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

Jim Lynch, Director
Brian Schweitzer, Governor

October 12, 2006

ENVIRONMENTAL QUALITY COUNCIL
Legislative Environmental Policy Office
P.O. Box 201704
Helena, MT 59620-1704

Subject: **BR 9038(10)**
POWDER R-3KM E POWDERVILLE
(PPMS-OPX2 Control #5436)

Attached is one (1) copy, each of the Programmatic Categorical Exclusion (PCE) request and "Nationwide" Programmatic *Section 4(f)* Evaluation form [P*4(f)*] for this proposed project as-approved by the U.S. DEPARTMENT OF TRANSPORTATION's Federal Highway Administration (FHWA) on September 13, 2006.

That PCE complies-with the provisions of **75-1-103** and **75-1-201**, **M.C.A.** listed-under ARM 18.2.261, *MEPA* "Actions that qualify for a Categorical Exclusion" as applicable to the MONTANA DEPARTMENT OF TRANSPORTATION (MDT). The attached P*4(f)* documents *U.S. DEPARTMENT OF TRANSPORTATION Act* (**49 U.S.C. 303**) compliance under 23 CFR 771.135 for the "use" of a historic bridge.

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

JAR:TLH:[S:\PROJECTS\GLENDIVE\5436\722\EQC-DST.DOC]

Attachment

copy: project main/"white label" file

AMENDMENT
TO
PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
AND
THE MONTANA STATE HISTORIC PRESERVATION OFFICE
AFFECTING HISTORIC ROADS AND BRIDGES
IN MONTANA

WHEREAS, the Federal Highway Administration, Montana Division (FHWA), proposes to make Federal funding available to the Montana Department of Transportation (MDT) for that agency's on-going program to construct or rehabilitate highways and bridges, and

WHEREAS, the FHWA has determined that this federally-assisted program may have an effect upon a certain class of properties included in or eligible for inclusion on the National Register of Historic Places and has consulted with the Advisory Council on Historic Preservation (Council) and the Montana State Historic Preservation Office (SHPO) pursuant to Section 800.13 of the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, the FHWA and the MDT developed a Historic Preservation Plan regarding roads and bridges and that document was reviewed and accepted by FHWA, SHPO and the Council, and

WHEREAS, that document did not include historic roads constructed before the creation of the Montana State Highway Commission in 1913, requiring the necessity of including those properties under a Programmatic Agreement as specified in Part VI, Section A(5)(1)(a) of the MDT's Roads and Bridges Historic Preservation Plan (See Attachment 2), and

WHEREAS, that the existing Programmatic Agreement/Historic Preservation Plan is supplemented by this amendment and its underlying provisions remain in effect to the extent that they have not been completed, and

WHEREAS, the MDT participated in the consultation and has been invited to concur in this Programmatic Agreement;

NOW THEREFORE, the FHWA, the Council and the Montana SHPO agree that the program addressed in this Programmatic Agreement shall be administered in accordance with the following stipulations to satisfy the FHWA's Section 106 responsibility for all individual undertakings of the program.

Stipulations

The FHWA will ensure that the following measures are carried out:

1) The FHWA and MDT will implement this amendment to the Historic Roads and Bridges Programmatic Agreement in lieu of compliance with 36 CFR §§ 800.4 through 800.6.

2) The MDT will acquire a 2± mile (10,560± linear foot) segment of the Mullan Road (24MN133) in Mineral County, Montana. The trail will be preserved and developed as a historic recreational/interpretive trail. The MDT will provide funding toward the development and interpretation of the trail and obtain a conservation easement on the property to assure its future preservation. The interpretive plan for the trail will be developed in cooperation with the Montana SHPO, the Montana Department of Fish, Wildlife & Parks and the Salish-Kootenai Tribal Preservation Office. The Mullan Road segment will be acquired by the MDT by June 30, 1999.

3) The MDT will provide $13,000 to the Montana Historical Society for partial funding of a conference regarding the historically significant Bozeman Trail. The conference will encourage research into the development and use of pre-1913 roads and trails, their preservation and development and interpretation for the public benefit. Other funding for the conference will be secured from the Montana Committee for the Humanities, Wyoming Humanities Council, Bozeman Trail Association, Frontier Heritage Alliance and other private organizations. The conference will be held July 28 – 31, 1999 (See Stipulation 2 above).

4) The MDT's financial contribution to the conference will function, along with other stipulations of the existing Plan, as mitigation for individual undertakings where segments of historic pre-1913 roads and trails may be affected by MDT road and bridge reconstruction projects.

5) A list of MDT projects that have the potential to affect segments of historic pre-1913 roads and trails is attached (See Attachment 1).

6) The MDT will provide funding for the installation of ten historic markers on pre-1913 historic roads and trails that are adjacent to Montana's primary and secondary highway system. The marker locations will be determined by MDT and SHPO.

7) The MDT will continue to record and assign Smithsonian trinomial site numbers to segments of historic 19th century roads and trails located within the MDT's five administrative districts. Where particular roads and trails segments involve features or historic significance on a statewide or national level, the MDT will consult with SHPO to develop a plan to avoid and/or incorporate the property into the MDT's undertaking as specified in Part VI, Section 4 of the existing Roads and Bridges Historic Preservation

8) The Council and the SHPO may monitor activities carried out pursuant to this Programmatic Agreement, and the Council will review such activities if so requested by a signatory to this Agreement or by a member of the public. FHWA will cooperate with the Council and the SHPO in carrying out their monitoring and review responsibilities as stipulated in 36 CFR 800.13

9) Any party to this Programmatic Agreement may request that it be amended, whereupon the parties consult in accordance with 36 CFR 800.13 to consider such an amendment.

10) Should the Montana SHPO object within sixty (60) days to any stipulation pursuant to this Programmatic Agreement, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

1. Provide the FHWA with recommendations which it will take into account in reaching a final decision regarding the dispute; or

2. Notify the FHWA that it will comment pursuant to 36 CFR § 800.6(b), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR § 800.6(c)(2) with reference only to the subject of the dispute; the FHWA's responsibility to carry out all actions under this Programmatic Agreement that are not subjects of the dispute will remain unchanged.

11) In the event that the FHWA does not carry out the terms of this Programmatic Agreement, the FHWA will comply with 36 CFR Sections 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

Execution and implementation of this Programmatic Agreement evidences that the FHWA has satisfied its Section 106 responsibilities for all individual undertakings of the program.

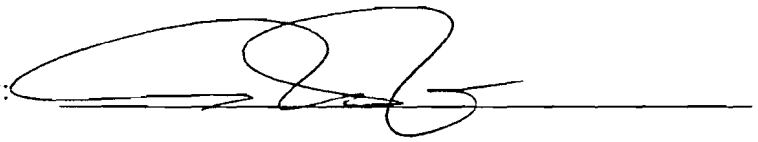
ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: 1/29/99

MONTANA DIVISION, FEDERAL HIGHWAY ADMINISTRATION

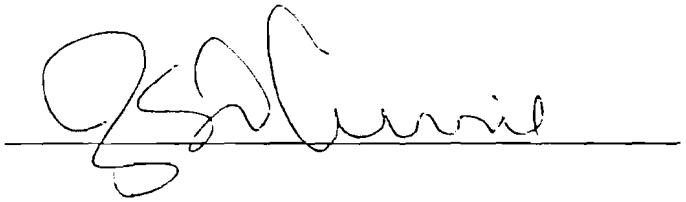
By: _____ Date: 1-21-99

MONTANA STATE HISTORIC PRESERVATION OFFICER

By:  Date: 1-14-99

CONCUR

MONTANA DEPARTMENT OF TRANSPORTATION

By:  Date: 1/14/99

PROGRAMMATIC AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISTRATION THE ADVISORY COUNCIL ON HISTORIC PRESERVATION AND THE MONTANA STATE HISTORIC PRESERVATION OFFICE AFFECTING HISTORIC ROADS AND BRIDGES IN MONTANA

WHEREAS, the Federal Highway Division, Montana Division (FHWA), proposes to make Federal funding available to the Montana Department of Transportation (MDT) for that agency's on-going program to construct or rehabilitate highways and bridges, and

WHEREAS, the FHWA has determined that this federally-assisted program may have an affect upon a certain class of properties included in or eligible for inclusion on the National Register of Historic Places and has consulted with the Advisory Council on Historic Preservation (Council) and the Montana State Historic Preservation Office (SHPO) pursuant to Section 800.14 of the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, the FHWA and the MDT have developed a Historic Preservation Plan (HPP) regarding roads and bridges and that document has been subject to review under 36 CFR 800.14 and has been agreed to by FHWA, SHPO and the Council; and

WHEREAS, this Programmatic Agreement supercedes the original Agreement (implemented July 17, 1997) and the amendment to that Agreement (implemented January 21, 1999); and

WHEREAS, the MDT participated in the consultation and has been invited to concur in this Programmatic Agreement; and

WHEREAS, all references within this Programmatic Agreement are to the Council's regulations that became effective on January 11, 2001;

NOW THEREFORE, the FHWA, the Council, and the Montana SHPO agree that the program addressed in this Programmatic Agreement shall be administered in accordance with the following stipulations to satisfy the FHWA's Section 106 responsibility for all individual undertakings of the program.

Stipulations

The FHWA will ensure that the following measures are carried out:

1) The FHWA and MDT will comply with 36 CFR §§ 800.4 through 800.6 in regard to determining eligibility of historic-age bridges. The Historic Preservation Plan

will apply only to those bridges determined eligible for the National Register of Historic Places (NRHP).

2) The FHWA and MDT will implement the roads and bridges HPP in lieu of compliance with 36 CFR 800 in regards to trails, roads, and highways in Montana that were constructed after 1859.

3) The MDT, in consultation with SHPO, will develop NRHP Multiple Properties Documents regarding specific bridge types to assist the FHWA, SHPO, and MDT in assessing the NRHP eligibility of bridges. The documents will include reinforced concrete, steel stringer, steel girder, and all post-1936 steel truss bridges not included in the MDT's 1985 inventory.

4) For all NRHP-eligible bridges offered for adoption under the HPP for which new owners are not found, Historic American Engineering Record (HAER) – level recordation will be completed before the bridge is demolished.

5) FHWA will carry out the existing MOA's to preserve or record historic bridges that are now scheduled for replacement.

6) The MDT will continue to record and assign Smithsonian trinomial site numbers to segments of historic-age trails, roads, and highway located within the Area of Potential Effect (APE) of the MDT's undertakings. Where particular trail, road and highway segments involve features of historic significance on a statewide or national level, the MDT will consult with SHPO to develop a plan to avoid or incorporate the property into the agency's undertaking as specified in Part VI, Section 4 of the existing Roads and Bridges Historic Preservation Plan (See Attachment One).

7) The MDT has acquired a 2± mile (10,560± linear feet) segment of the Mullan Military Road (24MN133) in Mineral County, Montana. The road has been preserved and will be developed as a historic recreational/interpretive trail. The MDT will provide funding toward the development and interpretation of the road and list the segment on the National Register of Historic Places. The interpretive plan for the road will be developed in cooperation with the Montana SHPO, the Lolo National Forest, and the Salish-Kootenai Tribal Preservation Office.

8) The MDT will provide funding for the installation of five roadside interpretive markers describing the history and significance of pre-1913 trails and roads that are adjacent to Montana's existing primary and secondary highway system. The marker locations will be determined by MDT and the Montana SHPO.

9) This Programmatic Agreement will remain in force for as long as the roads and bridges HPP is in force or unless Stipulation 13 of this Agreement is invoked.

10) The MDT will prepare a report biennially on its implementation of the HPP, and provide this report to the FHWA, Montana SHPO, and the Council for review, comment and consultation if needed.

11) The Council and the SHPO may monitor activities carried out pursuant to this Programmatic Agreement, and the Council will review such activities if so requested by a signatory to this Agreement or by a member of the public. FHWA will cooperate with the Council and the SHPO in carrying out their monitoring and review responsibilities as stipulated in 36 CFR 800.13.

12) Any party to this Programmatic Agreement may request that it be amended, whereupon the parties consult in accordance with 36 CFR 800.13 to consider such an amendment.

13) Any party to this Programmatic Agreement may terminate it by providing, in writing, forty-five (45) days notice to the other parties, provided that the parties will consult during the period prior to termination to seek arrangement on amendments or other actions that would avoid termination. In the event of termination, FHWA will comply with 36 CFR Part 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

14) Should the Montana SHPO object within sixty (60) days to any action proposed pursuant to this Historic Preservation Plan, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

    1. provide the FHWA and Montana SHPO with recommendations, which the FHWA and Montana SHPO will take into account in reaching a final decision regarding the dispute; or

    2. notify the FHWA and Montana SHPO that it will comment pursuant to 36 CFR § 800.6(b), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the FHWA and Montana SHPO in accordance with 36 CFR § 800.6(c)(2) with reference only to the subject of the dispute; the FHWA and MDT's responsibility to carry out all actions under this Historic Preservation Plan that are not the subjects of the dispute will remain unchanged.

