



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

August 4, 2005

Environmental Quality Council
Capitol Station
Helena, MT 59626

Subject: Turn Lanes - East of Wolf Point
SFCN 22-1(9)0
CN 5957

RECEIVED

AUG 05 2005

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

This is notification that this proposed project qualifies as a Categorical Exclusion (CE) under the provisions of ARM 18.2.261 for the MONTANA DEPARTMENT OF TRANSPORTATION (MDT). This is being documented in compliance with the Montana Environmental Policy Act (MEPA, see Sections 75-1-103 and 75-1-201, M.C.A.). A copy of its Scope of Work Report is attached.

The following form provides the documentation required to demonstrate that all of the following conditions are satisfied to categorically exclude this proposed project under the Montana Environmental Policy Act (MEPA), Sections 75-1-103 and 75-1-201, M.C.A., as amended.

(Note: An "X" in the "N/A" column is "Not Applicable" to, while one in the "UNK" column is "Unknown" at the present time for this proposed project.)

NOTE: A response in a box will require additional documentation in accordance with ARM 18.2.239.

Table with 4 columns: YES, NO, N/A, UNK. Contains 3 main items and 2 sub-items with checkboxes and 'X' marks indicating responses.

	<u>YES</u>	<u>NO</u>	<u>N/A</u>	<u>UNK</u>
3. There is a high rate of commercial growth in this proposed project's area.	___	<u>X</u>	___	___
4. Work would be on and/or within approximately 1.6 kilometers (1± mile) of an Indian Reservation.	<u>X</u>	___	___	___
5. There are parks, recreational, or other properties acquired/improved under <i>Section 6(f)</i> of the <i>1965 National Land &amp; Water Conservation Fund Act (16 U.S.C. 460L, et seq.)</i> on or adjacent to proposed the project area.	___	<u>X</u>	___	___
The use of such <i>Section 6(f)</i> sites would be documented and compensated with the appropriate agencies. (e.g.: MDFW&P, local entities, etc.).	___	<input type="checkbox"/>	<u>X</u>	___
6. Are there any sites either on, or eligible for the National Register of Historic Places with concurrence in determination of eligibility or effect under <i>Section 106</i> of the <i>National Historic Preservation Act (16 U.S.C. 470, et seq.)</i> by the State Historic Preservation Office (SHPO), which would be affected by this proposed project.	___	<u>X</u>	___	___
7. There are parks, recreation sites, schoolgrounds, wild-life refuges, historic sites, historic bridges, or irrigation that might be considered as defined under <u>ARM 18.2.261(2) (a)</u> on or adjacent to the project area.	___	<u>X</u>	___	___
a. "Nationwide" Programmatic <i>Section 4(f)</i> Evaluation forms for these sites are attached.	___	<input type="checkbox"/>	<u>X</u>	___
b. This proposed project requires a full (i.e.: DRAFT & FINAL) <i>Section 4(f)</i> Evaluation.	<input type="checkbox"/>	<u>X</u>	___	___
B. The activity would involve work in a streambed, wetland, and/or other waterbody(ies) considered as "waters of the United States" or similar (e.g.: "state waters").	___	<u>X</u>	___	___
1. Conditions set forth in <i>Section 10</i> of the <i>Rivers and Harbors Act (33 U.S.C. 403)</i> and/or <i>Section 404</i> under <u>33 CFR Parts 320-330</u> of the <i>Clean Water Act (33 U.S.C. 1251-1376)</i> would be met.	<u>X</u>	<input type="checkbox"/>	___	___
2. Impacts in wetlands, including but not limited to those referenced under Executive Order (E.O.) #11990, and their proposed mitigation would be coordinated with the Montana Inter-Agency Wetland Group.	<u>X</u>	<input type="checkbox"/>	___	___
3. A 124SPA Stream Protection permit would be obtained from the MDFW&P?	___	<u>X</u>	___	___

