



October 21, 2011

RECEIVED
OCT 24 2011
FHWA
MONTANA DIVISION

Attn: Jeff Patten
Kevin McLaury, Division Administrator
Federal Highway Administration
585 Shepard Way
Helena, Montana 59601

Subject: Categorical Exclusion Concurrence Request
College - Main to South 19th - Bozeman
STPU 1210(2)
Control Number: 7426000

MASTER FILE
COPY

Dear Kevin McLaury:

This is a request for the Federal Highway Administration's (FHWA's) concurrence that the proposed project meets the criteria for classification as a Categorical Exclusion (CE) under the provisions of 23 CFR 771.117(d). The proposed action also qualifies as a CE under the provisions of ARM 18.2.261 (Sections 75-1-103 and 75-1-201, M.C.A.). A copy of the project location map is attached.

This proposed project is a reconstruction of 0.7 miles of College Street (U-1210) in Bozeman in Gallatin County. The project begins just southeast of the intersection of College Street and West Main Street (P-50) at RP 0.00 and continues eastward to end at the intersection of College Street and South 19th Avenue (U-1201) at R.P. 0.7. The entire project lies within the City of Bozeman.

College Street is classified by MDT as an Urban Minor Arterial. The City of Bozeman classifies this route as an Urban Principal Arterial. The project would be designed following standards for Urban Minor Arterials. The route is in level terrain.

The proposed project is located within the following legal descriptions within Gallatin County:

Township	Range	Sections
2S	5E	11, 14

The width of College Street between West Main Street and South 19th Avenue varies. However, the majority of the pavement surface averages approximately 28 feet wide accommodating two 12-foot-wide travel lanes and 2-foot-wide shoulders. At the Main Street intersection, College Street is a three-lane section with a dedicated left-turn lane. At the South 19th Avenue intersection, College Street is a four-lane section with dedicated left- and right-turn lanes.

The intent of this project is to reconstruct and upgrade the roadway from a two-lane to a three or more lane urban arterial. The typical section established for the project would meet MDT Urban

Design standards and the City of Bozeman standards, as outlined in the Bozeman Transportation Plan and City Design Standards. Work is expected to include grading, gravel, plant mix surfacing, curb and gutter, boulevards, raised medians, on-street bicycle lanes, sidewalk along the north side of College Street, drainage, piping of the Farmer's Canal, American's with Disabilities Act (ADA) upgrades, and lighting. Sidewalk will not be provided on the south side of College Street since a multi-use path meeting all ADA requirements for pedestrians was recently constructed. The proposed project also includes the installation of a signal or roundabout at the intersection of South 23rd Avenue and College Street, and possible improvements on the College Street legs at the South 19th Avenue and West Main Street intersections.

The roadway would be shifted as necessary to minimize utility impacts to the south, and right-of-way acquisition and the Farmer's Canal on the north side of College Street. The vertical alignment will generally follow the grade of the existing roadway. There are three bridges over the Farmer's Canal at private approaches that will be removed as part of the project. During construction, temporary or alternate access will be provided during the bridge removals.

The accident and severity rates on the existing roadway (3.45 and 1.39, respectively) are below the statewide averages for primary routes within city limits (5.03 and 1.68, respectively). Rear-end crashes accounted for more than 50% of all the crashes in the corridor based on the facility's crash history during a recent three-year period. Intersection related crashes, including rear-end, right angle, sideswipes and left and right turning crashes account for nearly 70% of the crashes in the corridor. Based on the crash history, the greatest concentration of intersection-related crashes occurred at the South 19th Avenue and West Main Street intersections. However, it is notable that improvements have been made at the intersection of College Street and South 19th Avenue under a recent reconstruction project. The cumulative effect of the design features, particularly the wider paved surface, new traffic controls, raised medians, and street lighting, are expected to result in a reduction in frequency and severity of accidents.

Assessment Methodology

In order to assess the environmental consequences of the proposed action, the direct and indirect effects must be identified, and their significance determined. As defined in 40 CFR 1508.8, direct effects are caused by the action and occur at the same time and place. Indirect effects are also caused by the action, but are later in time or farther removed in distance. Indirect effects must be reasonably foreseeable, and may include growth inducing effects.

The significance of these effects (impacts) is determined by considering both context and intensity. The impacts of the proposed action must be evaluated in context with other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such activities.

In evaluating the potential impacts associated with the proposed project, any reasonably foreseeable action that would occur as a result of the proposed project is considered an indirect impact. Any reasonably foreseeable action that would occur absent the proposed action is identified as a cumulative impact. Significance determinations of the proposed action are made by evaluating the effects associated with the proposed project in context with other projects in the area (cumulative effects).

Cumulative impacts are effects on the environment that result from the incremental effect of an action when added to past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative effects can result from individually minor, but collectively significant, actions taking place over a period of time. MDT and the City of Bozeman have constructed or plan to construct several projects in the vicinity of this project. These projects are listed below.