15) At any time during implementation of the measures stipulated in this Agreement and/or Historic Preservation Plan, should any objection to any such measure or its manner of implementation be raised by a member of the public, the FHWA shall take the objection into account and consult as needed with the objecting party, the SHPO or the Council to resolve the objection.

16) In the event that the FHWA does not carry out the terms of this Programmatic Agreement, the FHWA will comply with 36 CFR §§ 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

Execution and implementation of this Programmatic Agreement evidences that the FHWA has satisfied its Section 106 responsibilities for all individual undertakings of the program.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: 10/22/01

(For) Executive Director

MONTANA DIVISION, FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: 10-2-2001

MONTANA STATE HISTORIC PRESERVATION OFFICER

By: Mark F. Baumler Date: 9/26/2001

CONCUR

MONTANA DEPARTMENT OF TRANSPORTATION

By: _____ Date: 8/23/01

FIRST AMENDMENT TO PROGRAMMATIC AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISRATION THE ADVISORY COUNCIL ON HISTORIC PRESERVATION AND THE MONTANA STATE HISTORIC PRESERVATION OFFICE AFFECTING HISTORIC ROADS AND BRIDGES IN MONTANA

WHEREAS, in 2001, the Federal Highway Administration (FHWA), Advisory Council on Historic Preservation (Council), Montana State Historic Preservation Office (SHPO) signed, and the Montana Department of Transportation (MDT) concurred in, a Programmatic Agreement implementing a Historic Preservation Plan (HPP) regarding the treatment of historic roads and bridges in Montana; and

WHEREAS, the MDT has determined that the adoption of reinforced concrete, timber stringer, and monumental steel truss, stringer and girder bridges pursuant to Section B.4. of the HPP (Adopt-A-Bridge Program) is not practical when these bridges cannot be preserved in place and have to be relocated; and

WHEREAS, the MDT recognizes that a published book on historic bridges in Montana will encourage appreciation and awareness of the significance of Montana's historic bridges and will promote the preservation of these structures;

NOW THEREFORE, the FHWA, Council, SHPO, and MDT agree that the existing PA and HPP shall be amended to include the following stipulations:

1. For reinforced concrete, timber stringer, and monumental steel truss, stringer and girder bridges, the MDT will seek alternatives that allow for them to be preserved and adopted in place. If because of new bridge design constraints these kinds of bridges cannot be relocated intact, or preserved and adopted in place, they will be advertised for adoption under Section B.4 of the HPP for an abbreviated 30-days before the scheduled ready date for the project.

2. The MDT will author and provide $15,000 to the Montana Historical Society Press for the publication of a book on the history of bridge construction in Montana. The book will be edited and published by the Montana Historical Society Press by December 31, 2006.

MONTANA DIVISION, FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: 12/15/03

MONTANA STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: 12/8/2003

CONCUR:

MONTANA DEPARTMENT OF TRANSPORTATION

By: _____ Date: 11/28/03

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

Jim Lynch, Director
Brian Schweitzer, Governor

May 15, 2006

MASTER FILE COPY

Editor
Powder River Examiner
PO Box 328
Broadus MT 59317

DATE REC'D 5/16/06

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Subject: BR 9038(10)
Big Powder River – 3 Km East of Powderville
Control No. 5436

To Whom It May Concern:

Attached is the suggested text for an item advertising the availability for adoption of three spans of the Powder River Bridge on Powderville Road about two miles east of Powderville. Please print this as a news item in the *Powder River Examiner* at your earliest convenience.

If you have any questions or require more information about the bridge, please contact me at (406) 444-6258.

Jon Axline

Jon Axline, Historian
Environmental Services

Attachment

cc: Ray Mengel, P.E., Glendive District Administrator
Kent Barnes, P.E., Bridge Bureau w/attachment
Bonnie Steg, Resources Bureau

THE POWDERVILLE BRIDGE

IS AVAILABLE FOR ADOPTION

The bridge across Powder River on Powderville Road is available to anyone willing to assume the responsibility of maintaining it. The bridge crosses the river about two miles east of Powderville on Powderville Road in Powder River County. It was constructed in 1938 and is an eleven-span bridge. It is 525-feet long with a roadway width of 17-feet. The portion eligible for adoption consist of three 100-foot steel girder spans with steel floor beams and timber decking. The bridge is estimated to weigh 90 tons without the asphalt overlay, railing, and timber deck; 180-tons with the timber deck and rails, and 360 tons with the timber deck, rails, and asphalt overlay.

The Montana Department of Transportation intends to construct a new bridge on a new alignment. Because the old bridge is historic and eligible for listing on the National Register of Historic Places, the Department of Transportation would give it to anyone willing to maintain and assume liability for it. The estimated demolition cost of $60,000 for the bridge could be applied to its relocation and maintenance.

If interested in adopting the Powderville Bridge, please contact Kent Barnes at the Montana Department of Transportation at 444-6260 by June 15, 2006.

The 1989 Historic Roads and Bridges Programmatic Agreement.

PROGRAMMATIC AGREEMENT

Among the Federal Highway Administration (FHWA), the Montana State Historic Preservation Office (MSHPO), and the Advisory Council on Historic Preservation (ACHP), to develop a historic preservation plan to establish processes for integrating the preservation and use of historic roads and bridges with the mission and programs of the FHWA in a manner appropriate to the nature of the historic properties involved, the nature of the roads and bridges in Montana, and the nature of the FHWA's mission to provide safe, durable and economical transportation.

WHEREAS, Congress has mandated that highway bridges be evaluated, and where found substandard, be rehabilitated or replaced and has provided funding for these purposes, to insure the safety of the traveling public (through the Highway Bridge Replacement and Rehabilitation Program); and

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has standards regulating the construction and the rehabilitation of highways and bridges that must be met by the FHWA to insure the safety of the traveling public; and

WHEREAS, Congress declares it to be in the national interest to encourage the rehabilitation, reuse and preservation of bridges significant in American history, architecture, engineering and culture; and

WHEREAS, the FHWA proposes to make Federal funding available to the Montana Department of Highways (MDOH) for its ongoing program to construct and rehabilitate roads and bridges, and MDOH concurs in and accepts responsibilities for compliance with this Agreement; and

WHEREAS, the FHWA has determined that the construction and improvement of highways may have an effect on historic roads and bridges that are listed in the National Register of Historic Places, or may be determined eligible for listing, and have consulted with the ACHP and the MSHPO pursuant to Section 800.13 of the regulations (36CFR800) implementing Section 106 of the National Historic Preservation Act (16U.S.C. 470f); and

WHEREAS, the parties understand that not all historic roads and bridges fall under the jurisdiction of sphere of influence of the FHWA, and that to encourage other parties to participate in preservation efforts, an education to foster a preservation ethic is needed; and

NOW THEREFORE, FHWA, MSHPO, and ACHP agree, and MDOH concurs, that the following program to enhance the preservation potential of historic roads and bridges, and to promote management and public understanding of and appreciation for these cultural resources will be enacted in lieu of regular Section 106 procedures as applied to historic roads and bridges only.

Stipulations

The Federal Highway Administration will ensure that the following program is carried out:

The Federal Highway Administration, in cooperation with the Montana Department of Highways, will develop a preservation plan to ensure the preservation and rehabilitation of the states [sic] significant historic roads and bridges, and will develop and on-going educational program to interpret significant historic roads and bridges that illustrate the engineering, economic, and political development of roads in Montana. Specifically:

A. For Public Education

1. MDOH will prepare technical documentation of the history of roads and road construction, and of the history of bridge building in the state, according to a format developed by MDOH in consultation with the MSHPO and in compliance with the Secretary of the Interior's Standards for Preservation Planning. From this documentation, MDOH will prepare narrative histories suitable for publication for the general public. Draft copies of the documentation and the narrative histories will be submitted to the FHWA, MSHPO and a list of qualified reviewers to be determined by FHWA, MDOH and MSHPO by December 1, 1990, and 45 days will be allowed for reviewers to comment. MDOH will prepare final documentation and histories by May 1, 1991. Final copies will be distributed to the district, area, and field offices of the MDOH, to the County Commissioners, county road and bridge departments, and county historical societies, to the owners of significant roads and bridges identified in the documentation, to the Montana Historical Society Library and the Montana State Library, and to the general public as requested.

2. MDOH will develop and make available to newspapers and publishers of historical and of engineering journals articles suitable for public information on historic roads and bridges and on their construction and significance.

3. MDOH will augment its historic sign program by developing interpretation for the traveling public at existing rest areas or pull-overs to explain Montana's road construction and bridge engineering. It will develop on-site interpretation for significant resources that can be viewed and appreciated by the public.

4. By April 15, 1990 MDOH will develop and circulate a traveling exhibit that portrays the history of the development of transportation in Montana.

5. By December 1, 1991 MDOH will develop and circulate a public program (slide/tape or video) of approximately 20 minutes, suitable for use at public or organization gatherings, classrooms, etc.

B. For Historic Road and Bridge Preservation

1. The FHWA, in co-operation with the MDOH, will prepare a plan for the preservation of significant and representative road segments and bridge types around the state as identified in the research in Part A. of this Agreement. The Historic Preservation Plan (HPP) will be presented to the FHWA, MSHPO, the ACHP and [a] list of qualified reviewers by September 1, 1991, and 45 days comment period will be allowed for discussion and adoption. FHWA will work to resolve disagreement on the proposed HPP. If agreement cannot be reached by December 1, 1991, all FHWA undertakings affecting historic roads and bridges will again become subject to 36 CFR 800 procedures.

   The HPP for historic roads and bridges shall be prepared in accordance with the following guidelines:

   a. The essential purpose of the HPP will be to establish processes for integrating the preservation and use of historic roads and bridges with the mission and programs of the FHWA and the MDOH in a manner appropriate to the nature of the historic properties involved, the nature of the roads and bridges in Montana, and the nature of FHWA's mission, to provide safe, durable and economical transportation;

   b. In order to facilitate such integration, the HPP, including all maps and graphics, will be made consistent with the Federal Aid road and bridge numbering systems;

   c. The HPP will be prepared in consultation with the owners, managers, caretakers, or administrators of historic roads and bridges, including county governments, city governments, federal agencies, and private individuals or corporations, and with interested parties or organizations, including the American Society of Civil Engineers - Montana Section, and the Montana Society of Engineers;

   d. The HPP will be prepared with reference to the Secretary of Interior's Standards and Guidelines for Preservation Planning (48 FR 44716-20); and

   e. The HPP will be prepared by or under the supervision of an individual who meets, or individuals who meet, at a minimum, the "professional qualifications standards" for historian and archaeologist in the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-9).

2. The contents of the HPP will be developed in conjunction with the MSHPO, and will include, but not be limited to, a schedule for the anticipated implementation of the various elements, plus the formulation and presentation of programs to:

a. Preserve historic bridges that do not meeting safety rating standards by rehabilitation in a manner that would preserve important historic features while meeting as many AASHTO standards as can be reasonable met;

b. When a historic bridge must be replaced, give full consideration and demolition savings to reuse of the historic bridge in place by another party.

c. When a historic bridge must be replaced and in place preservation is not feasible, give full consideration and financial assistance to relocating and rehabilitating the historic bridge as a part of the replacement project;

d. Develop and implement a program to encourage relocation and reuse of bridges of historic age that cannot be preserved in place or used on another location by the state or county;

e. Provide a financial incentive by offering demolition savings on all relocation and reuse of bridges of historic age;

f. Develop a list of historic roads and bridges that can be preserved. The list should include the variety available to reflect Montana highway construction history, while considering current condition and use. The list should be presented to and discussed with managing units to solicit their cooperation and/or participation in the preparation of the HPP; and

g. Devise a program to pursue the preservation of the state's representative and outstanding examples of road and bridge technology. A list of historic roads and bridges shall be preserved will be developed to implement this program, given currently known commitments to do so by property managers and subject to change by obtaining future commitments for other properties covered by this Agreement.

3. The HPP will not include information developed in Part A. above, narrative histories, but will be guided by and used in conjunction with Part A. above, and will be distributed to the same parties.

4. MDOH will prepare a report annually on its implementation of the HPP, and provide this report to the FHWA, the SHPO, and the ACHP for review, comment, and consultation as needed.

C. Other Legal and Administrative Concerns

1. FHWA will continue to inventory, evaluate and seek determinations of eligibility, and fully comply with 36 CFR 800 for all undertakings with the potential to affect historic properties besides roads and bridges which are hereby excluded from such consideration.

2. The MSHPO, and the ACHP may monitor FHWA and MDOH activities to carry out this PA, by notifying FHWA in writing of their concerns and requesting such information as necessary to permit either or both MSHPO and ACHP to monitor the compliance with the terms of this Agreement. FHWA will cooperate with the SHPO, and the ACHP in carrying out their monitoring and review responsibilities.

3. FHWA will carry out the existing MOA's to preserve or record historic bridges that are now scheduled for replacement.

4. If a dispute arises regarding implementation of this PA, FHWA will consult with the objecting party to resolve the dispute. If any consulting party determines that the dispute cannot be resolved, FHWA will request further comments of the ACHP.

5. During any resolution of disagreements on the PA, and/or in the event MDOH does not carry out the terms of the PA, FHWA will carry out the procedures outlined in 36 CFR 800 for all undertakings otherwise covered by this agreement.