YES    NO    N/A    UNK

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

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

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

X \_\_\_

5. Tribal Water Permit would be required.

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

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

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

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

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

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

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

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

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

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

1. If yes, are there potential noise impacts?

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

2. A Noise Analysis would be completed.

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

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

X  \_\_\_

	<u>YES</u>	<u>NO</u>	<u>N/A</u>	<u>UNK</u>
D. There would be substantial changes in access control involved with this proposed project.	<u>   </u>	<u>  X  </u>		
If yes, would they result-in extensive economic and/or social impacts on the affected locations?	<input type="checkbox"/>	<u>   </u>	<u>  X  </u>	
E. The use of a temporary road, detour, or ramp closure having the following conditions when the action(s) associated with such facilities:				
1. Provisions would be made for access by local traffic, and be posted for-same.	<u>  X  </u>	<input type="checkbox"/>	<u>   </u>	
2. Adverse effects to through-traffic dependant businesses would be avoided or minimized.	<u>  X  </u>	<input type="checkbox"/>	<u>   </u>	
3. Interference to local events( e.g.: festivals) would be minimized to all possible extent.	<u>  X  </u>	<input type="checkbox"/>	<u>   </u>	
4. Substantial controversy associated with this pending action would be avoided.	<u>  X  </u>	<input type="checkbox"/>	<u>   </u>	
F. Hazardous wastes /substances, as defined by the U.S. Environmental Protection Agency (EPA) and/or the Montana Department of Environmental Quality (MDEQ), and/or (a) listed "Superfund" (under CERCLA or CECRA) site(s) are currently on and/or adjacent to this proposed project.	<u>   </u>	<u>  X  </u>		
All reasonable measures would be taken to avoid and/or minimize substantial impacts from same.	<u>  X  </u>	<input type="checkbox"/>	<u>   </u>	
G. The Montana Pollutant Discharge Elimination System's conditions ( <u>ARM 16.20.1314</u> ), including temporary erosion control features for construction would be met.	<u>  X  </u>	<input type="checkbox"/>	<u>   </u>	
H. Permanent desirable vegetation with an approved seeding mixture would be established on exposed areas.	<u>  X  </u>	<u>   </u>	<u>   </u>	
I. Documentation of an "invasive species" review to comply with both E.O.#13112 and the <i>County Noxious Weed Control Act (7-22-21, M.C.A.)</i> , including directions as specified by the county(ies) wherein its intended work would be done.	<u>  X  </u>	<input type="checkbox"/>		

YES   NO   N/A   UNK

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

\_\_\_ X

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

\_\_\_  X

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

\_\_\_  X

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

X

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

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

X \_\_\_

and/or

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

\_\_\_  X

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

X \_\_\_

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

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

\_\_\_ X

YES   NO   N/A   UNK

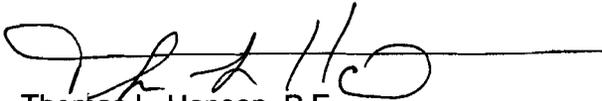
B. Would this proposed project result in a "jeopardy" opinion (under 50 CFR 402) from the Fish & Wildlife Service on any Federally listed T/E Species?

             X  

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

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

In accordance with the provisions of ARM 18.2.261, this pending action would not cause any significant individual, secondary, or cumulative environmental impacts. Therefore, the MDT's concurrence is that this proposed project is properly classified as a MEPA Categorical Exclusion.



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

TLH:s/5957 MEPA CATEX.doc

Attachments

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

cc: Ray Mengel - MDT Administrator Glendive District  
Paul Ferry, P.E. - MDT Highway Engineer  
John H. Horton, J - MDT Right-of-Way Bureau Chief  
Suzy Althof - MDT Contract Plans Section Supervisor  
David W. Jensen, Supervisor - MDT Fiscal Programming Section  
Jean Riley, P.E. - Environmental Services Bureau Chief



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

Memorandum

To: Distribution

From: Paul Ferry, P.E.  
 Highways Engineer

Date: July 26, 2005

Subject: SFCN 1-10(56)593  
 Turn Lanes – East of Wolf Point  
 CN 5957  
 Work Type 150 - Widening

MASTER FILE  
 COPY

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AUG 05 2005

LEGISLATIVE ENVIRONMENTAL  
 POLICY OFFICE

Attached is the **Combined Preliminary Field Review/Scope of Work Report** for the subject project, dated July 26, 2005. We request that those on the distribution review this report and submit your concurrence **ASAP** from the above, signed date. **(This project is to be let in August 2005).**

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 concurrence, this report will be submitted to the Engineering Division Administrator for final approval.

Distribution:

J. H. Horton, R/W w/attachment  
 M. Strizich, Materials “  
 K. M. Barnes, Bridge “  
 D. J. Blacker, Maintenance “  
 Sandy Straehl, Planning “  
 J. Riley, Environmental “  
 R. Mengel, Glendive District “  
 Mac McArthur, Construction 2 copies  
 D. E. Williams, Traffic “

cc:

L. Frazier, Engineering w/attachment  
 D. W. Jensen, Fiscal Programming “  
 Highways File, “

I Recommend approval

Date \_\_\_\_\_ (w/Comments)

