



Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

January 9, 2006

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LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

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Janice W. Brown
Division Administrator
Federal Highway Administration
2880 Skyway Drive
Helena, MT 59602-1230

Subject: Programmatic Categorical Exclusion (PCE) Approval Request

Project Name: Slide West of Mosby
Project Number: NH 57- 4 (11) 156
Control Number: 5182

Dear Janice Brown:

Enclosed are two copies of the Programmatic Categorical Exclusion for your concurrence. Please sign and return one copy to me at the address shown in the letterhead.

If you have any questions or concerns, please contact Heidy Bruner at 406.444.7203 or hbruner@state.mt.us. She will be pleased to assist you.

Sincerely,

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

cc: Bruce Barrett MDT Billings District Administrator
Kent Barnes, P.E. MDT Bridge Engineer
Paul Ferry, P.E. MDT Highway Engineer
John H. Horton MDT Right-of-Way Bureau Chief
Suzy Althof MDT Contract Plans Section Supervisor
David W. Jensen MDT Fiscal Programming Section Supervisor
Jean Riley, P.E. MDT Environmental Services Bureau Chief
Tom Hansen, P.E. MDT Environmental Services Engineering Section Supervisor
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Janice W. Brown
 Division Administrator
 Federal Highway Administration
 5854 Shepard Way
 Helena, MT 59601



Subject: Programmatic Categorical Exclusion (PCE) Concurrence Request

Project Name: Slide West of Mosby
Project Number: NH 57- 4 (11) 156
Control Number: 5182

Dear Janice W. Brown:

This submittal requests approval of the above-mentioned proposed project as a Categorical Exclusion under the provisions of 23 CFR 771.117(d) and the Programmatic Agreement as signed by MDT and FHWA on April 12, 2001. This proposed action also qualifies as a Categorical Exclusion under ARM 18.2.261 (MCA 75-1-103 and MCA 75-1-201).

The following form provides documentation required to demonstrate that all of the conditions are satisfied to qualify for a Programmatic Categorical Exclusion. Copies of the Preliminary Field Review Report and Project Location Map are attached. In the following form, "N/A" indicates not applicable; "UNK" indicates unknown.

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

	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>UNK</u>
1. This proposed project would have (a) significant environmental impact(s) as defined under 23 CFR 771.117(a).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. This proposed project involves (an) unusual circumstance(s) as described under 23 CFR 771.117(b).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. This proposed project involves one (or more) of the following situations where				
A. Right-of-way, easements and/or construction permits would be required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1. The context or degree of the right-of-way action would have (a) substantial social, economic, or environmental effect(s).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. A high rate of residential growth exists in the area of the proposed project.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. A high rate of commercial growth exists in the area of the proposed project.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Work would be on and/or within approximately 1.6 kilometers (1± mile) of an Indian Reservation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>UNK</u>
5. Parks, recreational, or other properties acquired/improved under Section 6(f) of the 1965 National Land & Water Conservation Fund Act (16 USC 460L, <i>et seq.</i>) are on or adjacent to proposed the project area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The use of such Section 6(f) sites would be documented and compensated with the appropriate agencies (MDFWP, local entities, etc.).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Sites either on, or eligible for the National Register of Historic Places with concurrence in determination of eligibility or effect under Section 106 of the National Historic Preservation Act (16 USC 470, <i>et seq.</i>) by the State Historic Preservation Office (SHPO) would be affected by this proposed project.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Parks, recreation sites, school grounds, wildlife refuges, historic sites, historic bridges, or irrigation that might be considered under Section 4(f) of the 1966 US Department Of Transportation Act (49 USC 303) are on or adjacent to the project area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. Nationwide Programmatic Section 4(f) Evaluation forms for those sites are attached.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. This proposed project requires a full Section 4(f) Evaluation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. The activity would involve work in a streambed, wetland, and/or other water body (ies) considered as "waters of the United States" or similar (e.g., "state waters").	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1. Conditions set forth in Section 10 of the Rivers and Harbors Act (33 USC 403) and/or Section 404 of the Clean Water Act (33 USC 1251-1376) codified at 33 CFR 320-330 would be met.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Impacts in wetlands, including but not limited to those referenced under Executive Order (EO) #11990, and proposed mitigation would be coordinated with the Montana Inter-Agency Wetland Group.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. A 124SPA Stream Protection permit would be obtained from the MDFWP.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. A delineated floodplain exists in the proposed project area under FEMA's Floodplain Management criteria. The water surface at the 100-year flood limit elevation would exceed floodplain management criteria due to an encroachment by the proposed project.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. A Tribal Water Permit would be required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Work would be required in, across, and/or adjacent to a river that is a component of, or proposed for inclusion in Montana's Wild and/or Scenic Rivers system as published by the US Department of Agriculture, or the US Department of the Interior.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