Execution of this PA evidences that FHWA has afforded the ACHP a reasonable opportunity to comment on FHWA's program to construct and improve Montana highways when those undertakings affect historic roads and bridges, and that FHWA has taken into account the effects of these undertakings on significant historic roads and bridges.

BY: FEDERAL HIGHWAY ADMINISTRATION

[Roger K. Scott] [May 11, 1989]
Roger K. Scott Date
Division Administrator

BY: MONTANA STATE HISTORIC PRESERVATION OFFICER

[Marcella Sherfy] [May 11, 1989]
Marcella Sherfy, MSHPO Date

BY: ADVISORY COUNCIL ON HISTORIC PRESERVATION

[Robert D. Bush] [June 1, 1989]
Executive Director Date

CONCUR
BY: MONTANA DEPARTMENT OF HIGHWAYS

[Stephen C. Kologi] [May 11, 1989]
Stephen C. Kologi, P.E., Chief Date
Preconstruction Bureau

Amendment To The Programmatic Agreement Regarding Historic Roads and Bridges In Montana

We are hereby amending the following stipulations in the Programmatic Agreement.

A. For Public Education

1. In the third sentence December 1, 1990 becomes December 1, 1992. In the fourth sentence, May 1, 1991 becomes May 1, 1993.

5. December 1, 1991 becomes December 1, 1993.

B. For Historic Road and Bridge Preservation

1. September 1, 1991 becomes September 1, 1993 and December 1, 1991 becomes December 1, 1993.

By: Federal Highway Administration

[D. C. Lewis for] _____ Date [February 27, 1992] _____
Hank Honeywell
Division Administrator

By: Montana State Historic Preservation Officer

[Marcella Sherfy] _____ Date [February 27, 1992] _____
Marcella Sherfy, MSHPO

By: Advisory Council on Historic Preservation

[Robert D. Bush] _____ Date [March 16, 1992] _____
Robert D. Bush, Executive Director

Concur
By: Montana Department of Transportation

[Edrie Vinson] _____ Date [February 25, 1992] _____
Edrie Vinson
Environmental & Hazardous Waste Bureau

Appendix 11. Programmatic Agreement Implementing the Roads and Bridges Preservation Plan

PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
AND
THE MONTANA STATE HISTORIC PRESERVATION OFFICE
AFFECTING HISTORIC ROADS AND BRIDGES
IN MONTANA

WHEREAS, the Federal Highway Administration, Montana Division (FHWA), proposes to make Federal funding available to the Montana Department of Transportation (MDT) for that agency's ongoing program to construct or rehabilitate highways and bridges, and

WHEREAS, the FHWA has determined that this federally-assisted program may have an effect upon a certain class of properties included in or eligible for inclusion on the National Register of Historic Places and has consulted with the Advisory Council on Historic Preservation (Council) and the Montana State Historic Preservation Office (SHPO) pursuant to Section 800.13 of the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C.470f); and

WHEREAS, the FHWA and the MDT have developed a Historic Preservation Plan regarding roads and bridges and that document has been subject to review under 36 CFR 800.13 and has been agreed to by FHWA, SHPO and the Council; and

WHEREAS, the MDT participated in the consultation and has been invited to concur in this Programmatic Agreement;

NOW THEREFORE, the FHWA, the Council, and the Montana SHPO agree that the program addressed in this Programmatic Agreement shall be administered in accordance with the following stipulations to satisfy the FHWA's Section 106 responsibility for all individual undertakings of the program.

Stipulations

The FHWA will ensure that the following measures are carried out:

1) The FHWA and MDT will implement the Roads and Bridges HPP in lieu of compliance with 36 CFR §§ 800.4 through 800.6.

2) This Programmatic Agreement will remain in force for as long as the roads and bridges HPP is in force or unless Stipulation 9 of this Agreement is invoked.

3) FHWA will carry out the existing MOA's to preserve or record historic bridges that are now scheduled for replacement.

4) The MDT will prepare a report annually on its implementation of the HPP, and provide this report to the FHWA, Montana SHPO and the Council for review, comment and consultation as needed.

5) The Council and the SHPO may monitor activities carried out pursuant to this Programmatic Agreement, and the Council will review such activities if so requested by a signatary to this Agreement or by a member of the public. FHWA will cooperate with the Council and the SHPO in carrying out their monitoring and review responsibilities as stipulated in 36 CFR 800.13

6) Any party to this Programmatic Agreement may request that it be amended, whereupon the parties consult in accordance with 36 CFR 800.13 to consider such an amendment.

7) Any party to this Programmatic Agreement may terminate it by providing, in writing, forty-five (45) days notice to the other parties, provided that the parties will consult during the period prior to termination to seek arrangement on amendments or other actions that would avoid termination. In the event of termination, FHWA will comply with 36 CFR Part 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

8) Should the Montana SHPO object within sixty (60) days to any stipulation pursuant to this Historic Preservation Plan, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

    1. provide the FHWA and Montana SHPO with recommendations, which the FHWA and Montana SHPO will take into account in reaching a final decision regarding the dispute; or

    2. notify the FHWA and Montana SHPO that it will comment pursuant to 36 CFR § 800.6(b), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the FHWA and Montana SHPO in accordance with 36 CFR § 800.6(c)(2) with reference only to the subject of the dispute; the FHWA and MDT's responsibility to carry out all actions under this Historic Preservation Plan that are not the subjects of the dispute will remained unchanged.

9) In the event that the FHWA does not carry out the terms of this Programmatic Agreement, the FHWA will comply with 36 CFR Sections 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

Execution and implementation of this Programmatic Agreement evidences that the FHWA has satisfied its Section 106 responsibilities for all individual undertakings of the program.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: 7/17/97

MONTANA DIVISION, FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: 7-9-97

MONTANA STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: 7-8-97

CONCUR

MONTANA DEPARTMENT OF TRANSPORTATION

By: _____ Date: 7/8/97

Montana Department of Transportation

INITIAL ASSESSMENT FORM FOR STRUCTURE :

L38202022+08001

Location : 2M E POWDERVILLE Structure Name: POWDERVILLE BRIDGE

General Location Data

District Code, Number, Location : **04** **Dist 4** **GLENDIVE**
Division Code, Location : **43** **MILES CITY**
County Code, Location : **075** **POWDER RIVER**
City Code, Location : **00000** **RURAL AREA**
Kind fo Hwy Code, Description : **4** **4 County Hwy**
Signed Route Number : **38202**
Str Owner Code, Description : **2** **County Highway Agency**
Maintained by Code, Description : **2** **County Highway Agenc**
Intersecting Feature : **BIG POWDER RIVER** **016**
Kilometer Post, Mile Post : **36.69 km** **22.75**
Structure on the State Highway System : ☐ Latitude : **45°45'06"**
Structure on the National Highway System : ☐ Longitude : **105°05'18"**
Str Meet or Exceed NBIS Bridge Length : ☒

Traffic Data

Current ADT : **100** ADT Count Year : **2003** Percent Trucks : **3 %**

Construction Data

Construction Project Number : **WPSO 358**
Construction Station Number : **0+00.00**
Construction Drawing Number : **1820**
Construction Year **1938**
Reconstruction Year : **1978**

Structure Loading, Rating and Posting Data

Loading Data :

Design Loading :		1 M 9 (H 10)
Inventory Load, Design :	10.8 mton	2 AS Allowable Stress
Operating Load, Design :	27.2 mton	2 AS Allowable Stress
Posting :		5 At/Above Legal Loads

Rating Data :

	Operating	Inventory	Posting
Truck Type 1 :	29	14	15
Truck Type 2 :	34	16	
Truck Type 3 :	40	19	

Structure, Roadway and Clearance Data

Structure Deck, Roadway and Span Data :

Structure Length : **151.49 m**
Deck Area : **831.00 m sq**
Deck Roadway Width : **5.18 m**
Approach Roadway Width : **6.71 m**
Median Code, Description : **0 No median**

Structure Vertical and Horizontal Clearance Data :

Vertical Clearance Over the Structure : **99.99 m**
Reference Feature for Vertical Clearance : **N Feature not hwy or RR**
Vertical Clearance Under the Structure : **0.00 m**
Reference Feature for Lateral Underclearance : **N Feature not hwy or RR**
Minimum Lateral Under Clearance Right : **0.00 m**
Minimum Lateral Under Clearance Left : **0.00 m**

Span Data

Main Span

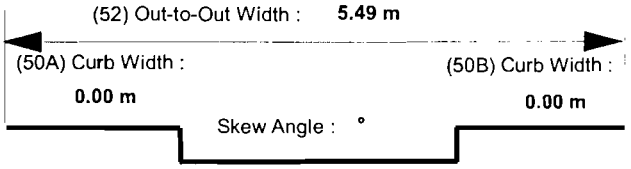
Number Spans : **3**
Material Type Code, Description : **4 Steel continuous**
Span Design Code, Description : **3 Girder and Floorbeam System**

Deck

Deck Structure Type : **8 Wood or Timber**
Deck Surfacing Type : **6 Bituminous**
Deck Protection Type : **0 None**
Deck Membrain Type : **0 None**

Approach Span

Number of Spans : **8**
Material Type Code, Description : **3 Steel**
Span Design Code, Description : **2 Stringer/Multi-beam or Girder**



Structure Vertical and Horizontal Clearance Data Inventory Route :

Over / Under Direction Name	Inventory Route	South, East or Bi-directional Travel			North or West Travel		
		Direction	Vertical	Horizontal	Direction	Vertical	Horizontal
Route On Structure	L38202	Both	99.99 m	5.47 m	N/A		

Montana Department of Transportation

INITIAL ASSESSMENT FORM FOR STRUCTURE :

L38202022+08001

Continue

Inspection Data

Sufficiency Rating · **38.2**
Health Index · **89.32**
Structure Status :**Struc Def - Elg Repl**

Inspection Due Date : 11 February 2007
(91) Inspection Fequency (months) · **24**
Next Fracture Critical Due Date · ***11 Feb 2007***
Fracture Critical Detail · **1 or 2 Stl-girder systms**

Next Under Water Insp · ***01 Jan 1901***
Under Water Insp Type **None**
Next Other Insp Due Date : ***01 Jan 1901***
Other Insp Type · **No Oth Inps**

NBI Inspection Data

(90) Date of Last Inspection : 11 February 2005
(90) Inspection Date :
Last Inspected By : David Bacon - 84
Inspected By :

(58) Deck Rating :	2	(68) Deck Geometry :	7	(36C) Approach Rail Rating :	N	(62) Culvert Rating :	N
(59) Superstructure Rating :	6	(67) Structure Rating :	4	(36A) Bridge Rail Rating :	0	(61) Channel Rating :	6
(60) Substructure Rating :	5	(69) Under Clearance :	N	(36B) Transition Rating :	N	(71) Waterway Adequacy :	6
(72) App Rdwy Align :	4	(41) Posting Status :	P	(36D) End Rail Rating :	0	(113) Scour Critical :	U

Unrepaired Spalls : 0 m sq
Deck Surfacing Depth : 1.00 in

Inspection Hours

Crew Hours for inspection : 2.5
Helper Hours : -1
Special Crew Hours : -1
Special Equipment Hours : -1

Snooper Required : Y
Snooper Hours for inspection : 1
Flagger Hours : 1

Inspection Work Candidates

Candidate ID	Date Requested	Status	Priority	Effected Structure Unit	Scope of Work	Action	Covered Condition States

No Inspection Work Canadates

INITIAL ASSESSMENT FORM FOR STRUCTURE :

L38202022+08001

Continue

Element Inspection Data

********** Span : **Main-0 - Spans 7, 8 & 9** **********

Element Description

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 55 - Timber Slab/AC Ovly										
	1	1	600	sq.m.	X	0 %	0 %	100 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Large amounts of a/c overlay is breaking up and falling out.
11/21/2000 - Same as last insp.
01/28/1999 - Decking is loose,rotting and breaking. (see photo) A/C overlay is cracking and breaking up.

Inspection Notes:

Element 107 - Paint Stl Opn Girder										
	1	1	219	m.		95 %	5 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Same as last insp.
11/21/2000 - Same as last insp.
01/28/1999 - Paint peeling in areas.

Inspection Notes:

Element 152 - Paint Stl Floor Beam										
	1	1	308	m.		100 %	0 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - None
02/27/2003 - None
11/21/2000 - None
01/28/1999 - _

Inspection Notes:

Element 181 - Pnt Vrt X-Frame										
	1	1	99	m.		100 %	0 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - None
02/27/2003 - None
11/21/2000 - None
01/28/1999 - _

Inspection Notes:

*********** Span : **Main-0 - Spans 7, 8 & 9 (cont.)** ***********

Element Description

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 210 - R/Conc Pier Wall										
	1	2	27	m.		30 %	30 %	40 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Same as last report.
11/21/2000 - Comments same as last insp.
01/28/1999 - Pier 10 and 7 has excessive spalling and scaling.(see photo) Pier 9 has deep vertical cracks.

