



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

March 30, 2006

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

RECEIVED

APR 05 2006

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

**Subject: MDT Statewide Maintenance Projects
Ingomar West Overlay
Rosebud County, US 12
Reference Post from: 123.0
Reference Post to: 130.0**

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
Environmental Services Bureau

Attachments

copies: Jon Swartz, Maintenance
Doug Lutke, Lewistown Maintenance Chief
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.: 5307650 *State Funded*

ID: C-000014 - Designation: Ingomar West Overlay
(US-12) - (P-14)

Proposed Date of Maintenance Activity: Overlay funded by FY-07 Federal Funds Involved? Yes No
Maintenance funds (anticipate July -October 2006 or May- June 07)

Reference Post (Station) 123.0 to Reference Post (Station) 130.0

Applicants Name: Doug Lutke Address: 1600 Airport Rd. Lewistown, Mt.

Type of Proposed Maintenance Activity: Thin lift overlay of this roadway segment -

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	Comment or List Documentation, Evaluation, Mitigation Measure, and/or (a) Permit(s) Required for Items 1 through 7. (Use attachments if necessary)
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? 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 checked="" type="checkbox"/>	<input 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 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
6a. Are any Tribal water permits required?	<input type="checkbox"/>	<input 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: Doug Lutke

Lewistown Area Maintenance
Bureau Chief

2/28/06
Date

Applicant (Maintenance Chief)

Title

Approved by:

