/attach.
D. R. McIntyre, "
C. S. Peil, "
S. A. Naseem, "
FHWA, "
Precon. File, "

FILE
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Montana Department of Transportation
 Helena, Montana 59620-1001

Memorandum

To: Distribution

From: *for* Carl S. Peil, P.E.
 Preconstruction Engineer *CS Peil*

Date: November 4, 1998

Subject: STPS 236-1(8)44
 Claggett Hill
 Control No. 3176
 Work Type 120

DATE RECD 11-16-98		
BY	INFO	INIT
	BRIDGE BUREAU	
	BRIDGE ENG	
	BR. DES. ENG	
	ADMIN ASSIST	
	AE/MISSOULA	
	AE/BUTTE	
	AE/GT FALLS	
	AE/GLENDIVE	
	AE/BILLINGS	
	BR. MNGT. EN.	
	INRIS	
	SHR DWGS	
	MCS	
	CHECKERS	
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The Scope of Work Report prepared by the Consultant for the subject project is attached. We request that those on the distribution review this report and submit their concurrence by 11/25, 1998.

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- R. D. Tholt, "
- Fergus County, "

- cc: D. P. Dusek, w/attach.
- D. R. McIntyre, "
- C. S. Peil, "
- S. A. Naseem, "
- FHWA, "
- Precon. File, "

I recommend approval:

Joseph P. Kolman

Date: 11/12/98

Scope of Work Report

Claggett Hill
STPS 236-1(8) 44
MDT Control No. 3176

Prepared For:

Fergus County
Board of County Commissioners

in cooperation with
Montana Department of Transportation



Submitted by:

Robert Peccia & Associates, Helena, Montana

1. Scope of Work

The proposed scope of work for this project is to realign a portion of Montana Secondary Highway 236. The original contract was for the establishment of a right-of-way corridor for the project. It included the following items of work:

- Alignment Study
- Preliminary Geometric Design
- Preliminary Hydraulics Design and Report
- Preliminary Geotechnical Investigation
- Environmental Documentation
- Alignment Review Meeting & Report
- Preliminary Construction Plans
- Scope of Work Report
- Final Right-of-Way Plans Preparation
- Right-of-Way Appraisal, Negotiation, and Acquisition

The project scope has since changed to completion of final design. This added the following work items:

- Final Geometric Design
- Final Hydraulics Design and Report
- Final Geotechnical Investigation and Report
- Plan-in-Hand Meeting and Report
- Final Construction Plans and Specifications

The project is being designed in the metric system (System International or SI).

2. Project Location and Limits

The project begins approximately 26 kilometers (km) north of Winifred and extends northerly for about 6.0 km to just south of the Missouri River Bridge. It lies within Sections 1, 2, 11, and 12 of T22N; R16E and Sections 25, 26, 35 and 36 of T23N; R16E in Fergus County Montana. The attached project location map shows the projects limits.

3. Physical Characteristics

The existing route has several steep grades with a winding alignment. Numerous slides and road failures have occurred, and continue to occur along its traverse of what is known as Reed Hill. Along with land slides, erosion has caused problems as the route travels along the banks of the Judith River before crossing the Missouri River Bridge.

The proposed project lies in the Missouri Breaks in northern Fergus County. The first ± 4 km of the proposed alignment crosses through farmland and rangeland to the crest of the plateau overlooking the Missouri River Valley. The remaining portion of the project drops into the valley to just south of the Missouri River Bridge. This section passes through steep and rugged terrain with sage brush and scattered timber.

4. Traffic Data

Current and projected traffic volumes and ESALs for the proposed project limits of Secondary Route 236 are as follows:

1998 ADT (present)	80
1999 ADT (letting year)	80
2019 ADT (design year)	100
DHV	20
Direction Distribution	55-45
Trucks	13%
18 Kip ESALs (daily)	4.62
Growth Rate (annual)	1%

5. Accident History

The proposed improvements involve a completely new alignment making accident history along the existing route generally irrelevant.