Inspection Notes:

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 311 - Moveable Bearing										
	1	1	8	ea.		50 %	50 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Same comments as last report.
11/21/2000 - Same as last insp.
01/28/1999 - Nuts on rocker bolts are loose at pier 6. Rockers at piers 4 and 9 are tipped beyond limits causing anchor bolts to bend._

Inspection Notes:

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 313 - Fixed Bearing										
	1	1	4	ea.		100 %	0 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - None
02/27/2003 - None
11/21/2000 - None
01/28/1999 - _

Inspection Notes:

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 332 - Timb Bridge Railing										
	1	1	219	m.		70 %	30 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Numerous broken rail post.
11/21/2000 - None
01/28/1999 - Curbing pulling away from decking.Cracking of rail planks and post.

Inspection Notes:

INITIAL ASSESSMENT FORM FOR STRUCTURE :

L38202022+08001

Continue

********** Span : **Main-0 - Spans 7, 8 & 9 (cont.)** **********

Element Description

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 361 - Scour Smart Flag										
X	1	1	1	ea.	X	0 %	100 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Large scour holes under spans 4,5,6 and 7.
11/21/2000 - SCOUR STILL PRESENT.
01/28/1999 - Structure doesn't line up with moving river flow.

Inspection Notes:

********** Span : **Appr-1 - Timber Spans** **********

Element Description

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 32 - Timber Deck/AC Ovly										
	1	1	167	sq.m.	X	0 %	0 %	100 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported. Also the county has been on the structure replaceing areas of the decking.
02/27/2003 - Same as last insp.
11/21/2000 - deck still in poor shape.
01/28/1999 - Decking is cracking and breaking down. A/C overlay has large potholes.

Inspection Notes:

Element 111 - Timber Open Girder

	1	1	274	m.		85 %	10 %	5 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Same as last insp.
11/21/2000 - Same conditions as last insp.
01/28/1999 - (span 3) 2nd and 3rd from lt has light diagonal cracks, 6th lt is starting to rot at top. (span 5) 3rd rt has diagonal break. All outside stringers are cracking. Numerous other stringers are weathered and has shrink checks.

Inspection Notes:

INITIAL ASSESSMENT FORM FOR STRUCTURE :

L38202022+08001

Continue

********** Span : **Appr-1 - Timber Spans (cont.)** **********

Element Description

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 206 - Timber Column										
	1	2	30	ea.		80 %	20 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Light to moderate cracks in numerous piling.
11/21/2000 - None
01/28/1999 - _

Inspection Notes:

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 231 - Paint Stl Cap										
	1	1	6	m.		100 %	0 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - None
02/27/2003 - None
11/21/2000 - _

Inspection Notes:

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 235 - Timber Cap										
	1	1	17	m.		90 %	10 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Some shrinkage cracks in all timber caps.
11/21/2000 - None
01/28/1999 - _

Inspection Notes:

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 311 - Moveable Bearing										
	1	1	2	ea.		100 %	0 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - None
11/21/2000 - None
01/28/1999 - _

Inspection Notes:

********** Span : **Appr-1 - Timber Spans (cont.)** **********

Element Description

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 332 - Timb Bridge Railing										
	1	1	61	m.		70 %	30 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Numerous broken rail post.
11/21/2000 - Same as last insp.
01/28/1999 - Railing and post has cracking occurring.

Inspection Notes:

********** Span : **Appr-2 - I-Beam Span** **********

Element Description

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 32 - Timber Deck/AC Ovly										
	1	1	125	sq.m.	X	0 %	0 %	100 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Decking is bad shape. The county forces have been on the structure replacing some of the decking.
02/27/2003 - Same as last report.
11/21/2000 - Same as last insp.
01/28/1999 - Timber decking is cracking and breaking down.

Inspection Notes:

Element 106 - Unpnt Stl Opn Girder

	1	1	122	m.		0 %	100 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - Slight downward movement,appox.11/2" spans 1 and 2.
11/21/2000 - Steel members are rusting and pitting.

Inspection Notes:

Element 107 - Paint Stl Opn Girder

	1	1	61	m.		100 %	0 %	0 %	0 %	0 %

Previous Inspection Notes :

02/11/2005 - Same as previously reported.
02/27/2003 - None
11/21/2000 - None
01/28/1999 - _

Inspection Notes:

INITIAL ASSESSMENT FORM FOR STRUCTURE :

L38202022+08001

Continue

********** Span : Appr-2 - I-Beam Span (cont.) **********

Element Description

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 152 - Paint Stl Floor Beam										
	1	1	6	m.		100 %	0 %	0 %	0 %	0 %

Previous Inspection Notes

02/11/2005 - None
02/27/2003 - None
11/21/2000 - None
01/28/1999 - _

Inspection Notes:

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 206 - Timber Column										
	1	2	13	ea.		85 %	15 %	0 %	0 %	0 %

Previous Inspection Notes

02/11/2005 - Same as previously reported.
02/27/2003 - Same as last insp.
11/21/2000 - Same as last insp.
01/28/1999 - RT outside pile at bent 3 has deep vertical crack.

Inspection Notes:

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 216 - Timber Abutment										
	1	2	22	m.		70 %	30 %	0 %	0 %	0 %

Previous Inspection Notes

02/11/2005 - Same as previously reported.
02/27/2003 - 2 broken backing planks.
11/21/2000 - Backing planks has cracking occurring.

Inspection Notes:

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 235 - Timber Cap										
	1	1	22	m.		100 %	0 %	0 %	0 %	0 %

Previous Inspection Notes

02/11/2005 - Same as previously reported.
02/27/2003 - Slight shrinkage cracks.
11/21/2000 - None
01/28/1999 - _

Inspection Notes:

********** Span : **Appr-2 - I-Beam Span (cont.)** **********

Element Description

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 311 - Moveable Bearing										
	1	1	2	ea.		100 %	0 %	0 %	0 %	0 %

Previous Inspection Notes

02/11/2005 - Same as previously reported.
02/27/2003 - None
11/21/2000 - None
01/28/1999 - _

Inspection Notes:

Smart Flag	Scale Factor	Env	Quantity	Units	Insp Each	Pct Stat 1	Pct Stat 2	Pct Stat 3	Pct Stat 4	Pct Stat 5
Element 332 - Timb Bridge Railing										
	1	1	46	m.		60 %	30 %	10 %	0 %	0 %

Previous Inspection Notes

02/11/2005 - Same as previously reported.
02/27/2003 - Same as last insp.
11/21/2000 - Rail and post at east end of structure has vehickle damage and is down.
01/28/1999 - Railing and post are cracking in areas_

Inspection Notes:

INITIAL ASSESSMENT FORM FOR STRUCTURE :

L38202022+08001

Continue

General Inspection Notes

02/11/2005 - None

02/27/2003 - None

11/21/2000 - Comments same as last insp.

01/28/1999 - Structure in a horizontal and vertical curves, and in T intersection.

11/18/1996 - Sufficiency Rating Calculation Accepted by ops$u5963 at 1/12/98 10:18:40
Sufficiency Rating Calculation Accepted by ops$a0241 at 9/4/97 14:02:56
OPS$A0241 inspection comments -
Structure L38202022+08001 -
Date 11/18/96 -
Previous comments > Sufficiency Rating Calculation Accepted by ops$u5963 at 3/11/97 08:51:21
Sufficiency Rating Calculation Accepted by ops$u9004 at 2/19/97 14:55:13

12/01/1994 - Sufficiency Rating Calculation Accepted by ops$u5963 at 3/11/97 08:51:21
Sufficiency Rating Calculation Accepted by ops$u9004 at 2/19/97 14:55:13