Return to Tom H. When "Initial"  
 Column" Completed By 8/3/05

Comments?	Y	N	Initials/Date
Biological		X	PD 7/29
Cultural		X	Jan 8/3
Haz Mat	X		126 8/1
Erosion Control		X	AA 8/3
Engineer	X		AW P. 2004 AUG 3
Seeding		X	AUG 03

Environmental  
 Consideration

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SENT AROUND 7/28/05



**SFCN 1-10(56)593  
TURN LANES-EAST OF WOLF POINT  
CN 5957  
Work Type 150**

**Combined Preliminary Field Review And Scope of Work Report**

A preliminary field review was held May 4, 2005 for this project. The following attended:

James Frank, District Engineering Services Engineer - Glendive  
Gary Lundman, District Design – Glendive

**Proposed Scope of Work**

This project is programmed as a Major Rehabilitation project to include widening to add turn lanes for the section of NH Primary Route 1/US 2 from reference point (RP) 593.49 to RP 593.91. The geometrics of one public (County Road) approach will be upgraded to include truck turning radii and the grade will be reduced from what is existing. Work will also include seal and cover, and pavement markings. The District will design this project. **(This project will be developed in English units.)**

**Project Location and Limits**

**LOCATION:**

Roosevelt County, on NH Primary Route 1, in the following townships, ranges, and sections:  
T 27 N, R 47 E, section 12  
T 27 N, R 48 E, section 7

**LIMITS:** Project begins at RP 593.49, English as-built station 183+59.29, extends northeast about 0.42 miles and ends at RP 593.91, English as-built station 205+76.29. See map at the end of this report.

**Physical Characteristics**

**EXISTING WIDTHS:**

RP 593.49 to RP 593.91                      28.0 ft on NH 1-10(45)590 (Measured 29.2 ft)

**EXISTING GEOMETRICS:**

The project proceeds through level terrain and its functional classification is principal arterial. The horizontal and vertical alignments will be perpetuated for this project.

**Major Design Features:**

**Design Speed**

The design speed for this NHS Primary road in level terrain is 70 mph.

**Alignment**

Both the horizontal and vertical alignments will be perpetuated with this project.

**Surfacing**

The widening will be obtained with 4" plant mix atop 2.0 ft. Crushed Aggregate Course with a finished width, at the widest part of the turn lanes, of 52 ft with 6:1 surfacing inslopes.

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TURN LANES-EAST OF WOLF POINT  
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**Rumble Strips**

No rumble strips will be installed with this project.

**Guardrail**

There will be no guardrail on this project.

**Geotechnical Considerations**

No geotechnical considerations are anticipated on this project.

**Hydraulics**

Existing culverts will be lengthened where necessary.

**Bridges**

There are no bridges on this project.

**Traffic**

State Maintenance will complete pavement markings.

**Miscellaneous**

The mailboxes will be upgraded and the turnouts will be overlaid.

**Design Exceptions**

No design exceptions are anticipated for this Project.

**Right-of-Way**

No new right-of-way is anticipated for this project.

**Utilities/Railroads**

There are underground utilities, but no conflict is anticipated, therefore there will be no utility involvement.

There is no railroad present within the project limits.

**Survey**

The District has performed a survey of the existing roadway and pick up of existing topog.

**Environmental Considerations**

A Categorical Exclusion is the level of MEPA document proposed for the project.

The proposed widening project constitutes modernization of the highway. During the preliminary field review, there did not appear to be any significant environmental impacts. We believe that a Categorical Exclusion provides a sufficient level of documentation for the proposed project.

The preliminary review did not indicate that the project would adversely affect any threatened or endangered species. The effect of the project on these species will be assessed and documented in the Biological Resources report. There does not appear to be any wetland impacts associated

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**TURN LANES-EAST OF WOLF POINT**  
**CN 5957**  
**Work Type 150**

with work being accomplished on this project.

The project will not affect any hazardous waste sites. No 4(f) sites are in evidence. The project will have no 6(f) involvement.

We anticipate that the social impacts will be minimal and will generally be focused on the effects of increased traffic on the route.

Air and water quality impacts will be minor and short-term in duration and limited to the period of construction. These will be regulated by MDT's standard construction specifications for contractor licensing and erosion control.

No farmlands of prime or unique or statewide or local importance will be impacted on this project.

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 (2005 English edition) for erosion and sediment control Best Management Practices. The installation of temporary erosion control measures will be paid as "Temporary Erosion Control." No water quality permits are anticipated at this time. *IF GROUND DISTURBANCE EXCEEDS 1 ACRE, AN NPDES PERMIT WILL BE NECESSARY.*

Environmental will provide any necessary environmental related special provisions.