6. Major Design Features

A. Design Speed

The project is being designed in accordance with the Geometric Design Standards for rural collector roads as described in MDT's *Road Design Guide*. Although a 70 km/hr design speed for mountainous terrain is being used as a design standard for the project, these are minimum standards and much of the project greatly exceeds them. The portion of the project in the rougher mountainous terrain generally lies from about station 62 to 75 as the roadway makes its descent from the upper plateau to the valley below. The remainder of the project is more rolling terrain and generally meets the design standards of rolling, or even flat terrain.

B. Horizontal Alignment

The project begins approximately 1.4 km north of where the existing alignment begins its descent down Reed Hill. The County intends to obtain an easement for and make necessary improvements to the existing trail to bring it to current county standards through this 1.4 km section.

- Sta. 23 to 29 The proposed alignment matches into an existing trail on a northeasterly tangent at the beginning of the project. A short 200-m curve left turns the alignment to a slightly northwesterly bearing. At this point it is ± 75 meters to the right of and approximately parallels to the existing trail.
- Sta. 29 to 36 Remaining approximately parallel to the existing trail, the alignment turns more westerly along a long 300-m radius curve to the left.
- Sta. 36 to 46 A ± 650 -m long curve to the right turns the alignment almost due north as it enters the farm fields that lie on the plateau and leaves the existing trail.
- Sta. 46 to 57 The alignment continues to the northern end of the farm fields along this almost due north tangent.
- Sta. 57 to 62 The alignment moves to the east along a 240-m radius curve to the right and then back to the north on a 180-m radius curve to the left as it leaves the farm fields and enters land owned by the State of Montana.
- Sta. 62 to 70 After a short tangent section, the alignment enters more mountainous terrain on a 180-m radius curve to the left followed by a 180-m radius curve to the right. It crosses the old Claggett Hill Trail at about Station 68.
- Sta. 70 to 75 The alignment encounters the old Claggett Hill Trail again and somewhat follows it along this short 180-m radius curve that leads to a ± 250 -m long tangent.
- Sta. 75 to 77 A short 400-m radius curve to the left turns the alignment more westerly as it leaves the old Claggett Hill Trail and heads for the PN Ranch.
- Sta. 77 to 83 Following a ± 250 -m long tangent the alignment turns back to the north along a 240-m radius curve and ties into the existing alignment at about Station 82.

The project ends near the PN Ranch just south of the Missouri River Bridge. All features of the horizontal alignment meet the geometric criteria established for the design speed of 70 km/hr.

C. Vertical Alignment

- Sta. 23 to 29 The project begins by matching the existing trail grade of 0.5%. A 160-m vertical crest curve with a VPI at station 27+70 ends at approximately station 28+60 with a grade of -3.5%. This section of roadway consists of small cuts and fills as the roadway travels along a small ridge.
- Sta. 29 to 33 The proposed alignment maintains a grade of -3.5% as it drops from the ridge. A 250-m vertical sag curve starting at about Station 31+50 transitions the alignment to a grade of about 4.3%. Small fills are predominant through this section of the roadway.

- Sta. 33 to 35 The roadway continues to climb at a grade of 4.3% until a 180-m crest vertical curve begins at about Station 33+40. This curve, with a VPI at Station 34+30 transitions the grade to a -0.5%.
- Sta. 35 to 38 The alignment continues along the -0.5% grade as it enters the farm fields and transitions to a 0.4 % grade along a 50-m vertical sag curve with a VPI at Station 37+40. The centerline is slightly above the grade of the existing ground through this section of the project.
- Sta. 38 to 44 Remaining slightly above the existing ground, the grade continues at 0.4% to the VPI at Station 42+80. A 150-m vertical crest curve ending at about Station 43+55 transitioning the grade to -1.9%.
- Sta. 44 to 50 Continuing along the -1.9%, the alignment remains in a fill section. A 300-m sag vertical curve beginning at about Station 47+10 leads the alignment into a 1.3% grade.
- Sta. 50 to 56 The grade continues at 1.3% and flattens slightly to 0.5% at VPI Station 52+50. Passing through the farm fields on the plateau, the construction will consist of small cuts and fills along this section of the roadway.
- Sta. 56 to 60 The grade transitions from 0.5% to -4.4% along a 180-m crest vertical curve that ends at about Station 57+70. The centerline is slightly above the existing ground as the alignment begins to drop from the plateau.
- Sta. 60 to 71 The descent from the plateau steepens as the grade transitions from -4.4% to -10% along a 250-m crest vertical curve with a VPI at Station 60+95. Large cuts can be expected along this portion of the project with one large fill located at about Station 66+50.
- Sta. 71 to 79 The alignment enters into a large fill section and continues at a -10% grade as it continues its descent to the valley floor.
- Sta. 79 to 83 A 400-m sag vertical curve with a VPI at Station 79+80 transitions the alignment to match that of the existing roadway. The final grade of -2.4% closely matches that of the existing ground.