09/01/1992 - Updated with tape 1994

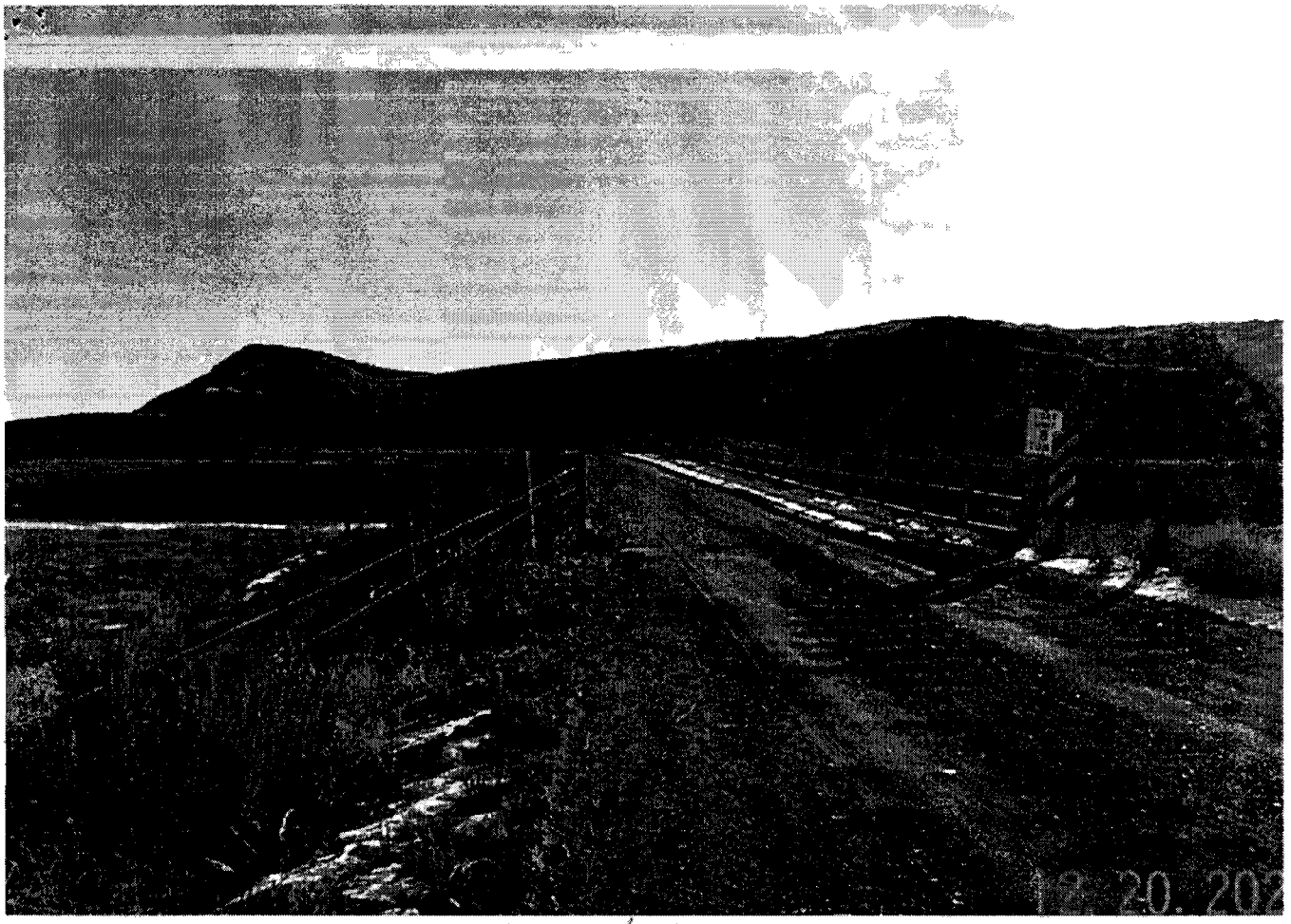
02/01/1991 - Updated with tape 1993

09/01/1988 - Updated with tape 1991

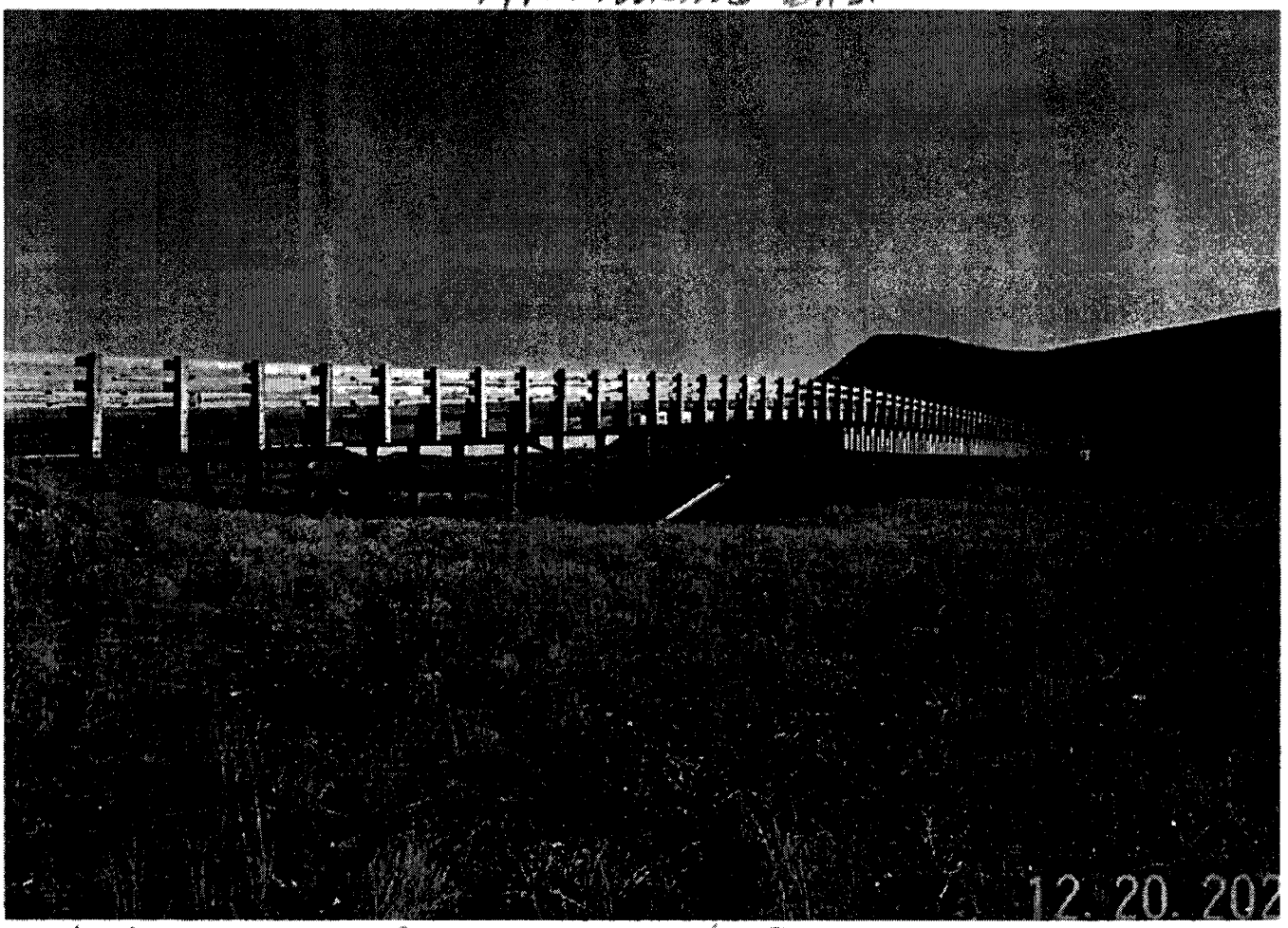
01/01/1986 - Updated with tape 1988

01/01/1984 - Updated with tape 1985

07/01/1981 - Updated with tape 1984



APPR. LOOKING EAST



L38202 022+08001 Big Powder River

PROFILE UPSTREAM OPENING

20050240

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

Jim Lynch, Director
Brian Schweitzer, Governor

February 10, 2005

Mark Baumler
State Historic Preservation Office
1410 East 8th Avenue
P.O. Box 201202
Helena, MT 59620

CONCUR
MONTANA SHPO
DATE 28 Feb 05 SIGNED

Subject: **Big Powder River – 3 KM East of Powderville**
BR 9038(10)
Control Number 5436

Dear Mark,

Enclosed for your review and comment is a cultural resource inventory report produced by Dave Ferguson of GCM Services, in Butte.

The only property in the area of potential effect is **24PR2423**, the Powderville Bridge, itself. The bridge falls under MDT's Programmatic Memorandum of Agreement regarding historic roads and bridges.

If you have questions about this matter please contact me at 406-444-0455 or splatt@state.mt.us.

Steve Platt, Archaeologist
Environmental Services

Cc: Bonnie Steg, Supervisor, Resources & Permitting

file: MDT/2005

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

NRCS-CPA-106 (Rev. 1-91)

MASTER FILE COPY

PART I *(To be completed by Federal Agency)*	3 Date of Land Evaluation Request	4 Sheet 1 of 1
1. Name of Project **POWDER R-3KM E POWDERVILLE**	5 Federal Agency Involved **Dept. of Transportation-Federal Highway Administration**	
2. Type of Project **bridge replacement**	6 County and State **Powder River and Montana**	
PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS	2. Person Completing Form
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES ☐ NO ☐	4. Acres Irrigated	Average Farm Size
5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: %	7. Amount of Farmland As Defined in FPPA Acres: %
8. Name Of Land Evaluation System Used	9 Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS

PART III *(To be completed by Federal Agency)*	Maximum Points	Alternative Corridor For Segment N/A Corridor A	Corridor B	Corridor C	Corridor D
A Total Acres To Be Converted Directly		1			
B Total Acres To Be Converted Indirectly, Or To Receive Services		0			
C Total Acres In Corridor		3±	0	0	0
PART IV *(To be completed by NRCS) Land Evaluation Information*					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide And Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*					
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))*					
1 Area in Nonurban Use	15	15			
2. Perimeter in Nonurban Use	10	10			
3. Percent Of Corridor Being Farmed	20	8			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	0			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availablility Of Farm Support Services	5	0			
8. On-Farm Investments	20	1			
9. Effects Of Conversion On Farm Support Services	25	1			
10. Compatibility With Existing Agricultural Use	10	0			
TOTAL CORRIDOR ASSESSMENT POINTS	160	35	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland (From Part V)	100	100			
Total Corridor Assessment (From Part VI above or a local site assessment)	160	35	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	135	0	0	0

1 Corridor Selected.	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used?
A	1.1 (est.)	21-Aug-06	YES ☐ NO ☑

5. Reason For Selection:

Under the provisions of 7 CFR 658.4(c), part (2) "(s)ites receiving a total score of less than 160" (will) "be given a minimal level of consideration for protection and no additional sites" (need) "be evaluated." Note: acreage amounts for "Part III. A." & "C." are estimated.

Signature of Person Completing this Part: [signature] DATE 21-Aug-06

NOTE: Complete a form for each segment with more than one Alternate Corridor

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?
More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?
More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?
More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?
Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with $1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?
Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?
All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?
High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?
Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?
Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

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ENVIRONMENTAL MONTANA DIVISION

"NATIONWIDE" *SECTION 4(f)* EVALUATION FOR HISTORIC BRIDGES

Project № **BR 9038(10)**, (PPMS-OPX2 C#5436) Name: POWDER R-3KM E POWDERVILLE
Description: 6 m (19.7 ft.) wide x 151.2 m (496 ft.) 11-span SMB & TS (site № 24PR2423)
Location: 43.2 km's (26.8 miles) NNE of (downstream from) Broadus, NE Powder River Co.

This proposed project requires use of a historic bridge structure that is on, or eligible-for listing on the NATIONAL REGISTER OF HISTORIC PLACES. A description and location map of this proposed bridge replacement project is attached.

Note: A response in a box requires additional information, and *may* result in an individual evaluation or statement. Consult the "Nationwide" *Section 4(f)* Evaluation procedures.

		Yes	No
1.	Is the bridge a NATIONAL HISTORIC LANDMARK?	☐	X
2.	Have agreements been reached through procedures in accordance with *Section 106* of the *National Historic Preservation Act* with the following:		
	a) STATE HISTORIC PRESERVATION OFFICE (SHPO)?	X	☐
	b) Advisory Council on Historic Preservation (ACHP)?	X	☐
3.	Any other agency or agencies with jurisdiction at this location?	X	___
	a) If "Yes" will additional approvals for this *Section 4(f)* application be required?	☐	X
	b) List of agencies with jurisdiction at this location:		
	USA - Corps of Engineers (*Section 404* permit)	X	___
	USDA - Forest Service	☐	X
	USDA - Natural Resource Conservation Service (former SCS, *FPPA* "**TOTAL POINTS**"<160 on Farmland Conversion Impact Rating form № CPA-106)	X	___
	FEMA Regulatory Floodway	☐	X
	MFW&P - Parks Division	☐	X
	MFW&P - Wildlife Division	☐	X
	MFW&P - Fisheries Division (***124SPA*** permit)	X	___
	MDNR&C - ELO (parcels, navigable rivers under state law, and/or irrigation system intakes from "state waters")	☐	X
	MDEQ - Permitting & Compliance Division (MPDES authorization)	X	___
	MDEQ - Planning, Prevention & Assistance Division (TMDL's)	☐	X
	Other: Powder River County	X	___

(continues on next page)

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Note: A response in a box requires additional information, and *may* result in an individual evaluation or statement. Consult the "Nationwide" *Section 4(f)* Evaluation procedures.

Alternatives & Findings

The following Alternatives have each been evaluated under *Section 106* of the *National Historic Preservation Act* (*NHPA*, **16 U.S.C. 470f**) to avoid "use" of the historic bridge:

1. "Do Nothing."
2. Rehabilitate the existing bridge without affecting the historic integrity of the structure in accordance with the provisions of *Section 106* in the *NHPA*.
3. Construct the proposed bridge at a location where the existing historic structure's integrity will not be affected as determined by the provisions of the *NHPA*.

The preceding Alternatives have been applied in accordance with the "Nationwide" Programmatic *Section 4(f)* Evaluation, and are supported by each of the following Findings:

	Yes	No
1. The "Do-Nothing" Alternative has been evaluated, and has been found to ignore the basic transportation need at this location.	X	☐
This Alternative is neither feasible nor prudent for the following reasons:		
a) Maintenance — this Alternative does not correct structurally deficient conditions and/or poor geometrics (clearances, approaches, visibility restrictions) found at the existing bridge. Any of these factors can lead to a sudden catastrophic collapse, and/or a potential injury including loss of life. Normal maintenance will not change this situation.	X	☐
b) Safety — this Alternative also does not correct the situation(s) that cause(s) the existing bridge to be considered deficient. Due-to these deficiencies, the existing bridge presents serious and unacceptable safety hazards to the travelling public and/or places intolerable restrictions (gross vehicle weight, and/or vehicle width) on transport.	X	☐
A copy of the MDT Bridge Bureau's Inspection Report is attached.	X	☐
2. The rehabilitation Alternative has been evaluated through one or more of the following Findings:	X	☐
a) The existing bridge's structural deficiency is such-that it cannot be rehabilitated to meet minimum acceptable load and traffic requirements without adversely affecting the structure's historic integrity.	X	☐
b) The existing bridge's geometrics (height, width) cannot be changed without (also) adversely affecting the structure's historic integrity.	X	☐
c) This Alternative does not correct the serious restrictions on visibility (approach geometrics, structural locations) that also contributes-to an unsafe condition at this location.	X	☐

(concludes-on next page)

Project № **BR 9038(10)**, (PPMS-OPX2 C#5436) Name: POWDER R-3KM E POWDERVILLE
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Location: 43.2 km's (26.8 miles) NNE of (downstream from) Broadus, NE Powder River Co.

Note: A response in a box requires additional information, and *may* result in an individual evaluation or statement. Consult the "Nationwide" *Section 4(f)* Evaluation procedures.

	Yes	No
(2. Rehabilitation Alternative – conclusion:)		
Is this rehabilitation Alternative therefore considered to be feasible and/or prudent based-on the previous page's results?	☐	X
3. The relocation Alternative, in which the new bridge would be moved-to a site that presents no adverse effect upon the existing structure has also been considered under the following Findings:	X	☐
a) Terrain and/or local geology. The present structure is located at the only feasible and/or prudent site for a bridge on the existing route. Relocating to a new site — either up, or downstream of the preferred location — will result in extraordinary bridge/approach engineering and associated construction costs.	___	X
Local geologic conditions are such-that any other place in the general vicinity of the preferred site is not prudent.	___	X
Any other location would cause extraordinary disruption to existing traffic patterns.	___	X
b) Significant social, economic and/or environmental impacts. Locating the proposed bridge in other-than the preferred site would result in significant social/economic impacts such as the displacement of families, businesses, or severing of Important Farmlands.	X	___
Significant environmental impacts such as the extraordinary involvement in wetlands, regulated floodplains, or habitat of Federally-listed Threatened/Endangered species are likely to occur in any location outside the preferred site.	X	___
c) Engineering and economics. Where difficulty/ies associated-with a new location are less-extreme than those listed above, the site may still not be feasible and prudent where costs and/or engineering difficulties reach extraordinary magnitudes. Would the Alternate location result in significantly increased engineering or construction costs (*e.g.*: longer span/approaches, etc.)?	___	X
d) Preservation of existing historic bridge may (also) not be possible due to either or both of the following:		
the existing structure's deteriorated beyond all reasonable possibility of rehabilitation for a transportation or alternate use; and/or	___	X
no responsible party can be located to maintain and preserve the historic structure.	X	___
Therefore, in accordance with the preceding Findings it is neither feasible nor prudent to locate the new bridge at a site other-than the proposed Alternative.	X	☐

(continues on next page)

Project № **BR 9038(10)**, (PPMS-OPX2 C#5436) Name: POWDER R-3KM E POWDERVILLE
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Measures to Minimize Harm

This "Nationwide" Programmatic *Section 4(f)* Evaluation applies only when the following Measures to Minimize Harm have been assured; an "X" in a box may void this form, and a "full" *Section 4(f)* Evaluation will then be required:

		Yes	No
1.	Is the bridge proposed to be rehabilitated?	___	X
	If "Yes" will the historic integrity of the structure be preserved to the greatest extent possible; consistent with unavoidable transportation needs, safety, and load requirements (see above response)?	___	N/A
2.	The bridge will be replaced, or rehabilitated to the point where historic integrity is affected. Is adequate documentation being (or will it be) made of the existing structure under Historic American Engineering Record standards, and/or other suitable means developed through consultation with SHPO and the ACHP?	X	☐
3.	If the bridge will be replaced, has the existing structure been made available for alternative use with a responsible party to maintain and preserve same?	X	☐
4.	If the bridge will be adversely affected, has agreement been reached through the *NHPA-Section 106* process on these Measures to Minimize Harm (to become part-of this proposed project) with the following:		
	SHPO? (Date: 28-Feb-05)	X	☐
	ACHP? (Date: 22-Oct-01)	X	☐
	FHwA? (Date: 15-Dec-03, and copy to ACHP)	X	☐
	Copies of the Programmatic Agreement and Amendments to-same as signed or approved by these agencies are (each) attached.	X	☐

Coordination

There has been additional Coordination with the following regarding this proposed project (other-than those agencies listed previously):

		Yes	No
1.	Adjacent property owners for cultural resources survey (in Dec., 2004).	X	___
2.	Local historical societies: Powder River Historical Museum in Broadus, and Range Riders Museum in Miles City (both during Dec., 2004).	X	___

Further Coordination is pending with both those preceding and the agencies previously listed-under item #1.d). Copies of letters from these agencies regarding this proposed project are attached. This proposed project is also documented as a Categorical Exclusion under *National Environmental Policy Act* (**42 U.S.C. 4321**, *et seq.*) requirements.

