



**Montana Department of Transportation**

2701 Prospect Avenue  
PO Box 201001  
Helena MT 59620-1001

Jim Lynch, Director  
Brian Schweitzer, Governor

March 11, 2005

**RECEIVED**

MAR 15 2005

Environmental Quality Council  
Room 171, State Capitol  
PO Box 201704  
Helena, MT 59620-1704

LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE

**Subject: MDT Statewide Maintenance Projects  
Lodge Grass - South  
Big Horn County, S-451  
Reference Post from: 15.4  
Reference Post to: 28.5**

The Environmental Services Bureau of the Montana Department of Transportation has reviewed the Environmental Checklist for the Maintenance Pavement Preservation Activities. We have determined that the Statewide PCE for these types of projects would cover this project.

If there are special provisions for these projects, the special provisions are attached or included on the checklist. I have attached the checklist and the location map for your information.

If you have any questions concerning this letter, please contact me at 444-0456.

Tom Hansen, P.E.  
Engineering Section Supervisor

**Attachments**

**copies:** Loran Frazier, Engineering Division  
Jon Swartz, Maintenance  
Bruce Barrett, Billings District Administrator  
James Stevenson, Billings Maintenance Chief  
Mark Wissinger, Construction  
Suzy Althof, Contract Plans  
File

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## ENVIRONMENTAL CHECKLIST FOR MAINTENANCE ACTIVITIES

Applicant (Maintenance Chief) cannot be authorized to proceed with the proposed work until ALL of the conditions of the checklist have been satisfied.

(FOR PROJECTS WITH NO RIGHT-OF-WAY INVOLVEMENT)

Project No.: State Funded

ID: Secondary - 451

Designation: Lodge Grass - South

Proposed Date of Maintenance Activity: Completion June 30, 2005

Federal Funds Involved? Yes  No

Reference Post (Station) 15.4

to Reference Post (Station) 28.5

Applicants Name: James R Stevenson

Address: 424 Morey Street, P.O. Box 20437, Billings, MT 59104

Type of Proposed Maintenance Activity: Chip Seal

| IMPACTS ON THE PHYSICAL ENVIRONMENT (TO BE COMPLETED BY APPLICANT)  |   |  |
|---|---|--|
| Impact Questions  | [Y/N] There are Potential Impacts; or Item Requires Documentation, Evaluation, Mitigation Measures, and/or (a) Permit(s). |  |
|   | Yes   | No   |
| 1. Does the proposed action require work in, across, and/or adjacent to a river which is a component of, or proposed for inclusion in Montana's Wild and/or Scenic Rivers system. (See listing on page 3) | <input type="checkbox"/>  | <input checked="" type="checkbox"/>                              |
| 2. Are there any recorded occurrences, and/or critical habitat for Federally-listed Threatened and Endangered Species in the vicinity of the proposed activity?   | <input type="checkbox"/>  | <input checked="" type="checkbox"/>                              |
| 3. Does the proposed action have an impact on water quality?<br>If answer is NO go to question 4.   | <input type="checkbox"/>  | <input checked="" type="checkbox"/>                              |
| 3a. If the answer to number 3 is yes, is a Clean Water Act ' Section 402 permit required? (MPDES Issued by MDEQ)  | <input type="checkbox"/>  | <input type="checkbox"/> <input checked="" type="checkbox"/> N/A |
| 4. Does the proposed project have impacts to wetlands or waters of the U.S.? If answer is NO go to question 5.  | <input type="checkbox"/>  | <input checked="" type="checkbox"/>                              |
| 4a. If the answer to number 4 is yes, is a Clean Water Act ' 404 permit authorization required?   | <input type="checkbox"/>  | <input type="checkbox"/> <input checked="" type="checkbox"/> N/A |
| 4b. If the answer to number 3 or 4 is yes, is a Stream Protection Act ' 124SPA permit required? (Issued by MDFWP)   | <input type="checkbox"/>  | <input type="checkbox"/> <input checked="" type="checkbox"/> N/A |
| 5. Does the proposed project involve hazardous waste site[s]? (Superfund, spills, underground storage tanks, etc.)  | <input type="checkbox"/>  | <input checked="" type="checkbox"/>                              |
| 6. Is the proposed activity on and/or within approximately 1.6 Km (1 mile) of an Indian Reservation? If answer is NO go to question 7.  | <input checked="" type="checkbox"/>   | <input type="checkbox"/>   |
| 6a. Are any Tribal water permits required?  | <input type="checkbox"/>  | <input checked="" type="checkbox"/> <input type="checkbox"/> N/A |
| 7. Is the proposed project in a "Class I Air Shed" (Some Indian Reservations)?  | <input type="checkbox"/>  | <input checked="" type="checkbox"/> <input type="checkbox"/> N/A |