Recently completed projects:

- *S 19th & College-Bozeman* was a project to upgrade and signalize the intersection of South 19th Avenue and College Street. This project was completed in 2009.
- *Huffine Ln - Four Corners to 19th* was a mill and fill project on US 191 (Huffine Lane/West Main Street). The project was let to contract in September 2010 and is now completed.
- The *S 11th Ave - College - Main (Bozeman)* project placed a chip and seal on South 11th Avenue between Main and College Streets. The project was let to contract and completed during 2010.
- The *Babcock to Kagy-Bozeman* project reconstructed and widened South 19th Avenue to meet five-lane urban arterial standards. The project was let to contract in 2008 and completed in 2010.
- *College and Huffine Shared-Use Path* is a project by the City of Bozeman using CTEP funds to install a new shared use pathway south of College Street. The project was completed in the Summer of 2011.
- *College Street /11th Avenue* is a City of Bozeman project to install a roundabout at the intersection of College Street and 11th Avenue. The project was completed in August 2011.

Future Proposed Projects:

- *Main St-19th/Grand Ave-Bozeman* is a major rehabilitation project on US 191 (Main Street) planned for 2015.
- *College Street (South 19th Avenue to South 8th Avenue)* is a proposed City of Bozeman project that would reconstruct College Street between South 19th and South 8th Avenues to minor arterial standards. The project (CMSN-2 in the Greater Bozeman Area Transportation Plan), currently has no established construction date at this time.
- *West Babcock Street (11th Avenue to 19th Avenue)* is a proposed City of Bozeman project that would upgrade West Babcock Street to two-lane urban collector standards. The project (MSN-14 in the Greater Bozeman Area Transportation Plan) does not yet have a firm implementation date.

Cumulative Impacts: The proposed College Street project and most other projects listed above involve improvements to existing arterial roadways within the southwestern portion of the City of Bozeman that carry substantial traffic to and from residential and commercial areas as well as Montana State University. The transportation improvements associated with all of these projects would have positive cumulative effects on safety for the travelling public and help create a more efficient transportation network for facility users of all types. By reducing traffic congestion and

improving the overall function of the local transportation system, these projects are anticipated to have a beneficial cumulative impact on the Bozeman community.

The anticipated impacts to resources due the proposed improvements on College Street between West Main and South 19th would be considered minor. The acquisition of minor amounts of new right-of-way would not require the relocations of residences or businesses. The impacts to water quality due to the increased impervious area and reconstructed stream crossings and irrigation facilities would be minor and potential effects mitigated through coordination with regulatory agencies and the owners of the Farmer’s Canal. The potential impacts to wildlife, fisheries, and wetlands are limited due to the urban nature of the project area. Taking these impacts into consideration along with the impacts from the past, ongoing, and future projects identified above, this project would not have an adverse cumulative impact to the resources in the project area.

Mitigation: None required or proposed.

All practicable means to avoid or minimize adverse social, economic and environmental impacts from the proposed project have been adopted. Potential impacts and proposed mitigation measures are summarized in the following tables. Table 1 includes expected permanent impacts. Table 2 includes expected temporary impacts associated with construction activities. The subsequent sections provide additional information related to social, economic and environmental resources that may potentially be impacted by implementation of the proposed project. Potential direct and indirect impacts described in each subsection include expected permanent impacts of the facility. Temporary impacts due to construction of the facility are discussed in a separate subsection.

Table 1: Summary of Potential Permanent Impacts and Proposed Mitigation

Resource	Potential Impact	Proposed Mitigation
Land Use	Minor impact due to right-of-way acquisition.	None.
Farmland	No Farmland is affected since the entire project is located within the City of Bozeman.	None.
Social	No adverse impact.	None.
Environmental Justice	No disproportionate adverse impact on minorities or low income populations.	None.
Right-of-way	Approximately 0.5 acres of new right-of-way would need to be acquired. No residential or commercial relocations are anticipated.	The proposed project will be developed in accordance with both the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (P.L. 91-646 as amended), and the Uniform Relocation Act Amendments of 1987 (P.L. 100-17).
Utilities	Some conflicts with utilities are expected to be unavoidable.	MDT Standard Specifications require the Contractor to cooperate with utility owners in the removal and rearrangement of utility facilities to minimize interruption to utility service and duplication of work by the utility owner.
Economic	No adverse impact.	None.
Air Quality	No permanent impact.	None.

Resource	Potential Impact	Proposed Mitigation
Noise	No permanent impact.	None.
Water Resources/ Water Quality	<p>Replacement of existing culverts and roadway.</p> <p>Minor increase in the amount of impervious surface in the project area would cause negligible impact.</p> <p>A portion of the Farmers Canal would be enclosed in a pipe. Other irrigation features would be perpetuated.</p>	<p>The proposed new culverts would be designed in accordance with 23 CFR 650 Subpart B and in coordination with appropriate resource and permitting agencies.</p> <p>MDT design and construction specifications require appropriate incorporation of permanent erosion and sediment control (PESC) measures to minimize potential adverse effects of the project in accordance with the conditions of the MS4 permit.</p> <p>Impacted irrigation facilities would be replaced in consultation with ditch owners to minimize impacts to agricultural operations and water users.</p>
Wetlands	Approximately 0.1 ac of impacts to wetlands.	Throughout final design and construction, avoidance and minimization measures would continue to be employed, where practicable. Mitigation for unavoidable wetland impacts would be provided in accordance with Executive Order 11990 and coordinated with the US Army Corps of Engineers during coordination of the Section 404 Clean Water Act (CWA) Permit.
Vegetation, Wildlife, and Aquatic Resources	<p>Temporary soil surface disturbances would create potential for invasion of undesirable weed species.</p> <p>Negligible permanent impacts to vegetation/habitat, wildlife, and fisheries/aquatic resources.</p>	<p>To reduce the spread and establishment of noxious weeds and re-establish permanent vegetation, disturbed areas within MDT right-of-way or easements will be seeded with desirable plant species, as recommended by the MDT botanist. Revegetation will be conducted in accordance with MDT Standards Specifications. MDT will comply with measures in the Montana County Weed Control Act and Administrative Rules or local government requirements. Post-construction, the site would be monitored until final stabilization is met.</p> <p>MDT and/or its contractor will adhere to applicable conditions including CWA 404 Permit conditions, CWA 401 Certification requirements, SPA124 Notification Process, and MPDES MS4 Permit.</p> <p>MDT design and construction specifications require appropriate incorporation of permanent erosion and sediment control (PESC) measures.</p>
Floodplains	No impact.	None.
Railroads	No impact.	None.
Pedestrian/ADA	The proposed project would improve access for pedestrians throughout the project area by providing a continuous, ADA accessible sidewalk along the north side of College Street.	None.