(concludes-on next page)

Project № **BR 9038(10)**, (PPMS-OPX2 C#5436) Name: POWDER R-3KM E POWDERVILLE
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Location: 43.2 km's (26.8 miles) NNE of (downstream from) Broadus, NE Powder River Co.

Summary & Approval
The proposed action meets all criteria regarding the required Alternatives, Findings, and Measures To Minimize Harm that will be incorporated into this proposed project. This proposed project therefore complies with the July 5, 1983 Programmatic *Section 4(f)* Evaluation by the U.S. DEPARTMENT OF TRANSPORTATION's Federal Highway Administration.

This document is both submitted pursuant-to **49 U.S.C. 303**, and in accordance with the provisions of **16 U.S.C. 470f**.

Date: 9/12/06

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

Approved: _____ Date: 9/13/06
Federal Highway Administration

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Attachments

copies: R. E. Mengel
C. C. Blackwell
K. M. Barnes
P. R. Ferry
J. H. Horton
D. S. Price
D. W. Jensen
J. A. Riley

serving you with pride

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

Jim Lynch, Director
Brian Schweitzer, Governor

September 12, 2006

Janice W. Brown, Division Administrator
Federal Highway Administration (FHWA)
585 Shepard Way
Helena, MT 59601-9785

Subject: **BR 9038(10)**
POWDER R-3KM E POWDERVILLE
Control #5436

This is to request approval of this proposed project as a Categorical Exclusion (CE) under the provisions of 23 CFR 771.117(d), and the Programmatic Agreement as signed by the MONTANA DEPARTMENT OF TRANSPORTATION (MDT) and the FHWA on April 12, 2001. Copies of its Preliminary Field Review Report and Project Location Map are attached. This proposed action also qualifies-as a CE under ARM 18.2.261 (Sections **75-1-103** and **75-1-201**, **M.C.A.**).

The following form provides the documentation required to demonstrate that all conditions are satisfied to qualify for a Programmatic Categorical Exclusion Approval (PCE) as initially agreed by the (former) MONTANA DEPARTMENT OF HIGHWAYS (MDOH) and the FHWA on December 6, 1989. (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 for a Categorical Exclusion request in accordance with 23 CFR 771.117(d).

	YES	NO	N/A	UNK
1. This proposed project would have (a) significant environmental impact(s) as-defined under 23 CFR 771.117(a).	☐	x		
2. This proposed project involves (an) unusual circumstance(s) as described under 23 CFR 771.117(b).	☐	x		
3. This proposed project involves one (or more) of the following situations where:				
A. Right-of-Way, easements, and/or construction permits are required.	x	___		
1. The context or degree of the Right-of-Way action would have (a) substantial social, economic, or environmental effect(s).	☐	x	___	
2. There is a high rate of residential growth in this proposed project's area.	___	x	___	___

(concludes-on next page)

	YES	NO	N/A	UNK
(3.A. – concluded:)				
3. There is a high rate of commercial growth in this proposed project's area.	___	x	___	___
4. Work would be on and/or within approximately 1.6 kilometers (1± mile) of an Indian Reservation.	___	x		
5. There are parks, recreational, or other properties acquired/ improved under *Section 6(f)* of the *1965 National Land & Water Conservation Fund Act* (**16 U.S.C. 460L**, *et seq.*) on or adjacent to the proposed project's area.	___	x		
The use of such *Section 6(f)* sites would be documented and compensated with the appropriate agencies (*e.g.*: MDFW&P, local entities, etc.).	___	☐	x	
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 *Section 106* of the *National Historic Preservation Act* (**16 U.S.C. 470**, *et seq.*) by the State Historic Preservation Office (SHPO), which would be affected by this proposed project.	___	x		
7. There are parks, recreation sites, school grounds, wildlife refuges, historic sites, historic bridges, or irrigation under *Section 4(f)* of the 1966 *U.S. DEPARTMENT OF TRANSPORTATION Act* (**49 U.S.C. 303**) within or adjacent-to the proposed project's area.	x	___		
a. A "Nationwide" Programmatic *Section 4(f)* Evaluation forms for this site is attached.	x	☐	___	
b. This proposed project requires a full (*i.e.*: DRAFT & FINAL) *Section 4(f)* Evaluation.	☐	x	___	
B. The activity involves work in a streambed, wetland, and/or other waterbody(ies) considered as "waters of the United States" or similar (*e.g.*: "state waters").	x	___		
1. Conditions set forth in *Section 10* of the *Rivers and Harbors Act* (**33 U.S.C. 403**) and/or *Section 404* under 33 CFR Parts 320-330 of the *Clean Water Act* (**33 U.S.C. 1251 - 1376**) will be met.	x	☐	___	
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.	___	☐	x	
3. A ***124SPA*** Stream Protection permit will be obtained from MFW&P?	x	___	___	

(concludes-on next page)

(3.B. – concluded:)

	YES	NO	N/A	UNK
4. There is a delineated floodplain in the proposed project's 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 (USDA), or the U.S. DEPARTMENT OF THE INTERIOR (USDOI).		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 USDA's Flathead National Forest (Flathead River), or USDOI'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 is compliance with the provisions of both 23 CFR 772 for FHWA's Noise Impact analyses and MDT's Noise Policy.	x	☐		
D. There would be substantial changes in access control involved with this proposed project.		x		
If so, would they result in extensive economic and/or social impacts on the affected locations?	☐	x		

(continues-on next page)

BR 9038(10)
POWDER R-3KM E POWDERVILLE
C#5436

(3. – continued:)

	YES	NO	N/A	UNK
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 made for access by local traffic, and be posted for-same.	x	☐	___	
2. Adverse effects to through-traffic dependant businesses avoided or minimized.	x	☐	___	
3. Interference to local events (*e.g.*: festivals) minimized to all possible extent.	x	☐	___	
4. Substantial controversy associated with this pending action avoided.	x	☐	___	
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.	___	x		
All reasonable measures will be taken to avoid and/or minimize substantial impacts from same.	x	☐	___	
G. The Montana Pollutant Discharge Elimination System's conditions (ARM 16.20.1314), including temporary erosion control features for construction will be met.	x	☐	___	
H. Permanent desirable vegetation with an approved seeding mixture established on exposed areas.	x	___	___	
I. Documentation of an "invasive species" review to comply with both E.O.#13112 and the *County Noxious Weed Control Act* (**7-22-21**, **M.C.A.**), including directions as-specified by the county(ies) wherein its intended work's done.	x	☐	___	
J. There are "Prime" or "Prime if Irrigated" Farmlands designated by the USDA's Natural Resources Conservation Service on or adjacent-to this proposed project's area.	x	___		
The proposed work will affect Important Farmlands, and a CPA-106 Farmland Conversion Impact Rating form has been 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	

(concludes-on next page)

	YES	NO	N/A	UNK
(3. – concluded:)				
L. A written Public Involvement Plan has been 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	___		
B. Would this proposed project result in a "jeopardy" opinion (under 50 CFR 402) from the USDOI's Fish & Wildlife Service on any Federally listed T/E Species?	☐	x	___	

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

This proposed project does 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**) under the FHWA's regulations (23 CFR 200).

In accordance with the provisions of 23 CFR 771.117(a), this pending action will not cause any significant individual, secondary, or cumulative environmental impacts. (concludes-on next page)

Therefore, the FHWA's concurrence is requested that this proposed project is properly classified as a Categorical Exclusion.

Requested: _____, Date: 9/12/06
for Thomas L. Hansen, P.E.
Engineering Specialists Section Supervisor
MDT Environmental Services Bureau

Concur: _____, Date: 9/13/06
Federal Highway Administration

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Attachments

copies: Ray E. Mengel, Administrator - MDT Glendive District (№ 4)
Kent M. Barnes, P.E. - MDT Bridge Engineer
Paul R. Ferry, P.E. - MDT Highways Engineer
John H. Horton, Jr. - MDT Right-of-Way Bureau Chief
D. Suzy Price, Chief - MDT Contract Plans Bureau
David W. Jensen, Chief - MDT Fiscal Programming Bureau
Jean A. Riley, P.E. - MDT Environmental Services Bureau Chief

Tom H

MASTER FILE COPY

Montana Department of Transportation
Helena, Montana 59620-1001

Memorandum

To: Joseph P. Kolman, P.E.
Bridge Engineer

Thru: Robert W. Modrow, P.E. RWM
Bridge Design Engineer

RECEIVED
MAR 6 2004
ENVIRONMENTAL

From: DJR Devin J. Roberts, P.E.
Glendive Bridge Area Engineer

Date: March 3, 2004

Subject: BR 9038(10)
Formerly BH 9038(10)
Big Powder R – 3 km East of Powderville
Control No. 5436
Work Type – 220: Bridge Replacement with Added Capacity

DATE REC'D 3/18/04			
ACT	INFO	BRIDGE BUREAU	INIT
	1	BRIDGE ENG.	
	2	BR. DES. ENG.	
		ADMIN ASSIST.	
		AE/MISSOULA	
		AE/BUTTE	
		AE/GT FALLS	
		AE/GLENDIVE	
		AE/BILLINGS	
		SEISMIC	
		BR. MNGT. ENG.	
		STEEL QA/QC	
		SHP DWGS	
		CADD COOR.	
		LIBRARY	
		FILE 3/8/04	

We request that you approve the following Preliminary Field Review Report.

Approved Joseph P Kolman
Joseph P. Kolman, P.E., Bridge Engineer — Date

Delivered to the Engineering Information Services Section 3/3/04 (Date) 2/AH (Initial)

We are requesting comments from the individuals on the following distribution list. We will assume concurrence if no comments are received by March 17, 2004.

Attachments

Distribution:

R.E. Mengel, Glendive District
J. Frank, Glendive District
S.S. Straehl, Rail, Transit, & Planning
J.M. Marshik, Highways & Eng. Div.
J.A. Walther, Highways & Eng. Div.
M.A. Wissinger, Construction
C.S. Peil, Preconstruction
K.M. Barnes, Materials
D.E. Williams, Traffic
P.A. Jomini, Traffic
R.B. Jackson, Geotechnical
R.E. Williams, Road Design
M.J. Murphy, Bridge
J.H. Horton, R/W
W. Scott, Utilities
D.M. Hill, Environmental
D.W. Jensen, Fiscal Programming
J. Pirre, EISS
B.A. Larsen, Survey
S.C. Sillick, Research
G. Larson, Secondary Roads
Powder River County Commissioners
Bridge File

Preliminary Field Review Report

BR 9038(10)
Big Powder R. – 3 km E of Powderville
Control No. 5436
Project Work Type – 220

Introduction

A field review for the Big Powder R. – 3 km E of Powderville project was held on August 15, 2003. The following people were present:

Ray Mengel	Glendive District
Gary Lundman	Glendive District
Danny Hood	Glendive District
Jim Davies	Road Design
Devin Roberts	Bridge Bureau
Nathan Haddick	Bridge Bureau
Seth Price	Bridge Bureau
Larry Sickerson	Environmental
Russ Brewer	Hydraulics
Gerald Brown	Oversight Bureau
Nancy Espy	Powder River County Commissioner
Bob Smith	Powder River County Road Supervisor

The following report is a summary of the input received at the field review and the intended scope of work for the project.

Proposed Scope of Work

The intent of the project is to replace the existing structure over Powder River with a new bridge. The project will include needed road work to tie to the existing PTW at each end of the bridge.

Rehabilitation was considered for this bridge. For an estimated cost of $700,000, the timber deck could be replaced, the bridge rail upgraded, and the existing piers patched. While the rehabilitation would extend the life of the bridge approximately 20 years, there are some limitations and disadvantages when compared to a full bridge replacement. The bridge was designed for H10 loading, and rehabilitation would not increase the design load carrying capacity of the bridge. The bridge would continue to provide only a single-lane capacity over a relatively large distance. Furthermore, a road closure would be necessary for a minimum of a few weeks during rehabilitation work. The shortest detour length is 85 km and runs through the town of Broadus.