8. Magnitude and significance of potential impacts: To be completed by applicant.

Checklist prepared by: James R. Stevenson  
Applicant (Maintenance Chief)

Maintenance Chief - Billings  
Title

3/1/05  
Date

Approved by:



ENVIRONMENTAL ENGINEERING

3/11/05'

SECTION SUPERVISOR

Environmental Services

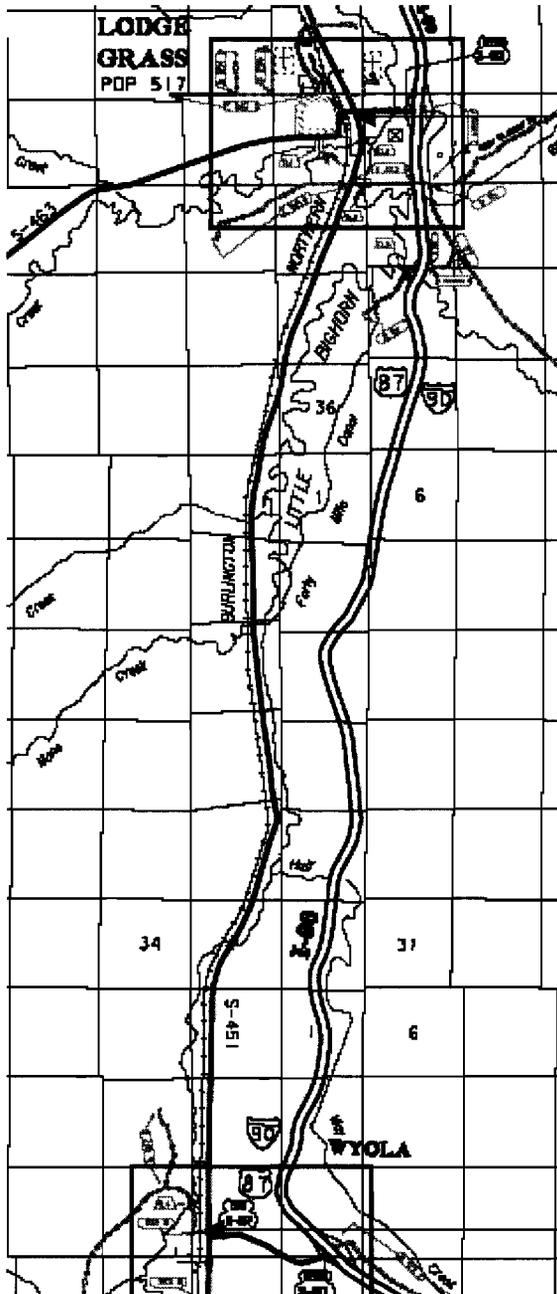
(when items 1, 2, 3, 3a, 4, 4a, 4b, 5, 6, 6a, or 7 are checked "Yes")

- A. The applicant shall complete the checklist indicating a "Yes" or "No" for each item, except number 8 which may require a narrative response.
- B. When a "Yes" is indicated on any number of items 1 through 7, the applicant must explain why and provide the appropriate documentation, evaluation, permit, and/or mitigation measures required to satisfy environmental concerns for the project. Use attachments if necessary.
- C. If the applicant checks "Yes" for any one item, the checklist and the applicant's mitigation proposal, documentation, evaluation and/or permit shall be submitted to MDT Environmental Services. Contact Number 444-7228.
- D. When the applicant checks a "Yes" item, the applicant cannot be authorized to proceed with the proposed work until Environmental Services reviews the information and signs the checklist.
- E. Applicant will obtain all necessary permits or authorizations from other entities with jurisdiction prior to beginning the Pavement Preservation Activity.