Resource	Potential Impact	Proposed Mitigation
Wild and Scenic Rivers	No impact.	None.
Threatened/Endangered Species and Habitats	No impact.	None.
Historical/Cultural Resources	SHPO concurred in a determination of No Effect to the Myrick Residence.	None. In the unlikely event that archeological or historical artifacts are encountered during construction, MDT Standard Specifications require the Contractor to immediately stop work and notify the Project Manager of the find. The Project Manager is required to stake the area to remain undisturbed until the significance of the site has been determined and appropriate measures are carried out.
Hazardous Materials	No impact.	None.
Visual Resources	The additional paved surfacing, curb and gutter, improved facilities for pedestrians and bicyclists, medians, and a boulevard, and street lighting would create a more urban setting than presently exists along much of the corridor.	MDT would work with adjacent landowners to ensure that impacts to existing landscaping features are minimized or avoided to the extent practicable.
Parks, Recreation, Section 4(f) Properties, Section 6(f) Properties	No impact.	None.

Resource	Potential Impact	Proposed Mitigation
Cumulative Impacts	<p>The project when considered with other past, present, and reasonably foreseeable future projects would have positive cumulative effects on safety and help create a more efficient transportation network. By reducing traffic congestion and improving the overall function of the local transportation system, these projects are anticipated to have a beneficial social impact on the Bozeman community.</p> <p>The anticipated cumulative impacts to other social, economic, and environmental would be minor. The acquisition of minor amounts of new right-of-way would not require the relocations of residences or businesses. The impacts to water quality due to the increased impervious area and reconstructed stream crossings and irrigation facilities would be minor and potential effects mitigated through coordination with regulatory agencies. The potential impacts to wildlife, fisheries, and wetlands are limited due to the urban nature of the project area.</p>	None.

Table 2: Summary of Potential Temporary Construction Impacts and Proposed Mitigation

Resource	Potential Impact	Proposed Mitigation
Traffic	Minor, short-term temporary inconveniences to the traveling public including occasional increased travel times, detours, and temporary closures.	A traffic control plan will be developed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).
Utilities	Temporary, short-term interruption to utility services may result from conflicts with including overhead power lines and buried gas, water, telephone and fiber optic lines.	MDT Standard Specifications require the contractor to cooperate with utility owners to minimize service interruption. Notification of service interruption due to relocation would be the responsibility of the appropriate utility line owner.
Economic	No adverse impacts.	None.
Air Quality	Minor, short-term, localized adverse air quality impacts due to fugitive dust emissions from earth moving operations and combustion emissions from construction equipment.	MDT Standard Specifications require that the Contractor comply with applicable state and federal air quality rules. The contractor will be required to take reasonable precautions to control emissions of airborne particulate matter and to ensure combustion emissions comply with Administrative Rules of Montana (ARM) at ARM 17.8.304, 17.8.308, and 17.8.309.
Noise	Construction activities may cause minor, short-term, localized adverse noise impacts due to construction equipment.	MDT Standard Specifications require compliance with applicable laws, regulations, and requirements contained in the contract regarding noise pollution.
Water Resources and Water Quality	Potential for short-term adverse impact on water quality due to erosion and sediment.	<p>The Contractor will be required to revegetate disturbed areas.</p> <p>MDT and/or its contractor will adhere to applicable conditions including CWA 404 Permit conditions, CWA 401 Certification requirements, SPA124 Notification Process, and MPDES Construction General Permit.</p> <p>MDT's contractor will be required to develop a Storm Water Pollution Prevention Plan (SWPPP) and adhere to, install, and maintain BMPs for erosion and sediment control.</p>
Wetlands	Potential for short-term adverse impact on wetlands due to erosion and sediment.	<p>Throughout design and construction, avoidance and minimization measures will continue to be employed where practicable.</p> <p>MDT and/or its contractor will adhere to applicable conditions including CWA 404 Permit conditions, CWA 401 Certification requirements, and MPDES Construction General Permit.</p>