All features of the vertical alignment meet the geometric criteria established for the design speed of 70 km/hr.

D. Typical Sections

The typical section for the project will consist of two 3.6 m travel lanes with 6:1 inslopes and MDT's standard 3.0 m wide ditch.

E. Surfacing Design

Since the existing roadway on both ends of the project is gravel, the surfacing of the proposed project will be gravel. Consultation with MDT's materials section yielded a preliminary surfacing recommendation of 230 mm. The County has decided that any future paving can be accommodated by steepening the inslopes to 4:1, or sub excavating the roadbed to provide adequate depth for a designed pavement section.

F. Grading

Approximately 600,000 cubic meters of excavation will be necessary to construct the project. Grading from Stations 23 to 60 will consist of only small cuts and fills, with the finished grade closely matching the existing ground in several areas. A majority of the excavation will occur from about Station 60 to Station 70 where large cuts can be expected. Much of the material from these cuts will be required for the large fills that will be necessary from about Station 70 to Station 79.

G. Slope Design

With the exception of this section of the project that drops off of the plateau from about Station 60 to Station 70 where large cuts can be expected, the cut and fill slopes for the project match MDT's recommended slopes for Rural Collectors. Through this area, cuts are generally 1.5:1 below the elevation of 935 meters with a 2:1 cut slope in the slopewash material above this elevation. In one area near about Station 67 the cut slope below the elevation of 935 has been steepened to 1.25:1. This was done to avoid impacts to the historical Claggett Hill Trail.

H. Geotechnical Considerations

Braun Intertec completed a preliminary geotechnical investigation on the project as part of the initial scope. Their investigation indicated that a majority of the soils across the upper plateau from the beginning of the project to about Station 60+00 will primarily consist of lean silt to lean clay. From Station 60+00 to the end of the project the general soil profile consists of slopewash, sandy clays, clayey sands, and silty sands overlying siltstone, claystone, and sandstone bedrock. As part of the revised scope of work they will complete a more in depth geotechnical investigation.

I. Hydraulics

Near the northern boundary of Fergus County, the project lies within the Missouri Breaks and ends near the point where the Judith River discharges into the Missouri River. Drainage basins of the first 3.8 kilometers of the project tend to drain to the east, emptying into finger coulees which drop to Dog Creek and eventually to the Missouri River. Drainage basins for the remaining 2.2 kilometers of the proposed alignment empty into large coulees which carry runoff to the Missouri River to the north.

The proposed alignment's route across the top of the plateau and the ridge line which it follows as it traverses the breaks down to the Missouri River valley floor minimizes the size of the drainage basins. In several locations along the project, the drainage flows away from the route both to the left and the right. The proposed alignment crosses no major streams.

Six drainage basins were delineated along the project corridor. They ranged in size from 1.7 hectares (ha) to 24.4 ha with flows ranging from Q_{50} of 0.21 cubic meters per second (cms) to Q_{50} of 1.07 cms. New drainage culverts will be installed at all required locations.

Final Hydraulics design and report will be completed as part of the revised scope of work for the project.

J. Bridges

No bridges are anticipated on this project.

K. Safety Enhancements

The existing roadway has several substandard curves and grades as it drops from the plateau and travels along the Judith River to the Missouri River Bridge. Realigning and bringing this section of Montana Secondary Route 236 to current design standards will greatly enhance the safety of the route.

L. Traffic

Montana Secondary Route 236 is a rural secondary with a 1997 ADT of only 80. Improving the alignment and providing adequate sight distance will improve the safety of the route. Necessary signing will be installed to warn motorists of the 10% grade.

7. Design Exceptions

At this time the only design exception that may be required is a slope exception to avoid the Claggett Hill Trail. Further geotechnical investigation will be completed to determine the feasibility of a 1.25:1 slope for a short distance. If necessary a design exception will be processed. Only preliminary design has been completed and the need for a design exception should be evaluated during final design.