**Traffic Control**

A traffic control plan will be developed as the design of the project progresses. Traffic will be maintained during construction activities throughout the project.

Appropriate traffic control devices and signing will be used throughout the project in accordance with the *Manual of Uniform Traffic Control Devices*.

**Public Involvement**

The County Commissioners have been made aware of this project and there will be no further public involvement.

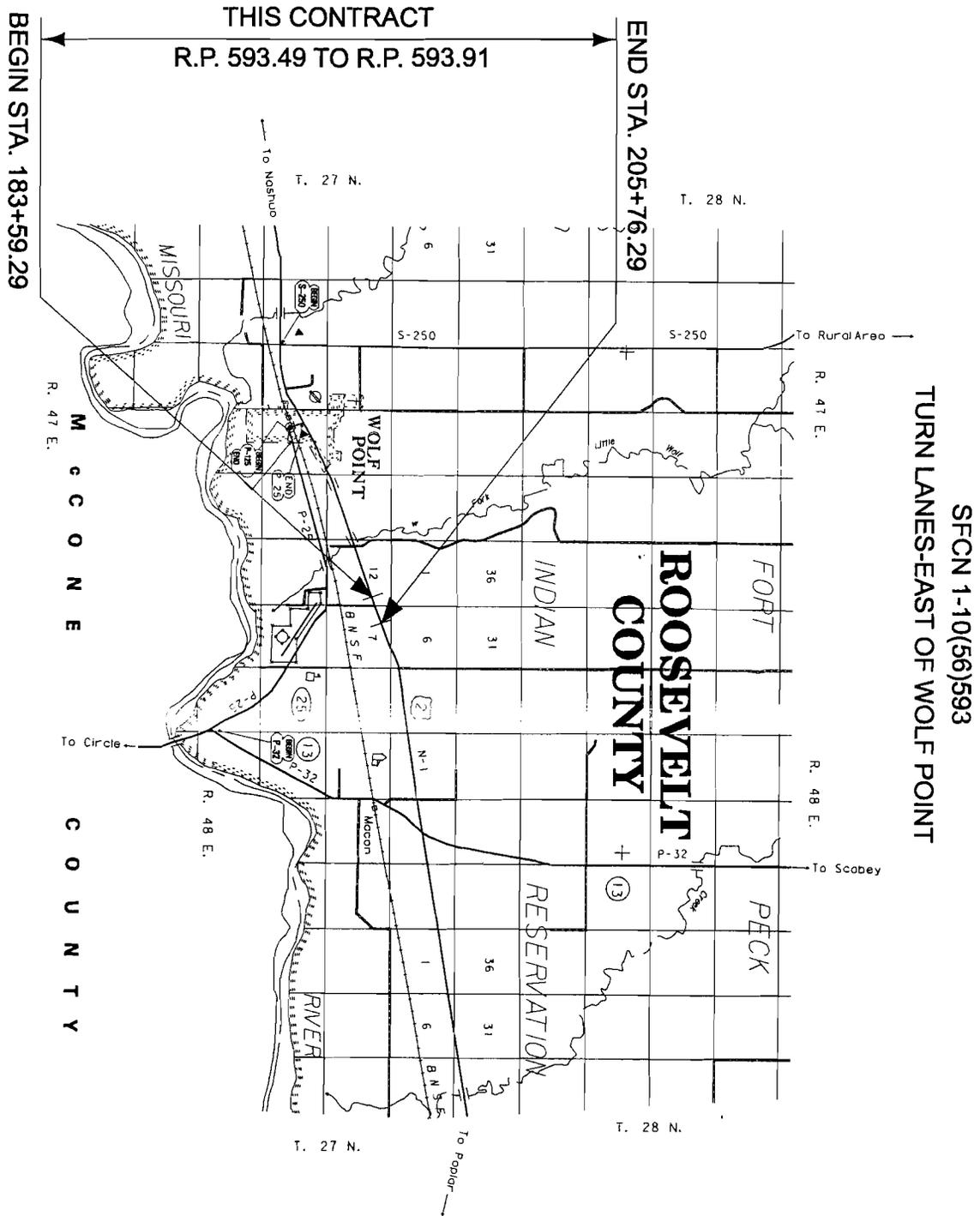
**Cost Estimate and Ready Date**

The preliminary cost for this project is \$375,000.00. This cost includes 10% for construction engineering and does not include indirect costs.

**Scheduled to be let August 2005.**

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**TURN LANES-EAST OF WOLF POINT**  
**CN 5957**  
**Work Type 150**

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 TURN LANES-EAST OF WOLF POINT  
 CN 5957  
 Work Type 150



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