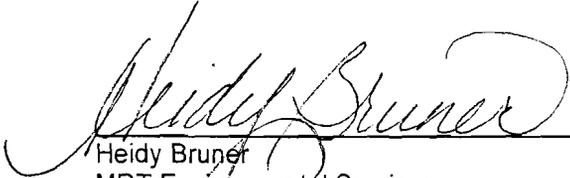
	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>UNK</u>
The designated National Wild and/or Scenic River systems in Montana are:				
a. Middle Fork of the Flathead River (headwaters to South Fork confluence).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. North Fork of the Flathead River (Canadian Border to Middle Fork confluence).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. South Fork of the Flathead River (headwaters to Hungry Horse Reservoir).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Missouri River (Fort Benton to Charles M. Russell National Wildlife Refuge).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
In accordance with Section 7 of the Wild and Scenic Rivers Act (16 USC 1271 – 1287), this work would be coordinated and documented with either the Flathead National Forest (Flathead River), or US Bureau of Land Management (Missouri River).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1. If yes, are there potential noise impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. A Noise Analysis would be completed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. There would be compliance with the provisions of both 23 CFR 772 for FHWA's Noise Impact analyses and MDT's Noise Policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Substantial changes in access control would be associated with the proposed project.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, would they result in extensive economic and/or social impacts on the affected locations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Adverse effects to through-traffic dependant businesses would be avoided or minimized.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Interference to local events would be minimized to all possible extent.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Substantial controversy associated with this pending action would be avoided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Hazardous wastes /substances, as defined by the US 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>UNK</u>
All reasonable measures would be taken to avoid and/or minimize substantial impacts from same.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G. The Montana Pollutant Discharge Elimination System conditions (ARM 16.20.1314), including temporary erosion control features for construction would be met.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Permanent desirable vegetation with an approved seeding mixture would be established on exposed areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. Documentation of an invasive species review to comply with both EO #13112 and the County Noxious Weed Control Act (7-22-21, MCA), including directions as specified by the county(ies) wherein its intended work would be done would be conducted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. There are "Prime" or "Prime if Irrigated" Farmlands designated by the Natural Resources Conservation Service on or adjacent to the proposed project area. 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 USC 4201, et seq.).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
K. Features for the Americans with Disabilities Act (PL 101 336) compliance would be included.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
L. A written Public Involvement Plan would be completed in accordance with MDT's Public Involvement Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. This proposed project complies with the Clean Air Act's Section 176(c) (42 USC 7521(a), as amended) under the provisions of 40 CFR 81.327 as it is 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. and/or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 Air Quality Division, etc.).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C. Is this proposed project in a "Class I Air Shed" under 40 CFR 52.1382(c)(3)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Federally listed Threatened or Endangered (T/E) Species:				
A. Recorded occurrences, and/or critical habitat are in the vicinity of the proposed project.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Would this proposed project result in a "jeopardy" opinion (under 50 CFR 402) from the Fish and Wildlife Service on any Federally listed T/E Species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

This proposed project would not create disproportionately high and/or adverse impacts on the health or environment of minority and/or low-income populations (EO #12898). The project also complies with the provisions of Title VI of the Civil Rights Act of 1964 (42 USC 2000d) under FHWA regulations (23 CFR 200).