8. Right-Of-Way

The realignment of the route will require the purchase of a new right-of-way corridor. This proposed project crosses private lands and lands owned and administered by the Montana Department of Natural Resources and Conservation (DNRC) and the U.S. Department of the Interior Bureau of Land Management (BLM). There are six parcels that will be affected by the construction, all of them being rural farmland and grassland.

Required right-of-way across the upper plateau generally ranges from 20-m to 45-m on each side of the proposed centerline. The traverse down the breaks will require a much wider right-of-way of as much as 90-m in one area.

9. Utilities/Railroads

There are no anticipated utility conflicts or railroad involvement on this project.

10. Environmental Considerations

A Draft Categorical Exclusion and Programmatic 4(f) were completed and submitted to MDT in December of 1997 for review and comment. Both the DNRC and BLM are cooperating agencies for this project. The most notable environmental considerations for the project are its effects on the Upper Missouri National Wild and Scenic River corridor managed by the BLM and its effects on the Judith Landing Historic District (24FR199) and Claggett Hill Trail (24FR217) which are properties listed on the National Register of Historic Places. The BLM determined the proposed project will not significantly impair the Wild and Scenic River qualities in the area nor will it impede recreational use of the Missouri River. MDT concluded in consultation with the State Historic Preservation Office that the proposed project will have no adverse effect to the historic district and Claggett Hill Trail. The project has been designed to avoid impacts on another National Register-eligible archaeological site (24FR829).

11. Traffic Control

The project consists of all new alignment, passing some distance from the existing route. Traffic will be able to use the existing route during construction, with traffic control consisting of only minor signing and possible flagging while making the tie in near the PN ranch. Traffic control will be in accordance with the *Manual of Uniform Traffic Control Devices*.

12. Public Involvement

RPA contacted all effected landowners to solicit ideas and explain the project. We also held a public information meeting in Winifred to explain the project, which had only one attendee. All feedback that we have received on the project has been positive. The general question is when the project will be built.

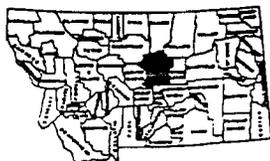
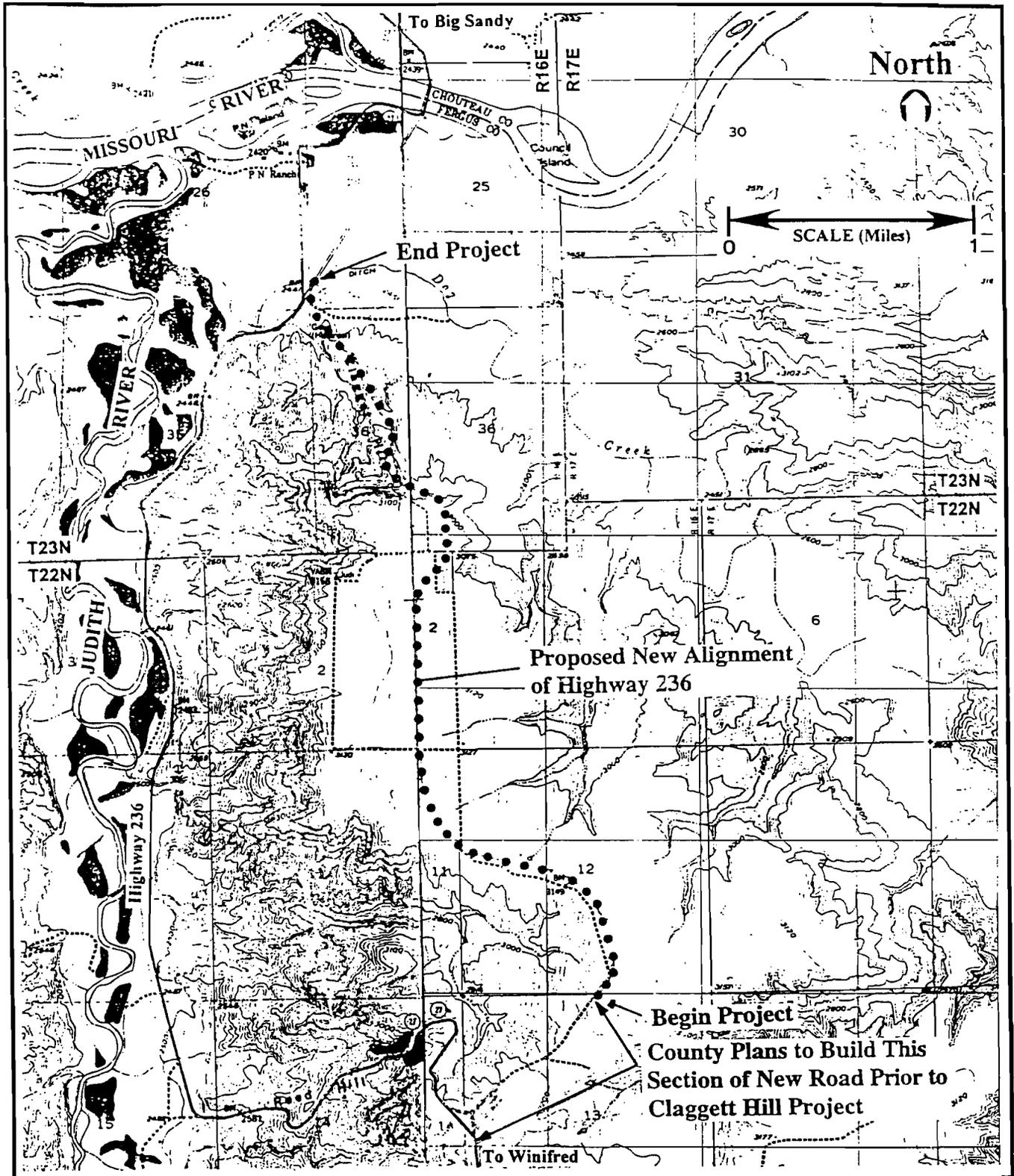
Throughout the project development, we have issued news releases and newsletters regarding the project. The *Lewistown News - Argus* has also run articles on the project.

