

MONTANA

Department of Commerce

COMMUNITY DEVELOPMENT DIVISION
P.O. Box 200523 ★ Helena, Montana 59620-0523
Phone: 406-841-2770 ★ Fax: 406-841-2771

RECEIVED

FEB 07 2007

Montana Environmental Quality Council
PO Box 201704
Helena, MT 59620-1704

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

TO WHOM IT MAY CONCERN:

RE: Request for comments on the Proposed Great Plains Dinosaur Museum in Malta, Montana

In order to fulfill our responsibilities under the Montana Environmental Policy Act, we are requesting your comments regarding the project described below.

House Bill 423, sponsored by State Representative Wayne Stahl, and State Senator Sam Kitzenberg, passed during the 2005 Legislature. HB 423 appropriates \$500,000 to the Department of Commerce *"to purchase the land and purchase and construct a facility for a park in Malta, Montana, to display the products of paleontological research in the area and to provide research facilities for paleontologists and complete necessary building upgrades. The Department of Commerce may lease the property to a private, nonprofit entity for the purpose of operating the park."*

The Department of Commerce has consulted with the Board of the Judith River Foundation of Malta as the project has proceeded. The Foundation operates the "Dinosaur Field Station" in Malta under the direction of Nate Murphy, Director of Paleontology for the Phillips County Museum. From the beginning, there has been a consensus that the preferred location for the museum would be adjacent to U.S. Highway 2 to assure maximum accessibility and visibility for the traveling public.

With the assistance of a licensed architect, the Foundation Board has selected a site adjacent to the Phillips County Historical Museum on U.S. Highway 2. The legal description of the property is Lot 7 of Block 2 of the Original Townsite of the City of Malta. The members of the Judith River Foundation Board and the Phillips County Museum Board agreed that the property west of the County Museum would be their preferred site for the Dinosaur Museum. The County Museum property includes the two-story museum and the Robinson House, a restored historical home immediately to the east of the museum. The two boards believe there could be a potential "synergy" between the two museums, if they are located close together. They believe that more tourists would likely visit the two museums if they were next to each other. The museums could also share a common parking lot and cooperate on advertising and signage.

The preferred site, immediately west of the Phillips County Historical Museum, was occupied by a florist shop and nursery, Jan's Floral and Greenhouse, owned by Karl and Janice Harms. The Harms are currently in the process of dismantling their greenhouses, which will be moved to a new site for the business south of the Burlington Northern - Sante Fe Railroad tracks which is closer to Malta's downtown business district. The proposed museum site is bounded on the north by the Milk River dike, on the east by the

Phillips County Historical Museum, on the south by U.S. Highway 2, and on the east by residential properties. We have enclosed an aerial photo and map for your information.

The major constraint for the proposed site is that approximately 60% of the lot is located within the designated 100-year floodplain of the Milk River. The City of Malta constructed a dike along the south bank of the river in the 1970's after the floods of May, 1964. The floodplain designation does not reflect the existence of the dike because it was not constructed to U.S. Corps of Engineer specifications. However, according to the City of Malta Floodplain Administrator, because of the dike, this area was not flooded during the very serious flood of September, 1986. That flood followed 18 hours and 8 inches of rain. Press reports at the time also stated that "dikes held back the rampaging Milk River...."

According to U.S. Department of Interior regulations, in order to be eligible to serve as a federal and state depository for fossils, the first floor of the museum would have to be elevated at least two feet above the elevation of a 100-year flood event. The flood elevation has been determined by a registered land surveyor. According to the architect, this will require approximately four feet of fill on the south portion of the property, closest to Highway 2. This is permitted under state and local floodplain regulations.

The City of Malta has provided letters stating that the proposed dinosaur museum project would be permissible under the City's floodplain and zoning regulations, including the proposed fill for the museum building site.

The Montana Land Board must approve the purchase of the property. In preparing for the project's presentation to the Land Board in March, we are conducting an evaluation of the project pursuant to the Montana Environmental Policy Act. We would appreciate receiving your comments on the project as soon as possible.