Resource	Potential Impact	Proposed Mitigation
Vegetation, Wildlife, and Aquatic Resources	Potential for short-term adverse impact on vegetation due to erosion, sedimentation and weed infestation in disturbed areas. Temporary habitat and vegetation loss. Temporary displacement of wildlife, migratory birds, and aquatic species from human-related disturbance. Wildlife mortality; for individuals with limited mobility and/or those that could be occupying their burrows or nests at the time of construction.	The Contractor will be required to revegetate disturbed areas.
Threatened / Endangered Species	No impacts.	None.
Historical / Cultural Resources	No impacts.	MDT Standard Specifications require the Contractor to immediately stop work and notify the Project Manager of the find. The Project Manager is required to stake the area to remain undisturbed until the significance of the site has been determined and appropriate measures are carried out.
Hazardous Materials	No impacts.	MDT Standard Specifications require any hazardous materials discovered, generated, or used during implementation of the proposed action to be handled and disposed in accordance with applicable local, State, and Federal regulations.
Visual Resources	Construction activities may cause minor, short-term, localized adverse visual impacts due to construction.	The Contractor will be required to revegetate disturbed areas.

1. Land Use

The proposed project lies entirely within the City of Bozeman in an area where traditional agricultural land uses have been gradually converted to urban development over the last three decades. Residential neighborhoods largely make up the north side of the corridor, while the south side is generally characterized by commercial uses, both existing and developing, along with some open land. Adjacent and nearby developments include the Gallatin Valley Mall, Technology Park, Wagon Wheel mobile home park, MSU University Agricultural Experiment Station, the Bozeman Chronicle building, apartment buildings, and a Kohl's store on South 29th Avenue.

Lands adjoining the north side of the project are currently zoned for commercial, residential-office, and high-density residential uses. South of College Street, most lands fall within a business park zone, although other areas are zoned for commercial and public lands/institutional uses.

This proposed project is consistent with the Bozeman Community Plan and with recommendations for major street network improvements from the Greater Bozeman Area Transportation Plan (2007 Update). The Transportation Plan Update identifies College Street (Main to 19th) as one of the community's "top ten" needed major street improvement projects. This project was part of the preferred model for the major street network developed for the Transportation Plan Update.

This proposed reconstruction project will not increase traffic volumes in the region and will not directly or indirectly impact land use other than the acquisition of a minor amount of right-of-way described below. The proposed project would not result in residential or business acquisitions or relocations.

Impacts: The proposed project will require acquisition of a minor amount of right-of-way.

Mitigation: No mitigation is required or proposed.

2. Farmland

The 1981 Farmland Protection Policy Act (FPPA) (Title 7 United States Code, Chapter 73, Sections 4201-4209) requires that the effects of proposed highway projects be examined before acquisition of farmland.

Farmland, as defined by the FPPA in Section 4201, includes prime farmland, unique farmland, and farmland, other than prime or unique farmland, that is of statewide or local importance. The entire project is within the urban limits of the City of Bozeman. No further analysis of farmland conditions or impacts is necessary for this proposed project since lands already in or committed to urban development are not subject to the FPPA.

Impacts: N/A

Mitigation: No mitigation is required or proposed.

3. Social Impacts

This section discusses the general community characteristics and social conditions within the general project area, including the City population, demographic and income data, and community and public facilities. This section also addresses impacts on the traveling public and/or other users of the existing and proposed transportation facility, and/or impacts on community cohesion.

Population Data, Demographic Composition, and Household Income

According to the U.S. Census Bureau, the total population for the City of Bozeman was 37,280 at the time of the 2010 Census. The Profile of General Population and Housing Characteristics from the 2010 Census shows the median age of residents in the City of Bozeman is 27.1. The City also predominantly white (93.6%) with a minority population of around about 6.4%.

The 2007-2009 American Community Survey, compiled by the U.S. Bureau of the Census, shows the median household income was \$45,687 during this three-year period with 9% of families and 19.1% of all people with incomes below the poverty level.

Community and Public Facilities

No community facilities are located within the immediate project corridor. However, College Street is an often-used route for travel to and from Montana State University.

Travel/Access

Through most of the project corridor, the current facility is a 28-foot-wide, two-lane roadway with narrow shoulders and steep roadside slopes. Pedestrian facilities such as sidewalks and curb and gutter, are currently only available in some portions of the corridor

The provision of a reconstructed and upgraded roadway would improve access for all residents, businesses, and others who routinely use College Street. The proposed project would enhance roadway operation and safety and accommodate the increasing travel anticipated on the facility. The proposed project would improve the overall capacity of College Street by better managing the flow of through traffic and effectively accommodating turning movements. The proposed pedestrian and bicyclist facilities would create an environment that would enhance opportunities for non-motorized transportation users throughout the corridor.

Impacts: The proposed project is expected to result in a positive impact of improved safety for the travelling public. No other impacts are expected with respect to social conditions, social interaction or community cohesion. The proposed project would not change the population growth or demographic trends projected for the project area. The improvements would not disrupt or separate developments in the project area. Access to residences, businesses, and offices along the corridor would be maintained and improved.

Mitigation: No mitigation is required or proposed.

4. Environmental Justice

Title VI of the US Civil Rights Act of 1964, as amended (USC 2000(d)) and Executive Order (EO) 12898 require that no minority, or, by extension, low-income person shall be

disproportionately adversely impacted by any project receiving federal funds. For transportation projects, this means that no particular minority or low-income person may be disproportionately isolated, displaced, or otherwise subjected to adverse effects. Potential impacts are assessed in terms of property acquisitions or relocations, changes in access to employment areas, and other changes in low-income and minority communities/neighborhoods. Those other changes could include changes in the physical environment such as increases in noise levels, air pollution levels, and the presence or introduction of hazardous materials.