Preliminary Estimate

Prepared by: Robert Peccia & Associates (Brian Wacker)

Project Title:	Claggett Hill	Date:	05-Nov-98
Project Number:	STPS 236-1(8) 44	Location:	Fergus County
Project Length:	6.0 Kilometers	Type of Work:	New Construction
Des. Super. Approval:		D.A. Approval:	
Project Cont. Number:	3176		

Quantity	Unit	Description	Average Bid Prices		District Unit Prices	
			Unit Prices	Amount	Unit Prices	Amount
			Dollars	Dollars	Dollars	Dollars
25.5	HA	Clearing & Grubbing	4,513.11	115,084.00		115,084.00
600000	M3	Excavation - Unclassified	2.06	1,236,000.00		1,236,000.00
18920	M3	Topsoil - Salvaging & Placing	4.46	84,383.00		84,383.00
12	CR KM	Bluetop Staking	1,122.84	13,474.00		13,474.00
13626	M3	Top Surf GR 3B	29.08	396,244.00		396,244.00
176	M3	Excavation - Culvert	9.88	1,739.00		1,739.00
128	M	RCP 600 MM CL 2	155.46	19,899.00		19,899.00
43	M	RCP 900 MM CL2	236.66	10,176.00		10,176.00
18.1	HA	Seeding Area No 1	266.24	4,819.00		4,819.00
18.1	HA	Fertilizing Area No 1	130.89	2,369.00		2,369.00
18.02	HA	Mulch-Wood Cellulose Fiber	3,168.07	57,089.00		57,089.00
1160	M	Guard Rail - Steel	26.25	30,450.00		30,450.00
10	Each	Guard Rail - End Sections	2,435.52	24,355.00		24,355.00
		Subtotal		1,996,081.00		1,996,081.00
		10% Mobilization		199,608.00		199,608.00
		Subtotal		2,195,689.00		2,195,689.00
		10% Const. Eng.		219,569.00		219,569.00
		20% Contingency		439,138.00		439,138.00
		Total		2,854,396.00		2,854,396.00



Project Location



FERGUS COUNTY

Project Location Map

Claggett Hill

STPS 236-1 (8) 44; Control No. 3176