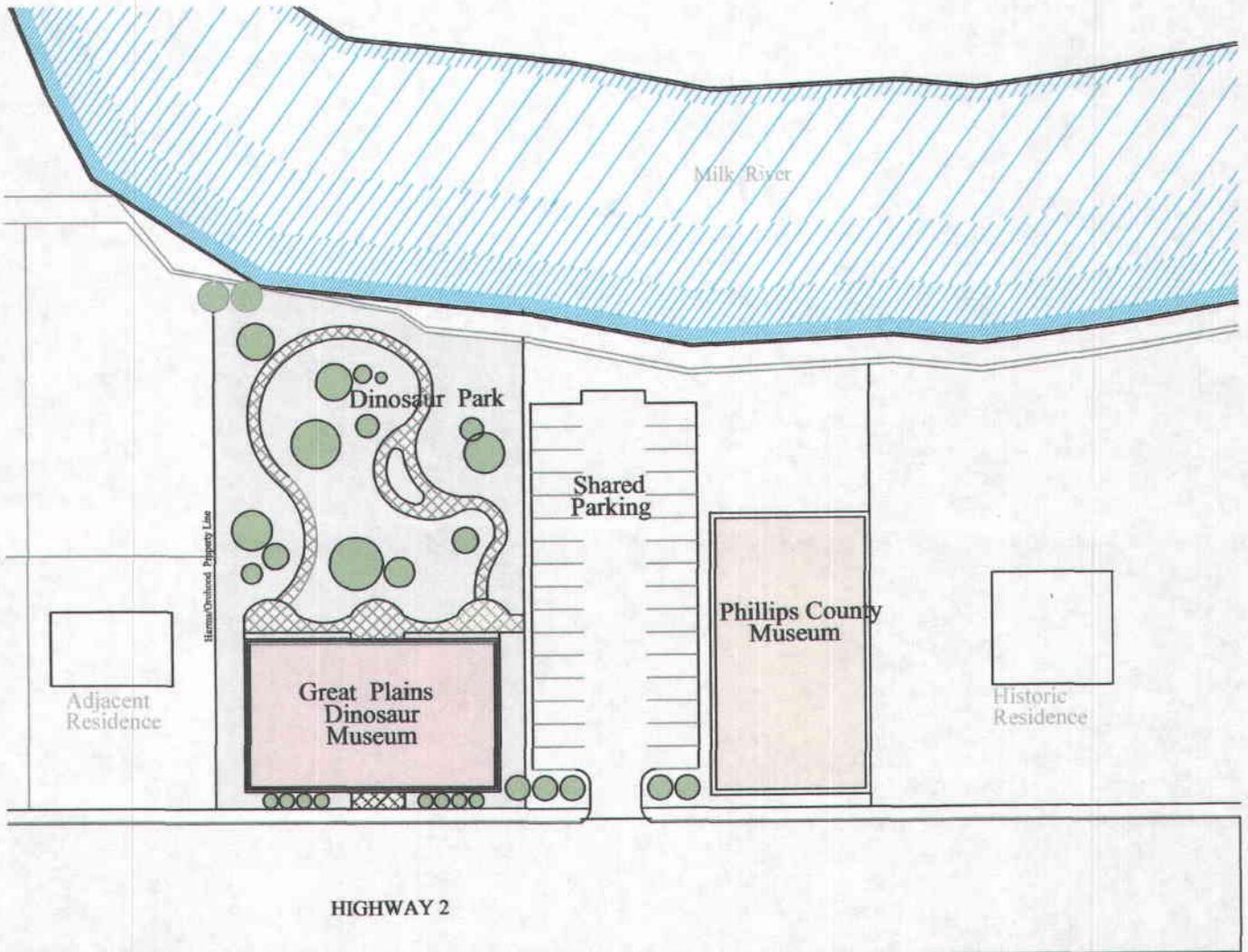
Sincerely,

A handwritten signature in black ink that reads "Dave Cole". The signature is written in a cursive, flowing style.

Dave Cole, Administrator
Community Development Division

Phone: (406) 841-2776
FAX: (406) 841-2771
e-mail: dacole@mt.gov





CIVIC design
 Great Falls, MT November 28, 2006

Great Plains Dinosaur Museum Site Plan