The demographic information presented above for the City of Bozeman indicates the project area does not have a disproportionately high minority or low-income population.

Impacts: The proposed project would increase safety and enhance accessibility throughout the corridor for all users. No residential or business relocations are anticipated. Noise levels and air pollution levels (as discussed later) are not anticipated to rise due to this project. Likewise, the presence of or introduction of hazardous materials with the project area would not result from this project. Taking all this into consideration, this proposed project will not have a disproportionate adverse impact on minorities or low-income populations.

Mitigation: No mitigation is required or proposed.

5. Right-of-Way

The existing right-of-way for College Street typically ranges between 75 and 100 feet in width. In addition, there is an existing 25' wide easement for the Farmer's Canal between South 19th and South 23rd Avenues. A 7-foot to 11-foot-wide easement was also obtained on the south side of the College Street for the City's recently constructed multi-use path project.

Impacts: Existing right-of-way will be used to the greatest extent practicable; however, new right-of-way will be required on the north side of College Street between Main Street and Professional Drive and at the College Street and 23rd Avenue intersection. Preliminary design estimates suggest approximately 0.5 acres of new right-of-way acquisition would be required to accommodate the proposed improvements. The final amount of right-of-way required for the proposed project will be determined as the design of the project progresses. Temporary construction easements are also expected to be necessary for construction activities. Additionally, irrigation easements may be required. No residential or business relocations are expected to be associated with this project.

Mitigation: Where appropriate and feasible, MDT will minimize or avoid right of way impacts through final design modifications and right of way negotiations. Acquisition of land and improvements for highway construction are governed by state and federal laws and regulations that are designed to protect both the landowners and the taxpaying public. Landowners affected are entitled to receive just compensation for land or improvements acquired and for depreciation in value of the remaining land due to the effects of highway construction, pursuant to Montana law. Acquisition will be accomplished in accordance with applicable laws; specifically, Title 60, Chapter 4 and Title 70, Chapter 30, Montana Code Annotated; and Title 42, USC, Chapter 61, "Uniform Relocation Assistance and Real Property Acquisition Policies For Federal and Federally Assisted Programs."

6. Utilities

Utilities exist throughout the project corridor and some of these may be affected by the proposed reconstruction. An overhead electric transmission line extends full length of the project south of College Street; however, the proposed project would likely not impact the line. High pressure gas and multiple fiber optic and telephone lines currently exist south of the roadway. Fiber optic and gas lines also exist along the north side of College Street. Public utilities within the existing roadway corridor include a 14-inch diameter water line, fire hydrants, and sanitary sewer. Storm sewer was recently installed at College Street's intersections with West Main Street and South 19th Avenue.

Impacts: The project is expected to have some conflicts with utilities, but attempts will be made to avoid and minimize them as the design progresses. No long term impacts to utilities are expected.

Mitigation: MDT Standard Specifications require the contractor to cooperate with utility owners in the removal and rearrangement of utility facilities to minimize interruption to utility service and duplication of work by the utility owner.

7. Economic Impacts

Commercial businesses exist east of the intersection of College Street and West Main Street and a business and technology park has been developed on lands south of College Street in the project corridor. Access to commercial businesses and offices along the College Street corridor would be perpetuated.

Impacts: The proposed project would likely involve negligible permanent impacts to economic conditions in the project area. The local and regional economies may experience some minor, short-term beneficial effects due to construction activities.

Mitigation: No mitigation is required or proposed.

8. Air Quality

This proposed project is located in an "unclassifiable"/attainment area of Montana for air quality under 40 CFR 81.327, as amended. As such, this proposed project is not covered under the US Environmental Protection Agency's "Final Rule" of September 15, 1997 on air quality conformity. Therefore, this project complies with Section 176(c) of the Clean Air Act (42 USC 7521(a), as amended).

Impacts: No permanent impacts.

Mitigation: No mitigation is required or proposed.

9. Noise

A noise analysis is required for Type I highway projects. Because this project is not on a new location nor is there physical alteration of an existing highway which substantially changes either the horizontal or vertical alignment, nor increases the number of through-traffic lanes it is not a Type I project. Because the proposed project will not substantially alter the road alignment, the project does not qualify as a Type I project according to the 23 CFR 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise. Therefore, a noise analysis would not be required.

If this project proposed the construction of additional driving lanes, it would become a Type I highway project. In that case, a Noise Analysis would be conducted using projected traffic volumes and receivers chosen at two residential locations along the north side of College Street. While noise levels do increase due to the anticipated increases in traffic volumes, the predicted noise levels do not exceed the Montana or FHWA Noise Abatement Criteria (NAC).

Impacts: No permanent impacts.

Mitigation: No mitigation is required or proposed.

10. Water Resources and Water Quality

The project site includes two stream crossings, an irrigation canal, and an unnamed ditch. The Farmer's Canal crosses from the south to north side of College Street through a buried pipe east of the College and Main Street intersection. The canal then flows east in an open ditch before flowing back into a buried pipe. Two perennial streams, East Catron Creek and an unnamed tributary of East Catron Creek, cross College Street from south to north.