Montana's Wild and/or Scenic Rivers system as published by the U.S. DEPARTMENT OF AGRICULTURE (USDA) and the U.S. DEPARTMENT OF THE INTERIOR (USDO)

1. Middle Fork of the Flathead River (headwaters to South Fork of the Flathead River confluence)
2. North Fork of the Flathead River (Canadian Border to Middle Fork of the Flathead River confluence)
3. South Fork of the Flathead River (headwaters to Hungry Horse Reservoir)
4. Missouri River (Fort Benton to Charles M. Russell National Wildlife Refuge)

LODGE GRASS – SOUTH  
CHIP SEAL



MP 15.4

S13, T6S, R35E

MP 28.5

S23, T8S, R35E

Montana Department of Transportation  
Environmental Services  
Helena, MT 59620-1001

**Memorandum**

To: Bonnie Steg, Resources Bureau Chief   
From: Paul Sturm, Billings District Biologist   
Date: September 14, 2004  
Subject: Biological Resources Memorandum  
**Maintenance – Chip Seal**  
**Lodge Grass – South**

**Project Location & Description**

This proposed <sup>chip</sup>crack seal project is located in Big Horn County on Secondary 451 beginning at Reference Post (RP) 15.4 (Township 6 South, Range 35 East, Section 13) in the town of Lodge Grass and runs south where it ends at RP 28.5 (Township 8 South, Range 35 East, Section 23) in the town of Wyola. The proposed work includes a chip seal on the existing pavement. There will be no grading required for this project.

**Biological Resources and Impact Analysis**

There are no known biological resources in the project area.

No threatened, endangered, proposed, or candidate species are known to be in the vicinity of the project. Due to the location and limited scope and nature of this project, there is not expected to be any project-related impacts to biological resources. There would be no effect on any threatened, endangered, proposed, candidate, rare, or sensitive species.

If situations are observed during construction that may potentially impact water quality, including wetland areas, utilize Best Management Practices (BMP) and/or temporary erosion control measures as necessary to protect the resource. Refer to Section 208 of the MDT Detailed Drawings (2002 metric edition) for erosion and sediment control Best Management Practices. The attached special provision, Protection of Wetland Areas and Other Drainages, should be included in the contract or provided to the maintenance section supervisor.

No wetlands, streams, or other aquatic resources would be affected. Therefore, a Stream Protection Act 124 permit and a Clean Water Act 404 permit are not required. As the project does not include any grading or removal of vegetation, the work would disturb very little ground or existing vegetation and therefore would not contribute to the spread of noxious weeds.

Copy: Doug Compton - Environmental  
Paul Sturm - Environmental  
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**1. PROTECTION OF WETLAND AREAS AND OTHER DRAINAGES**

Impacts to any and all wetland areas and other drainages, including spring drainages, located adjacent to the project are not anticipated in association with this project. MDT has NOT acquired any water quality permits, including a Clean Water Act Section 404 permit, a Stream Protection Authorization 124 permit, or a 318 Authorization permit. Therefore, impacts to any and all wetland areas and other drainages, including spring drainages, located adjacent to the project are not permitted. Avoid all equipment traffic, fill material, staging activities and other disturbances to the wetland areas and other drainages. If situations are observed during construction that may potentially impact water quality, including wetland areas, utilize Best Management Practices (BMP) and/or Temporary Erosion Control measures as necessary to protect the resource. Refer to Section 208 of the MDT Detailed Drawings (2004 metric edition) for Erosion and Sediment Control Best Management Practices.

Install Temporary Erosion Control measures as deemed necessary by the Engineer. Payment to be determined using the Erosion and Sediment Control rate schedule and paid under Miscellaneous Work.

If complete avoidance of all impacts to these areas is not possible, contact the Billings District Biologist at 444-9438 or the Construction Permit Coordinator at 444-7648, so that the proper permits can be secured prior to working in these areas. Any impacts to these areas and associated consequences, without the proper permitting, are the responsibility of the Contractor.