ENVIRONMENTAL ENGINEERING
SECTION SUPERVISOR

4/3/06

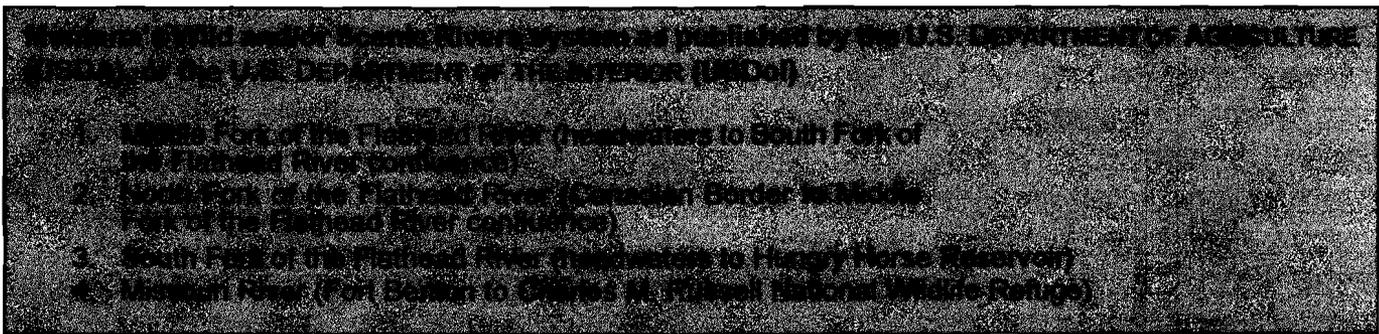
Environmental Services

Title

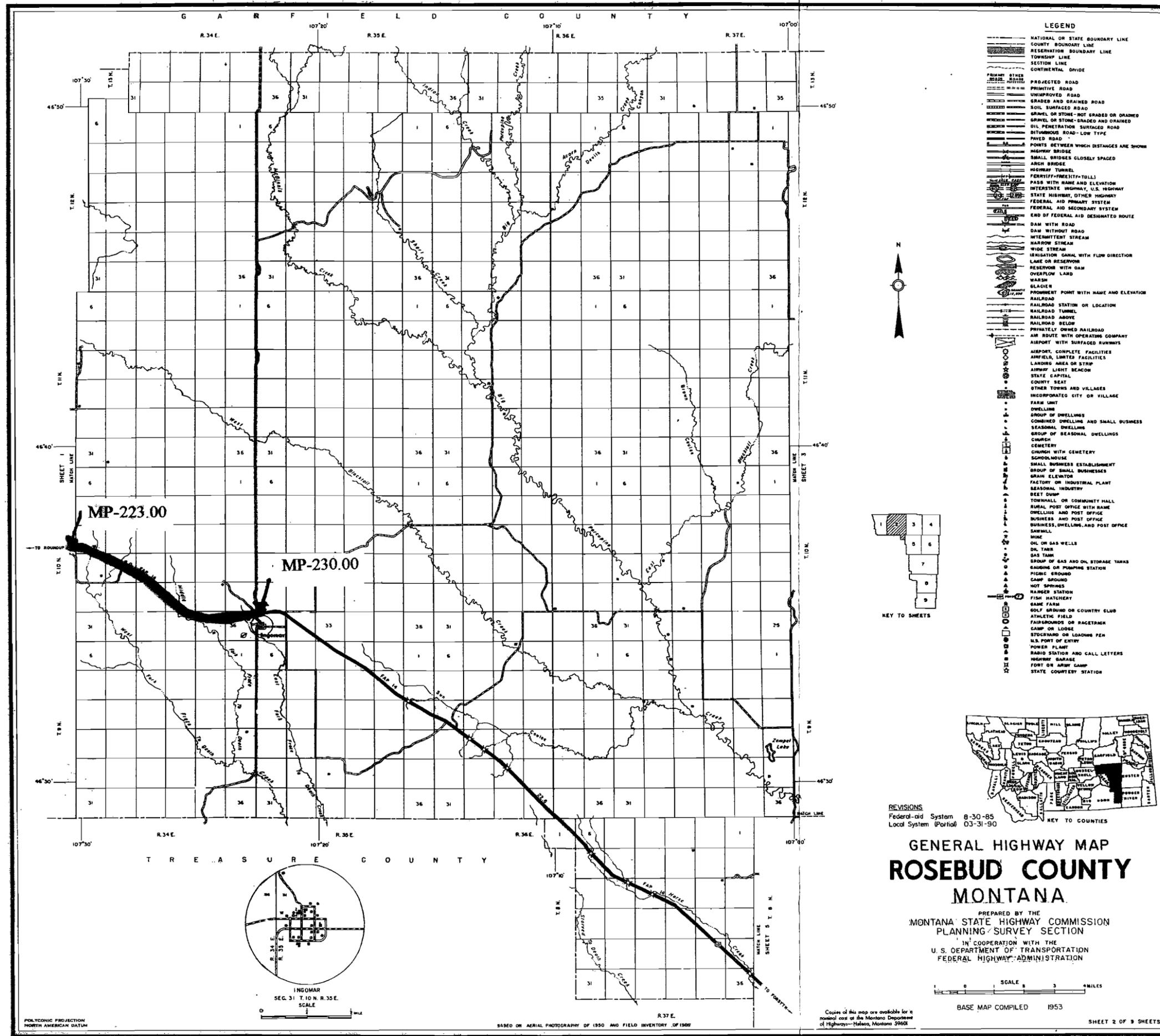
Date

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

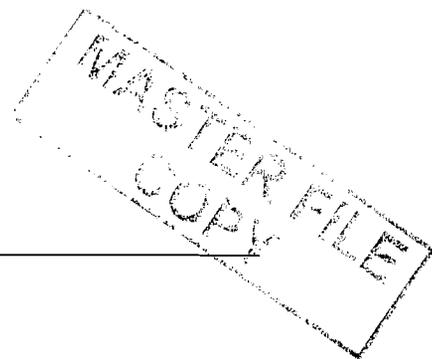
- A. The applicant shall complete the checklist indicating a "Yes" or "No" for each item, except number 8 which may require a narrative response.
- B. When a "Yes" is indicated on any number of items 1 through 7, the applicant must explain why and provide the appropriate documentation, evaluation, permit, 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.



INGOMAR - WEST Overlay Project -
 FY-07 Maintenance (state) funded project -
 C-000014 (P-14) - US-12 - MP 223.0 to 230.0 (Ingomar) -



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



Memorandum

To: Bonnie Steg, Resources Section Supervisor *BJS*
From: Bill Semmens, Billings District Biologist *BS*
Date: March 20, 2006
Subject: **Biological Resources Memorandum**
Maintenance Activity
Ingomar West Overlay
ID: C-000014

Project Location & Description

The proposed maintenance activity is to overlay a section of US Hwy 12 (P-14) from the town of Ingomar west for approximately 7 miles. This project is a FY-07 maintenance (state) funded project. The proposed project does not involve either horizontal or vertical alignment changes.

This maintenance project is located west of Ingomar in Rosebud County beginning in Township 10 North, Range 35 East, Section 31 west to Township 10 North, Range 33 East, Section 13 on US Hwy 12 (P-14).

Biological Resources and Impact Analysis

The Natural Heritage Program was contacted to request information of any special-status species that may be in the area of the proposed project. The Natural Heritage Program lists **no** species of concern that may occur within 1 mile of the project area. Due to the scope, nature and location of the proposed project, no special-status species would be impacted by the proposed project.

Best Management Practices (BMP) and/or temporary erosion control measures will be utilized as necessary to protect the resource. Refer to Section 208 of the MDT Detailed Drawings for erosion and sediment control Best Management Practices.

Any ground that is disturbed will be revegetated as soon as practicable with desirable species as recommended by MDT's reclamation specialist. Therefore, this project would not contribute to the spread of noxious weeds.

*CC: BRUCE BARRETT - DA, BILLINGS
JIM STEVENSON - MAINTENANCE CHIEF, BILLINGS
DOUG LUTKE - MAINTENANCE CHIEF, LEWISTOWN
RAY STUDEBAKER - ENV., BILLINGS
BONNIE STEG - ENV., HELENA
BILL SEMMENS - ENV., HELENA
FILE*

There are not expected to be any project-related impacts to biological resources. This project will have **no effect** on any threatened, endangered, proposed, candidate, rare, or sensitive species.

No wetlands, stream or other aquatic resources would be affected. Therefore, a **Stream Protection Act 124 notification and a Clean Water Act 404 permit are not required.**

Copy: Bruce Barrett - Billings
Paul Ferry - Highways
Doug Lutke – Lewistown Area Maintenance Bureau Chief
Ray Studebaker - Billings
Bonnie Steg – Environmental
Bill Semmens – Environmental
File

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 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 444-0802 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.