A replacement bridge will increase the load carrying capacity of the route to HL-93, and widen the roadway to two lanes at this crossing. The new structure will last much longer than a rehabilitated bridge. The new bridge will be constructed on a new horizontal alignment downstream (north) of the existing alignment, allowing traffic to be maintained on the existing structure until completion of the new bridge and approaches. The new alignment will

also increase safety by improving stopping sight distance at an existing sharp corner just east of the bridge. The roadway design features will meet the criteria for low-volume off-system roads.

Project Location and Limits

The existing bridge crossing the Powder River at Powderville is located on an off-system county road approximately 3 km east of Powderville in Powder River County (T 1 S, R 54 E, SEC 17). See attached map. The terrain adjacent to the project is level and is used primarily for grazing and dryland farming. The off-system road provides local access to the greater transportation network. We do not believe that the proposed project will alter existing traffic volumes or characteristics. We also do not anticipate that the use of the land adjacent to the project will change in the foreseeable future.

We intend to construct the new bridge on an offset alignment. This new alignment will be placed north of the existing structure, which will better align the east roadway with the new structure. The use of an offset structure at this location will ensure the road will not have to be closed, as traffic will be able to use the existing bridge as a detour while the new bridge is being constructed. The geometrics of the site preclude the use of the new bridge being placed on the south side of the existing structure.

The no-build alternative is not feasible, because of the structural deficiency of the existing bridge. If the bridge is not replaced, it will reduce the effectiveness of the route as a transportation facility, as well as potentially creating safety problems for the traveling public.

The existing roadway was built by county forces and although plans for the bridge itself were located, no as-builts for the road approaches to the bridge could be found.

The project length will depend primarily on the amount of earthwork on the east end of the project required to achieve standard stopping sight distance as there currently is a small knoll which will need to be cut down to obtain proper stopping sight distance. The west end of the project will tie into the existing roadway. The project length is estimated to be 2 km.

Physical Characteristics

The largest structural deficiency is the condition of the timber decking, which is loose, rotting, and breaking apart in places. Some of the timber stringers have large cracks. A large amount of concrete spalling and scaling is evident on the piers. Many of the timber piles have rotting and deep cracks.

The project segment of the existing roadway was constructed by county forces, and no as-built plans are available. The roadway has minimal gravel surfacing. The top width measured in the field is 5.5 m. Without as-builts or survey it is impossible to know the grades on the existing road alignment. The existing fill slopes appeared to be 1:1 and 2:1.

The bridge is located on a horizontal tangent. The road over the bridge makes a sharp turn at a T-intersection with another county road a few meters past the east abutment. The west approach spans are on a +6.00% grade. The roadway transitions over a crest vertical curve to a level grade at the main spans and through the east end of the bridge.

General Information - Existing Bridge

Year Built	1938
Year Partially Rebuilt	1978
Length, m	160.0
Width (Curb to Curb), m	5.18
Number of Spans	11
Span Lengths, m	6@7.62; 3@30.48; 1@14.63; 1@7.65
Bridge Rail Type	Timber
Deck Type	Timber
Beam Type	Timber; Steel
Substructure Type	Timber Piles; Concrete Piers
Sufficiency Rating	38.2
Structure Status	Structurally deficient and eligible for replacement
Posting	15 T
Urban / Rural Location	Rural
Vertical Clearance	Unlimited

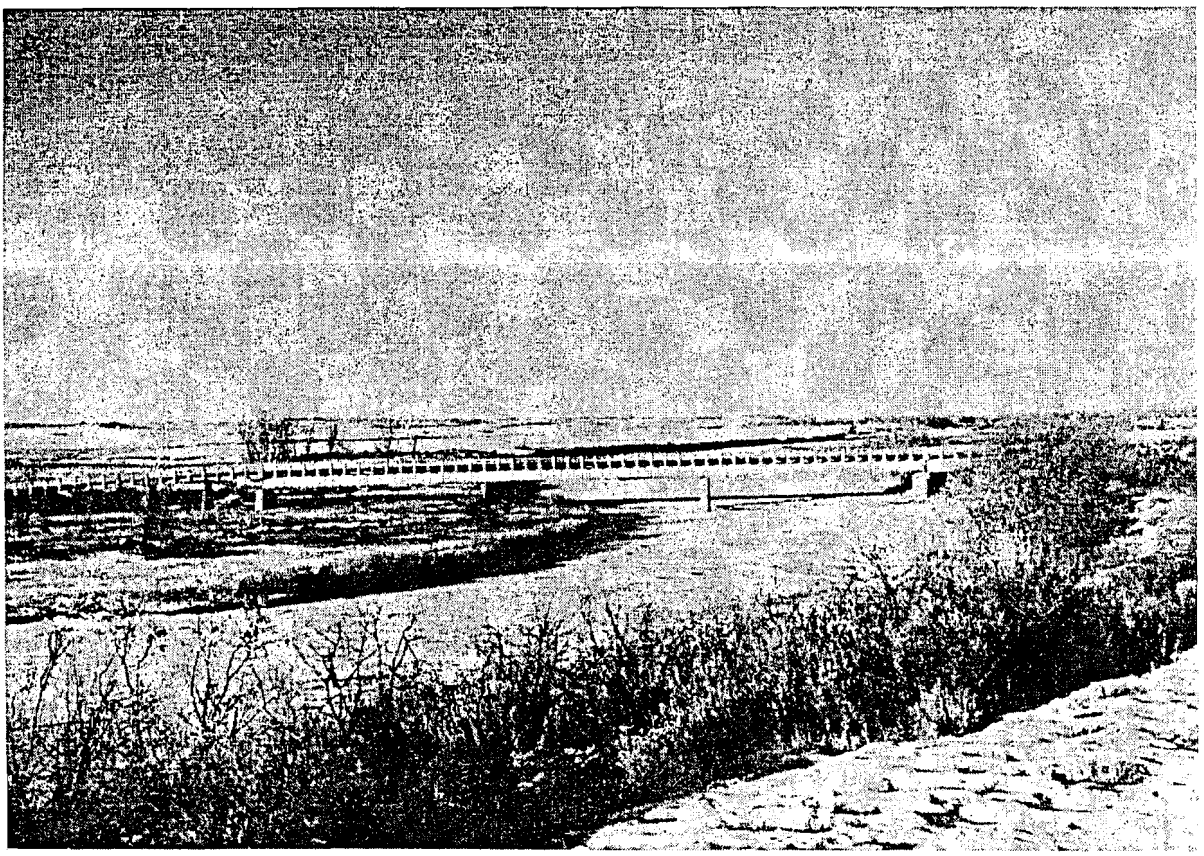


Photo of the existing bridge, facing northeast.

Traffic Data

2004	ADT =	40	Present
2008	ADT =	40	Letting year
2028	ADT =	50	Design year
	DHV =	10	
	D =		
	T =	20.0%	
	EAL =	3	
	AGR =	1.0%	

Accident History

A computer accident record search was conducted for October 1, 1993 through September 30, 2003. There were no recorded crashes on or near the subject structure during the ten-year study period according to the Transportation Information System.

Major Design Features

Functional Classification

This off-system county road serves as a minor collector.

Design Speed

The design speed for low volume off-system gravel roads is 70 km/h. We anticipate that all design features will meet the criteria for a 70 km/h design speed. There is no posted speed limit in the vicinity of the project.

Horizontal and Vertical Alignments

We recommend the new structure be constructed north of the existing horizontal alignment. We propose the new alignment provide the desirable SSD for a 70 km/h design speed. See attached map for approximate new horizontal alignment.

Typical Sections

The new bridge will provide an 8.4 m roadway width from face of rail to face of rail. This will consist of 2-600mm shoulders and 2-3600mm travel lanes. Standard T-101 railing will be used on the bridge, with standard bridge approach sections and terminal end sections on the road.

We recommend that the road approaches also be constructed to an 8.4 m top throughout the guardrail length and tapered to the PTW width at the project ends.

There will likely be a need for an IRT guardrail section placed on the southeast corner of the bridge to facilitate truck-turning movements turning from the new bridge south towards Broadus. MDT Geometrics section will assist in this design.

We recommend the guardrail on the project be limited to bridge approach sections with optional terminal end treatments. We believe the additional length of any rail may present snow-drifting problems. This option will be evaluated after we have a preliminary alignment and grade review.

All approaches affected by this project will be perpetuated in kind.

We recommend that the surfacing consist of 150 mm of gravel. This surfacing is not based on a specific structural loading or R-value. However, it is better than the existing surfacing and is consistent with any anticipated future surfacing on this segment of the route. The surfacing will utilize 6:1 surfacing inslopes. The grading on the project should be accomplished using Embankment-in-Place. Select backfill will be placed at both bridge ends.

Geotechnical Considerations

No geotechnical problems were noted at the time of the review. A subsurface investigation will be needed for the design of the bridge foundation.

Hydraulics

The drainage area for Powder River at this crossing is 29,474 km^2. The bridge skew will be determined during the development of the project. There is evidence of moderate scour at the piers, and heavy scour or erosion at the east abutment. The east abutment was washed out in 1978 during a 20-25 year flood event. The two eastern approach spans were subsequently rebuilt, which lengthened the bridge by approximately 9 m.

The required waterway opening for the detour will be determined by the Hydraulics Section.

This crossing is located in a delineated floodplain (approximate methods), as defined by the flood insurance program. Powder River County is not a participant in the flood insurance program; therefore a floodplain permit will not be required. The project should not affect any other drainages or irrigation facilities. Water has not been reported over the roadway at this crossing.

Miscellaneous Features

Signing will be upgraded on this project.

There is a group of mailboxes located past the east end of the bridge.

The existing structure will be removed upon the opening of the new bridge to traffic.

Design Exceptions

No design exceptions are anticipated at this time.

Right of Way

New right of way will need to be acquired for this project. At this time, it is unknown if any construction permits will be needed.

Utilities and Railroads

Currently it is not known whether any utilities exist on the project, so a utility pickup survey should be performed. No utilities were observed on or in the immediate vicinity of the bridge during the field visit. No railroads will be affected by the project.

Environmental Considerations

The Powder River at Powderville does possess a viable warm water fishery. Montana Fish, Wildlife & Parks (FWP) will want to be assured that this project will not adversely affect the fishery resource, or the aquatic habitats of the Powder River that the fishery resource depends upon.

The Powder River at Powderville is known to be a popular recreation destination for the local populace. This recreation includes fishing, hunting, swimming, and floating.

The upland area surrounding the project is well documented to possess a multitude of upland game birds, furbearers, and small and big game animals; all of which use the Powder River and its riparian area extensively. Design engineers are encouraged to take this information in to consideration throughout the design of this project.

Class II and/or Class III wetlands are located in the vicinity of this project and should be considered throughout the design of this project.

An SPA-124 Permit from FWP and a 404 Permit from the U.S. Army Corps of Engineers will be required for this project.

Stream Access

Fencing currently extends to the bridge ends. There is no designated parking area near the existing bridge. New right of way is needed due to the proposed offset alignment. No additional right of way is anticipated to maintain the existing level of stream access. It is not the intent of this project to further restrict or change existing conditions pertaining to stream or property access.

Traffic Control

Traffic will be maintained on the existing bridge during the construction of the new bridge. All signing, flagging, etc. will be done in accordance with MUTCD.

Survey

We recommend an aerial survey be performed for this project. Additional survey will be needed to locate any utilities and channel bottom elevations below the water surface. Refer to the Location Hydraulic Study Report for the hydraulic survey requirements.

A section corner survey will be needed, since there will be new R/W acquisition. A soils survey is not necessary, since the surfacing will not be designed for specific structural values.

Materials

A subsurface investigation will be needed for the design of the bridge foundation.

Salvage

The County wants usable timber and steel salvaged from the existing bridge.

Public Involvement

A draft news release will be submitted. Due to the nature of the work and the limited effects on the area residents, a public informational meeting should not be needed. We will coordinate with Powder River County during the development of the project. Representatives of the Department will also discuss the project with affected landowners during the project and property acquisition process.

No groups having unique needs or specific concerns have been identified.

Other Projects

No other projects will affect this project.

Ready / Letting Date

The project is currently scheduled for a 2008 letting.

Project Management

The Bridge Bureau will manage this project.

Cost Estimate

The preliminary cost estimate for this project is given below:

Bridge Work	$1,100,000		Road Work Subtotals:	
Road Work	500,000	→	E. approach	$200,000
Subtotal	**$1,600,000**		W. approach	200,000
Inflation (4 Years at 3%)	200,000		S. approach	100,000
Construction Eng. (15%)	270,000			$500,000
Contingencies (10%)	210,000			
Total	**$2,280,000**			

This estimate is based on a lump sum estimate for road work and a 150 m long, 8.4 m wide bridge at $900 per m^2. No allowance was included for right-of-way and utilities.