The project area is located in the Upper Missouri River Basin (#6) Watershed. None of the streams waterways within the project site are currently on the Montana Department of Environmental Quality (DEQ) 2010 303(d) list of impaired waterways.

The Farmer's Canal is currently an open ditch along the north side of College Street from the Bozeman Chronicle approach (located west of South 29th Avenue) to South 20th Avenue. There are also several lateral ditches and headgates off the Farmer's Canal on the north side of College Street, including an active ditch that the owners of the Wagon Wheel mobile home park want perpetuated.

Impacts: Water quality impacts are anticipated to be minor due to the proposed scope of work for this project. The proposed project will result in a minor increase in impervious surface that would create a negligible difference in groundwater supply or quality in the area.

The stream crossings for East Catron Creek and its unnamed tributary would be perpetuated and will not involve long-term adverse impacts to water quality.

The open ditch section of the Farmer's Canal would be enclosed in a pipe as part of the project to eliminate the roadside hazard presented by this irrigation facility. The Farmer's Canal is currently piped under College Street at a crossing located between South 29th Avenue and

Professional Drive. The section of the Farmer's Canal between South 19th and South 20th Avenues was placed in a 60-inch diameter reinforced concrete pipe as part of the recent South 19th Avenue intersection project.

New storm drain facilities would be installed along College Street as part of the project. Design investigations will determine if connections can be made into either the proposed pipe for the Farmer's Canal or if a connection can be made to an existing City storm drain line in the area.

Mitigation: The proposed new culverts for East Catron Creek and its unnamed tributary would be designed in accordance with 23 CFR 650 Subpart B and in coordination with appropriate resource and permitting agencies.

MDT design and construction specifications require appropriate incorporation of permanent erosion and sediment control (PESC) measures to minimize potential adverse effects of the project in accordance with the conditions of the MS4 Permit.

Impacted irrigation facilities would be replaced in consultation with ditch owners to minimize impacts to agricultural operations and water users.

11. Wetlands

Approximately 0.4 acre of wetlands occur within the College Street project corridor. These wetlands are located along East Catron Creek (Sites WL-2S and WL-3S), an unnamed tributary to East Catron Creek (Site WL-1S), and the Farmer's Canal (Site WL-4). Wetlands and non-wetland waterways in the project area were delineated by a biological resources consultant for MDT in May 2011. Wetlands Sites WL-1, WL-2S, and WL-3S, are Category III wetlands and Site WL-4 is a Category IV wetland according to MDT's functional assessment classifications. Vegetation in the wetland areas adjoining East Catron Creek and its unnamed tributary include sedges, rushes, and canarygrass and trees and shrubs like cottonwood and willows. Dominant trees and shrubs along the Farmer's Canal include black cottonwood, willows, various conifers, woods rose and currant. Smooth brome, fescue, Kentucky bluegrass, and reed canarygrass are also found along the canal's banks.

Impacts: MDT and its design consultant for the project have made all practicable efforts to avoid and minimize adverse impacts to wetlands. Preliminary designs suggest impacts to wetlands would likely be less than 0.1 acre and impacts to jurisdictional waterways (including the bed and banks of the Farmer's Canal) may be about 0.4 acre. As the design process evolves, projected impacts to wetlands may change. A final wetlands finding report will be prepared once the final alignment and construction limits have been established.

Mitigation: Throughout design and construction, avoidance and minimization measures will continue to be employed where practicable. Mitigation for unavoidable wetland impacts would be provided in accordance with Executive Order 11990 and would be coordinated with the US Army Corps of Engineers during coordination of the Section 404 Clean Water Act (CWA) Permit.

12. Vegetation, Wildlife, and Aquatic Resources

Wetland and riparian habitat associated with the East Catron Creek and its unnamed tributary provides habitat for waterfowl, various songbirds, amphibians and reptiles, and various other small mammals. White-tailed deer, mallard, several avian species were observed and raccoon and muskrat tracks were noted during field visits to the project area. Like other urban streams in Gallatin County, a variety of fish species likely occur within the East Catron Creek system including brook trout, brown trout, rainbow trout, and other non-game species. Trout were also observed in the Farmer's Canal. FWP has recognized that these project area waters possess local value as a cold water fishery resource and may recommend timing restrictions to avoid spawning periods for trout species and design measures to maintain and enhance fish passage.

The MTNHP data search results indicated known occurrences of three plant species of concern in the general project area—Rocky Mountain Twinpod, Slender Wedgegrass, and Small Dropseed. However, none of these sensitive plant species are likely to occur in the project corridor and none were observed during field investigations for this project.

Impacts: Impacts to low quality wildlife habitat would result from the proposed improvements to College Street. The proposed project would not result in substantive direct impacts to vegetation, wildlife or aquatic resources due to adherence to MDT Standard Specifications, including revegetation requirements. The proposed project would not result in increased growth or land development and would not result in substantive indirect impacts to vegetation, wildlife, and aquatic resources.

Mitigation: To reduce the spread and establishment of noxious weeds and re-establish permanent vegetation, disturbed areas within MDT right-of-way or easements will be seeded with desirable plant species, as recommended by the MDT botanist. Revegetation will be conducted in accordance with MDT Standards Specifications. MDT will comply with measures in the Montana County Weed Control Act and Administrative Rules or local government requirements. Post-construction, the site would be monitored until final stabilization is met.