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



Heidy Bruner
MDT Environmental Services
Billings District Project Development Engineer

Date: 12/30/05



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

Date: 01/06/05

Concur _____
Federal Highway Administration

Date: _____

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Attachments

- cc: Bruce Barrett MDT Billings District Administrator
Kent Barnes, P.E. MDT Bridge Engineer
Paul Ferry, P.E. MDT Highway Engineer
John H. Horton MDT Right-of-Way Bureau Chief
Suzy Althof MDT Contract Plans Section Supervisor
David W. Jensen MDT Fiscal Programming Section Supervisor
Jean Riley, P.E. MDT Environmental Services Bureau Chief
Tom Hansen, P.E. MDT Environmental Services Bureau Engineering Section Supervisor
FILE MDT Environmental Services
Montana Legislative Branch Environmental Quality Council (EQC)

ALTERNATIVE ACCESSIBLE FORMATS OF THIS DOCUMENT WILL BE PROVIDED UPON REQUEST.

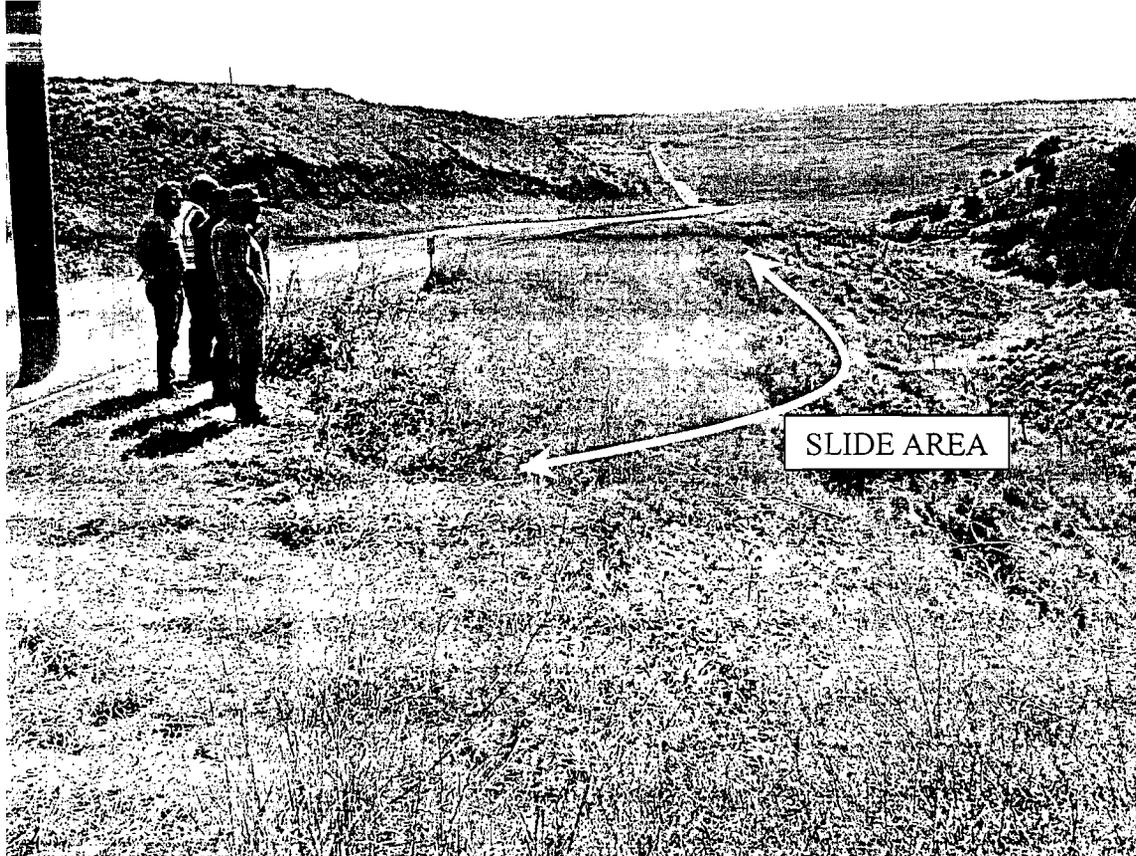
Preliminary Field Review Report

A preliminary field review for the subject project was held on July 11, 2003. The following personnel participated in this review:

