



Montana Department of Transportation

2701 Prospect Avenue  
PO Box 201001  
Helena MT 59620-1001

Jim Lynch, Director  
Brian Schweitzer, Governor

January 17, 2006

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

**RECEIVED**

JAN 18 2006

LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE

**Subject: MDT Statewide Maintenance Projects**  
**US-191 – Gallatin Canyon North – Gallatin County**  
Reference Post from: 61.4  
Reference Post to: 70.4

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 checklists and the location maps for your information.

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

Tom Hansen, P.E.  
Engineering Section Supervisor

TH:jjr

Attachments

copies: Jon Swartz, Maintenance  
Ross Gammon, Maintenance Chief-Bozeman  
Mark Wissinger, Construction  
Suzy Althof, Contract Plans  
File

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**ENVIRONMENTAL CHECKLIST FOR MAINTENANCE ACTIVITIES**

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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: US-191

Designation: Gallatin Canyon North

Proposed Date of Maintenance Activity: Summer or Fall 2006

Federal Funds Involved? Yes  No

Reference Post (Station) 61.4

to Reference Post (Station) 70.4

Applicants Name: Montana Department of Transportation

Address: 907 North Rouse Av, P.O. Box 1110 Bozeman MT, 59771-1110

Type of Proposed Maintenance Activity: Contract Crack 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).		Comment or List Documentation, Evaluation, Mitigation Measure, and/or (a) Permit(s) Required for Items 1 through 7.(Use attachments if necessary)
	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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<i>bald eagles &amp; other sensitive raptors</i>
3. Does the proposed action have an impact on water quality? 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"/>	<i>Checked NRIS - jr.</i>
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 type="checkbox"/>	<input checked="" type="checkbox"/>	
6a. Are any Tribal water permits required?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> N/A
7. Is the proposed project in a "Class I Air Shed" (Some Indian Reservations)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> N/A

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

Checklist prepared by: Ross Gammon  
Applicant (Maintenance Chief)

Bozeman Maintenance Chief  
Title

11/1/ 2005  
Date

Approved by: 

ENVIRONMENTAL ENGINEERING  
SECTION SUPERVISOR

1/17/06'  
Date

Environmental Services

Title



## 2. PROTECTION OF WETLAND AREAS AND OTHER DRAINAGES

Impacts to any and all wetland areas and other drainages, including spring, perennial, ephemeral or intermittent 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 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 Butte District Biologist at 444-0461 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.

## 1. THREATENED AND ENDANGERED SPECIES

Several known bald eagle nests occur in locations adjacent to the highway along the Gallatin River throughout this corridor. Consult with the District Biologist at 444-0461 or 444-7228 before locating any intense localized activity including but not limited to, an aggregate borrow source, gravel, crushing, storage or staging areas, or processing plants within the Gallatin River corridor. The location of such activities must be analyzed for potential effects to the nesting bald eagles prior to construction.

Bald eagles or other raptors may actively nest, forage or roost in the vicinity of this project. If you suspect that any construction activity, new aggregate borrow source, gravel, crushing, storage or staging areas, or processing plants may potentially be located within one mile of an active nest, submit the location of such site(s) to MDT-Environmental Services Bureau for review, prior to commencing operation.

Large mammals and other wildlife frequently use the Gallatin River corridor for habitat, migration and foraging activities. If you observe any large mammals or other wildlife that may be affected by your construction activity, please notify the District Biologist at 444-0461 or 444-7228 prior to continuing work so that conservation recommendations can be implemented.

If you are unsure about these requirements, please contact Deb Wambach, Butte District Biologist at 444-0461 or 444-7228.