MDT and/or its contractor will adhere to applicable conditions including CWA 404 Permit conditions, CWA 401 Certification requirements, SPA124 Notification Process, and MPDES MS4 Permit.

MDT design and construction specifications require appropriate incorporation of permanent erosion and sediment control (PESC) measures.

13. Floodplains

There are no delineated floodplains within the project limits. A floodplain permit will not be required for this proposed project.

Impacts: Potential flood impacts at crossings within this area will be unchanged or improved with the proposed project.

Mitigation: No mitigation is required or proposed.

14. Railroads

No railroad right-of-way is located within the project area.

Impacts: The project will require no railroad involvement.

Mitigation: No mitigation is required or proposed.

15. Pedestrian/Americans with Disabilities Act (ADA)

A 10-foot wide ADA compliant asphalt bicycle/pedestrian path has recently been constructed south of College Street between South 19th and 29th Avenues through a CTEP project implemented by the City of Bozeman. The path would be used in lieu of new sidewalk on the south side. New sidewalk would only be installed south of the roadway at intersections or for connectivity as necessary. There are no existing pedestrian or bicycle facilities on the north side of College Street. A new 5-foot-wide sidewalk with boulevard and on-street bicycle lane will be provided on the north side of College Street as part of this project. An on-street bicycle lane will also be installed on the south side.

Impacts: The proposed project would improve access for pedestrians within the corridor by providing an ADA accessible sidewalk along the north side of College Street.

Mitigation: No mitigation is required or proposed.

16. Wild and Scenic Rivers

No wild or scenic rivers exist in the project area.

Impacts: No impacts.

Mitigation: No mitigation is required or proposed.

17. Threatened/Endangered Species and Habitats

A Biological Resources Memo (BRM) was prepared for this project by a biological resources consultant for MDT in June 2011. The BRM identified the following threatened and endangered species as occurring in Gallatin County: Ute Ladies' Tresses (threatened), Canada Lynx (threatened, critical habitat), Grizzly Bear (threatened), Gray Wolf (experimental non-essential population), and three candidate species (Greater Sage Grouse, Sprague's Pipit, and Wolverine). However, the BRM indicates that none of these Federally-listed threatened or endangered species are expected to occur within the project area.

A 2011 search of the Montana Natural Heritage Program (MTNHP) Species of Concern Database indicated known occurrences of four species of concern within the general vicinity of the project— Bobolink, Yellowstone cutthroat trout, Gray Wolf, and Stonefly. However, none of these species are expected to occur within the project area.

Impacts: No impacts.

Mitigation: No mitigation is required.

18. Historical/Cultural Resources

A cultural resources field survey conducted by a cultural resources consultant for MDT in April 2011 identified six cultural properties within the project area, including four houses, a commercial building, and a segment of an historic irrigation canal. Only one site, the Myrick House (24GA1833), was recommended as eligible for National Register of Historic Places (NRHP). The portion of the Farmer's Canal (24GA998/24GA1348) within the project area does not display the level of historic integrity required for NRHP listing. However, an evaluation of the entire Farmer's Canal could result in a finding of eligibility for the irrigation system as a whole.

Impacts:

MDT requested the Montana State Historic Preservation Office (SHPO) concur the Myrick House (24GA1833) is NRHP-eligible and the portion of the Farmer's Canal (24GA998/24GA1348) within the project area is not eligible for the NRHP. SHPO concurred with MDT's eligibility determinations on June 6, 2011.

MDT prepared a Determination of Effect for the Myrick House (24GA1833) and submitted a final request for concurrence to the Montana State Historic Preservation Office (SHPO) by letter dated August 31, 2011. SHPO concurred with MDT's determination the project will have "no effect" to the Myrick House on September 16, 2011.

Mitigation: In the unlikely event that archeological or historical artifacts are encountered during construction, MDT Standard Specifications require the Contractor to immediately stop work and notify the Project Manager of the find. The Project Manager is required to stake the area to remain undisturbed until the significance of the site has been determined and appropriate measures are carried out.

19. Hazardous Materials

A Hazardous Materials Investigation (HMI) was prepared by an environmental consultant for MDT in June 2011. The environmental records search, site reconnaissance and interviews conducted for the HMI did not identify potential hazardous materials conditions within the project area.

Impacts: No impacts.

Mitigation: No mitigation is required or proposed.

20. Visual Resources

Visual impacts of the proposed project were determined by comparing conceptual design plans and the existing visual character features with photographs and field visits. The project area's existing visual characteristics are commercial and extensive residential development on the north side of College Street and commercial and business park development interspersed with areas of open land to the south. The existing roadway has a rural section along the majority of the corridor with steep roadside shoulders and lacks pedestrian facilities along the north side of College Street.

Impacts: The proposed project would enhance the existing roadway by providing additional paved surfacing, curb and gutter, improved facilities for pedestrians and bicyclists, medians, and a boulevard, and street lighting. The Farmer's Canal and several private bridges across the canal are notable visual features in the corridor. The proposed project would place the canal within a pipe to allow for the development of the proposed roadway and the bridges would be replaced by traditional driveway approaches. These improvements would create a more urban setting than presently exists along much of the corridor; however, the design features associated with the improved facility would be consistent with other nearby roadways that have been recently reconstructed or improved.