Gary Neville	DESS	Billings
Damian Krings	AE-Road Design	Helena
Wayne Noem	Planning	Helena
Geno Liva	Road Design	Helena
Doug Lutke	Maintenance	Lewistown

Proposed Scope of Work

The project was nominated to rehabilitate a roadside embankment slope near reference post 156 on N-57 (HWY 200), in Petroleum County. The roadway at this location was constructed on a steep side hill, and slides have occurred along several hundred feet of the downhill embankment slope. A preliminary geotechnical review determined that the slide is most likely the result of the embankment being constructed too steep for the soils in the area, and that the slope stability can be achieved by flattening the slope and correcting roadside drainage that has been impeded by the slides. The roadway at this location is on a short tangent between horizontal curves. The possibility of reconstructing the road in this area with a small offset to the north and excavating the embankment to a more stable slope was discussed at the field review. This option would allow the roadway to be built with a subgrade width to accommodate the route segment plan top width, standard slopes, and not require filling in the drainage at the toe of the existing slope. This drainage is an unnamed intermittent tributary to the Musselshell River. The final scope of work will be determined following further geotechnical study and recommendations.



Slide area looking east from RP 156.

Project Location and Limits

This project was nominated to repair ±200 foot long embankment slope just east of RP 156 on N-57 (HWY 200), in Petroleum County. At the time of the nomination it was anticipated that the project limits would be RP 155.981 to 156.093, however, we propose to extend the project to RP 156.72, the point where N-57 goes from 25 feet to 32 feet wide, and construct the roadway to current geometric standards. Specific as-built station limits will be determined once the Geotechnical Section has determined the slope requirements to stabilize the embankment and lines and grades are established.

The project is located in a general ranching area, and land adjacent to the project is used for grazing.

Physical Characteristics

1. As-Built:
F 256(17) Year 1951
2. Existing Surfacing: According to the 2003 Road Log.
RP 155.981 to RP 156.093
0.7 in (17.78 mm) Plant Mix Bit Surf
14.0 in (355.6 mm) Gravel
3. Existing Roadside Geometrics: The existing road width is 25 feet (7.62 meters). The typical section differs for the side of the roadway that was widened versus the side of the roadway that was left in place during the 1951 construction. The side of the roadway that was left in place is listed as “as constructed”. The slopes were not adjusted from existing. The side of the roadway that was widened was constructed with inslopes of 4:1 for 5.5 feet and bottom slopes of 20:1 for a maximum of 20 feet. Backslopes were constructed “as directed by the engineer”.

Traffic Data

2003	ADT	=	590
2004	ADT	=	590
2024	ADT	=	720
	DHV	=	110
	Com Trks	=	12.8%
	ESAL	=	52
	AGR	=	1.0%

Accident History

There were no recorded crashes for National Highway 57 from reference point 155.981 to reference point 156.093 for the dates of January 1, 1993 to December 31, 2002.

PvMS Recommendation

The PvMS 2002 Pavement Conditions and 2003 Pavement Treatments recommends, “do nothing” for this portion of N-57. Performance indices are SCI 79.0; Ride 79.1, Rut 80.4, ACI 97.4 and MCI 99.7.

Major Design Features

Design Speed- The design speed for this project is 60 mph based on the Geometric Design Criteria for Rural Principle Arterials (National Highway System – Non Interstate) in rolling terrain.