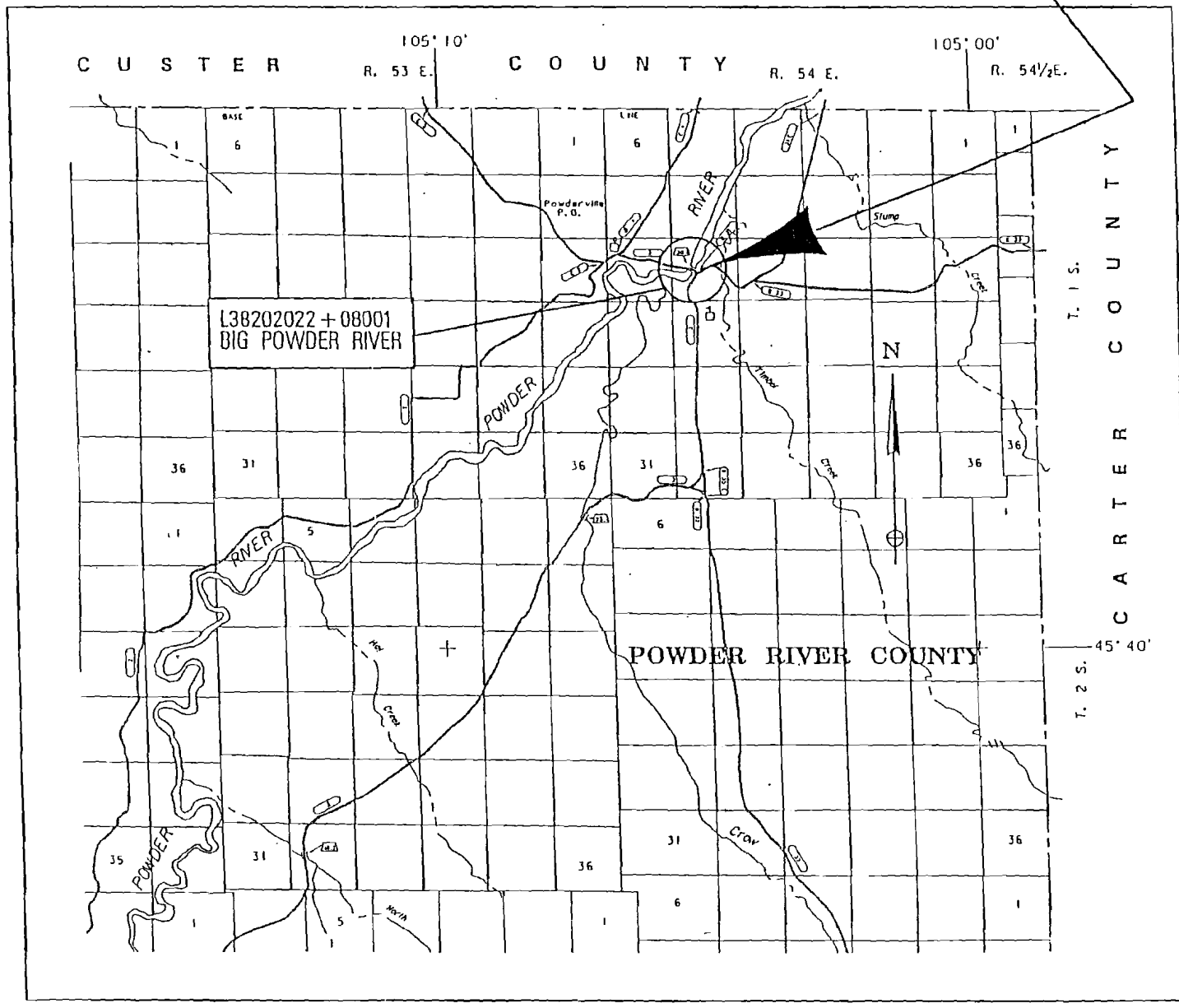
The estimated cost of the roadway items is $500,000 including all mobilization. This estimate does not include the removal of the existing structure or construction engineering.

DJR: nah BR 9038 BIG POWDER PFR.DOC

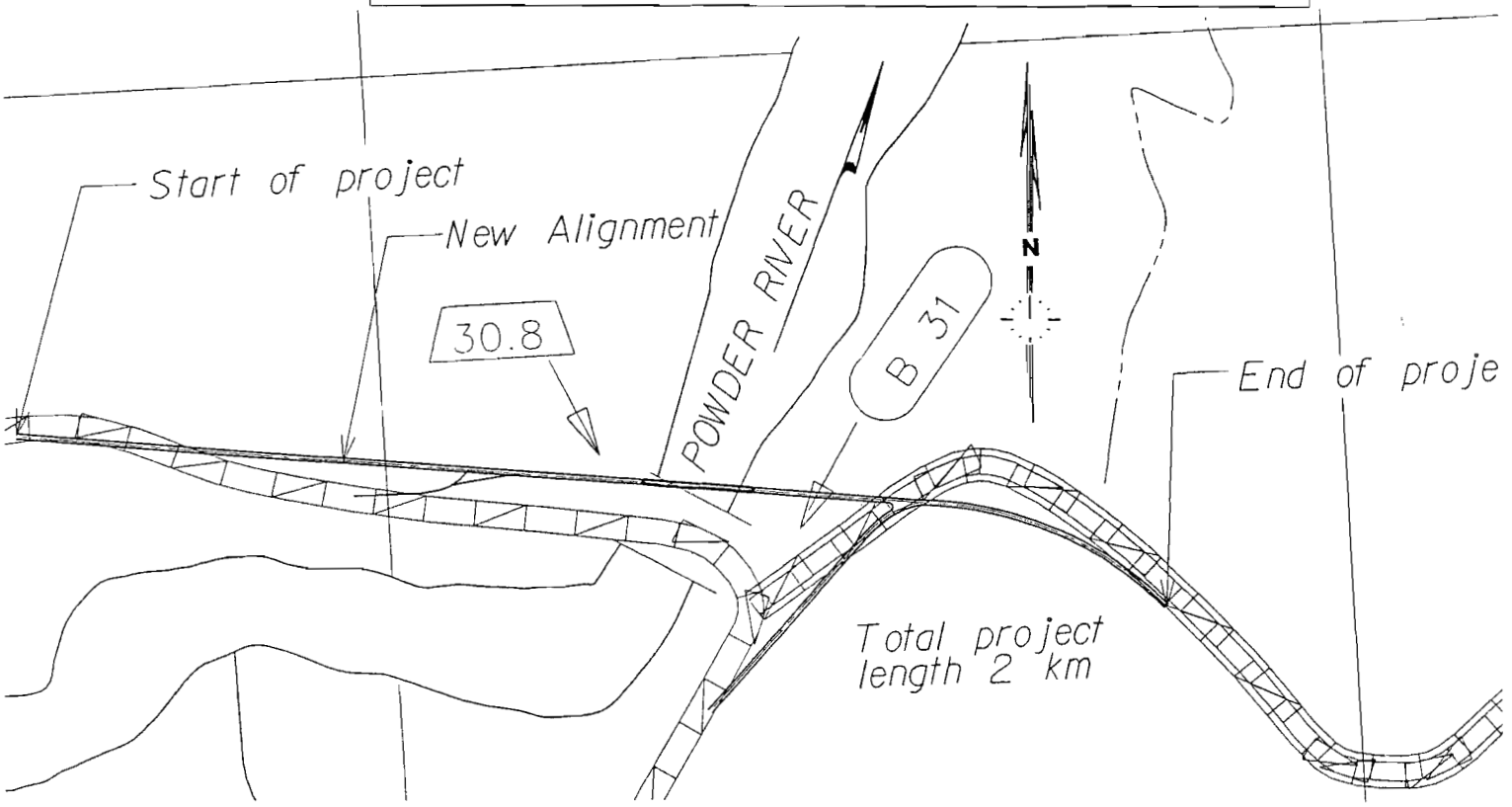
This estimate assumes a 10-meter reduction in the length of the bridge. Environ recommends that MDT strive to match the existing bridge length to avoid increasing scour caused by a smaller bridge opening; which could affect the aquatic resources of the Big Powder River.

Larry S.
District Biolog

BIG POWDER RIVER–3KM E OF POWDERVILLE
BH 9038(10)



Big Powder River 3 km East of Powderville
BR 9038(10) CN (5436)



Montana Department of Transportation
Helena, MT 59620

Memorandum

To: Carl S. Peil, P.E.
Preconstruction Engineer

From: Dave Hill, Bureau Chief
Environmental Services

Date: March 16, 2004

Subject: BR 9038(10)
Big Powder River - 3km East of Powderville
CN 5436

The Preliminary Field Review Report (PFRR) dated March 3, 2004 for this proposed project has been reviewed. Environmental Services has several comments concerning this Report; they are summarized below:

- PFRR needs information on the water well located on the East bank, North of bridge
- This project will need a Cultural Resources Survey
- The cost estimate assumes a 10-meter reduction in the length of the bridge. Environmental Services recommends that MDT strive to match the existing bridge length to avoid increasing scour caused by a smaller opening; which could "potentially" affect the aquatic resources of the Big Powder River.

Environmental Services approves the Preliminary Field Review Report for this project, with comments as noted above.

DH:TLH:5436.ENV.PFRR.Comments

Atch. PFRR w/ original comments and respondents noted

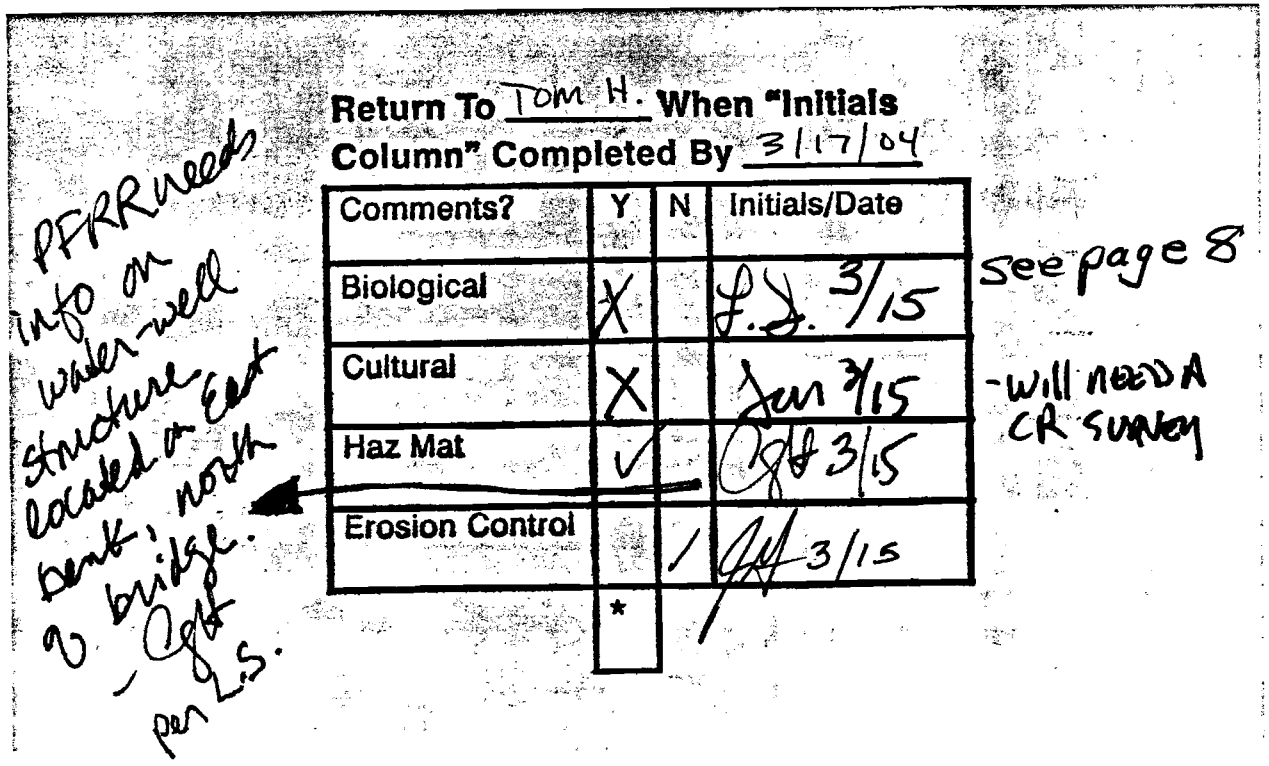
cc: file

Riley, Jean

From: Roberts, Devin
Sent: Friday, March 05, 2004 4:26 PM
To: MDT OPX2 Dist-4 Funct Managers
Subject: UPN #5436; BR 9038(10); Big Powder R- 3 km E Powderville

This project has been sent out for overrides. The Preliminary Field Review Report is available on the DMS system. Please complete the overrides by March 19th. If you have any questions, feel free to contact me at x7611.

Thanks, Devin



Return To Tom H. When "Initials Column" Completed By 3/17/04

Comments?	Y	N	Initials/Date
Biological	X		J.J. 3/15
Cultural	X		Jen 3/15
Haz Mat	✓		3/15
Erosion Control		/	3/15
	*		

PFRR needs info on water well structure located on East bank, north of bridge. per L.S.

see page 8

-will need A CR survey