Horizontal and Vertical Alignments- The roadway in the area of the slide is on a short tangent between two horizontal curves. We propose to shift the alignment to the north slightly, so that the failing embankment can be excavated to a more stable slope rather than filling in the drainage. Once the survey mapping is completed, we will determine if this shift is desirable to grading the embankment to a more stable slope and grading the coulee to drain.

The vertical alignment appears to be on about a six percent grade according to as-built plans and will likely match fairly close to existing due to the short length of this project. The new horizontal and vertical alignments will be designed to meet our geometric standards. Design units will be English as built-stationing.



looking west from top of cut slope



looking east from top of cut slope

Typical Sections- The Surfacing Design Section will provide a surfacing recommendation. We will provide the route segment plan width of 32 feet, with 6:1 surfacing inslopes and standard cut and fill slopes.

Grading- Grading will be necessary and will be accomplished using unclassified excavation. It appears that excavation will likely exceed embankment, as the PTW is located on the side of a very steep drainage and the standard roadway width and ditch section will result in a significant cut on the north side of the roadway. We should try to raise the grade in conjunction with the northerly alignment shift if possible, to reduce R/W and utility impacts, and balance earthwork as much as possible.

Geotechnical Considerations-According to a memo from Richard B. Jackson dated March 20, 2002 a slide has occurred in the south embankment slope extending from MP 156 about 200 feet to the east. Cracks and settlement are also visible between 200 and 300 feet east of MP 156 and indicated that there is an additional slide impending the area. The primary cause of the slope instability is that the constructed embankment slope is too steep. A survey of the slide area and borings are needed to determine the characteristics of the embankment and the foundation soils in order to develop a suitable design for the area.

Hydraulics- There is a culvert within the project limits that appears to be plugged. Several small cross drains are located between RP 156 and the proposed limit of 156.72. It is anticipated that all these pipes will be replaced with this project.

Bridges- There are no bridges on this project.

Traffic- Pavement markings will be upgraded.

Design Exceptions

Design exceptions are not anticipated at this time.

Right of Way

New right-of-way may be required for this project. As-built plans indicate the R/W parallels the PTW 80 feet left and right of centerline.

Utilities/Railroad

There is an overhead power line running along the north side of the highway, just outside the current R/W. The line appears to diverge somewhat from the PTW in the area of the project due to the current alignment. Care will be taken in establishing the horizontal and vertical alignments to avoid impacts to this line, though impacts may not be avoidable. Underground utility markers were not observed within the existing R/W corridor. This project will have no railroad involvement.

Environmental Considerations

A Programmatic Categorical Exclusion will be prepared for this project. No 4(f) or 6(f) properties exist along the project. A cultural and biological survey will be necessary to identify significant environmental resources in the project corridor. It does not appear that any wetlands will be impacted by the project construction. A COE 404 permit will likely be required.

Traffic Control

Traffic will be maintained throughout the project construction locations with appropriate signing and flagging in accordance with the Manual of Uniform Traffic Control Devices.

Survey

An aerial survey was requested earlier for this project. The project has been flown and mapping begun. A pick up survey by district forces will be requested to locate underground features/utilities and to map any voids of the aerial survey. A soils survey will also be required once the preliminary lines and grades are set.

Public Involvement

The Public Involvement Plan at this time will be limited to providing a news release to the appropriate newspapers explaining the project (Level A, of the MDT Public Involvement Plan). A public informational meeting will be held if determined to be beneficial in the future.

Cost Estimate

The cost to construct this project is estimated to be:

CN= \$ 600,000

CE= \$ 60,000

\$ 660,000 total

This estimate is increased from the nomination so that roadway widening can be accomplished for 0.75 miles as stated earlier in this report. This estimate does not include indirect costs.

Ready Date

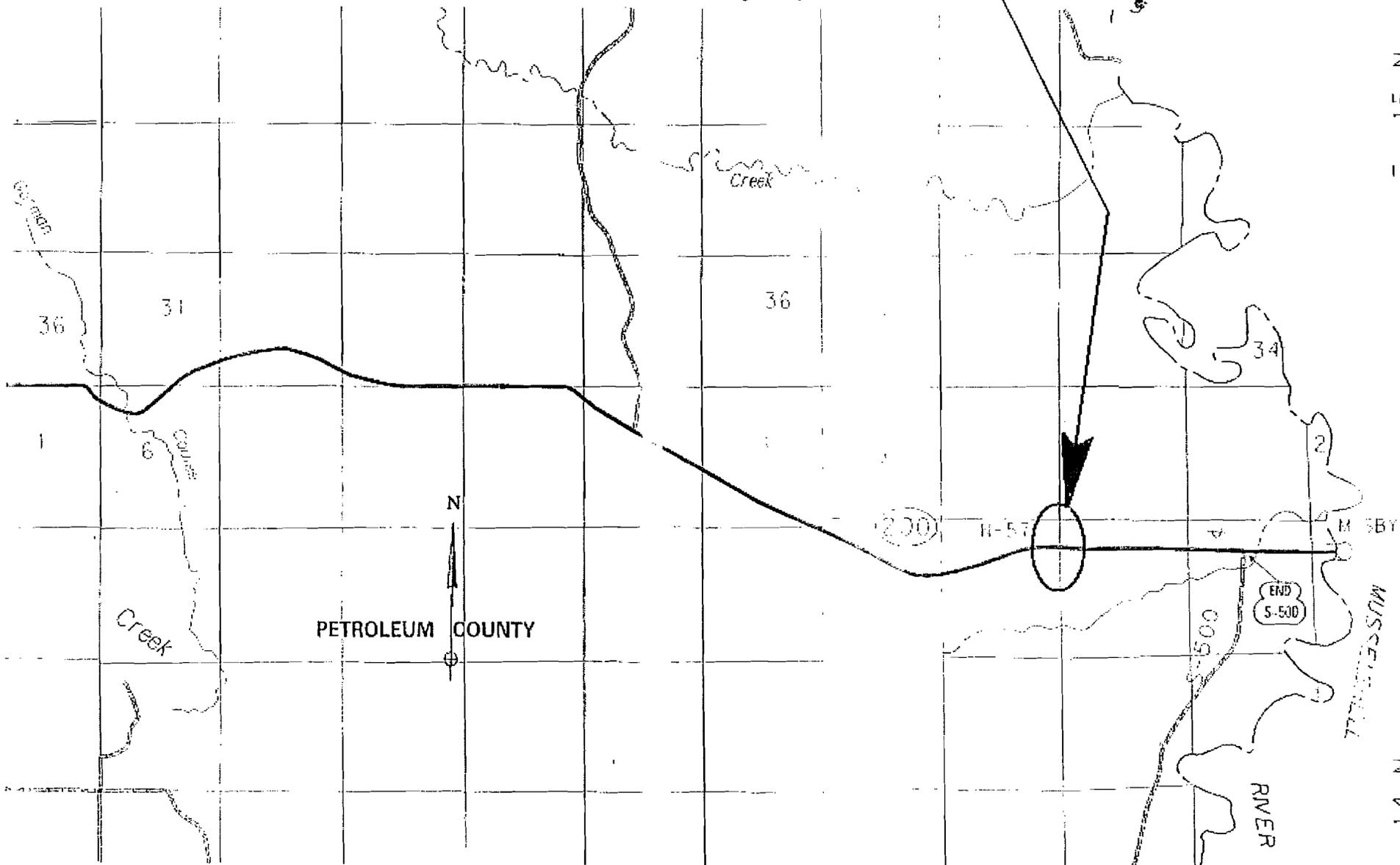
A realistic ready date will be established following activity overrides.

Project Management

Ryan Dahlke, Billings Area Engineer, will be the Preliminary Engineering phase PM and FM for this project. Headquarters personnel will design the project.

Attached: site map

SLIDE - WEST OF MOSBY NH 57-4(11)156



R. 29 E.

R. 30 E.

N 51 T
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