Mitigation: MDT would work with adjacent landowners to ensure that impacts to existing landscaping features are minimized or avoided to the maximum extent practicable. To reduce the spread and establishment of noxious weeds and to re-establish permanent vegetation, disturbed areas within MDT right-of-way or easements will be seeded with desirable plant species, as soon as practicable as recommended and deemed feasible by the MDT Botanist. Re-vegetation will be conducted according to applicable laws.

21. Parks and Recreation/Section 4(f)/Section 6(f)

There are no public parks, recreation areas, or wildlife or waterfowl refuges in the immediate vicinity of this proposed project.

The Myrick House (24GA1833) is considered to be a property protected by Section 4(f). No right-of-way will be acquired from the property, and therefore no take or use of a 4(f) resource will occur.

There are no parks, recreation, or other properties acquired/improved under Section 6(f) of the National Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460L, et. seq) on or adjacent to the project area. A review of Land and Water Conservation Fund (LWCF) grants in Gallatin County shows there are no properties encumbered by Section 6(f)(3) in the College Street project area.

Impacts: No impacts.

Mitigation: No mitigation is required or proposed.

22. Construction Related Impacts and Mitigation

The contractor would determine construction methods after development of the final construction plans. In general, highway construction could likely involve demolition, excavation and grading, utility relocations, and placement of pavement. Sequencing of construction activities and the overall timeframe of construction have not been determined and would be based upon minimization of construction impacts, funding constraints, and coordination between MDT and local communities.

a) **Traffic Impacts:** Construction activities would cause minor, short-term temporary inconveniences to the traveling public including occasional increased travel times, detours,

and temporary closures. Traffic will be maintained during project construction through the use of appropriate signing, flagging, lane closures, etc. Short duration closures of College Street, if required, will be scheduled during low traffic periods. Reasonable access will be provided.

Traffic Mitigation: A traffic control plan will be developed as design proceeds. The Manual on Uniform Traffic Control Devices (MUTCD) will be utilized to guide the application of the traffic control plan. The Contractor will develop and maintain a public advisory program to notify motorists, residents and local business of the work schedule and anticipated short-term impacts.

All existing pedestrian and ADA facilities will be perpetuated during construction. Pedestrians and bicyclists can utilize the CTEP bike path during construction. Temporary pedestrian facilities may be needed at public street crossings on the south side of College Street. The project traffic control plan will include a pedestrian traffic control plan component.

- b) **Utilities Impacts:** A number of utilities are located in close proximity to the project, including overhead power lines and buried gas, water, telephone and fiber optic lines. Temporary, short-term interruption to utility services may result.

Utilities Mitigation: MDT Standard Specifications require the contractor to cooperate with utility owners in the removal and rearrangement of utility facilities to minimize interruption to utility service and duplication of work by the utility owner. Notification of service interruptions due to these relocations would be the responsibility of these utility line's owners.

- c) **Economic Impacts:** Construction of the proposed project would result in minor, short-term beneficial effects on the local and regional economies due to construction activities. The project would create jobs and income for construction workers, including laborers, specialists, engineers and managers. Construction would also indirectly help create jobs in industries that provide materials or otherwise support highway construction activities. These effects would be temporary during construction and would not be expected to permanently affect employment, income or taxes in the project area.

The proposed project may result in short-term impacts to some businesses in the project area due to delays or detours associated with construction. Businesses immediately adjacent to the project could be inconvenienced if construction activities cause temporary access limitations.

Economic Impacts Mitigation: The Contractor will develop and maintain a public advisory program to notify motorists, residents and local business of the work schedule and anticipated short-term impacts. During construction, travel delays would be minimized to the extent practicable and reasonable access to residences and businesses along the corridor will be provided.

- d) Air Quality Impacts:** Construction activities may cause minor, short-term, localized adverse air quality impacts due to fugitive dust emissions from earth moving operations and combustion emissions from construction equipment.

Air Quality Mitigation: MDT Standard Specifications require that the Contractor comply with applicable state and federal air quality rules. The contractor will be required to take reasonable precautions to control emissions of airborne particulate matter and to ensure combustion emissions comply with Administrative Rules of Montana (ARM) at ARM 17.8.304, 17.8.308, and 17.8.309. Demonstration of reasonable precautions may require use of dust suppression and emission control measures to minimize short-term impacts related to construction dust and combustion equipment usage.

- e) Noise Impacts:** Construction activities may cause minor, short-term, localized adverse noise impacts due to construction equipment.

Noise Mitigation: MDT Standard Specifications require compliance with applicable laws, regulations, and requirements contained in the contract regarding noise pollution.

- f) Water Resources and Water Quality Impacts:** Construction activities near surface waters have potential to have a short-term adverse impact on water quality due to potential for erosion and sediment.

Water Resources and Water Quality Mitigation: The Contractor will be required to revegetate disturbed areas. MDT design and construction specifications require temporary water pollution control measures to minimize potential effects of construction activities. Mitigation of water quality impacts caused by stormwater runoff and erosion would be achieved through engineering controls such as grading, revegetation, design of culverts/ditches, and the use of Best Management Practices.

MDT and/or its contractor will adhere to applicable conditions including CWA 404 Permit conditions, CWA 401 Certification requirements, SPA124 Notification Process, and MPDES Construction General Permit.

MDT's contractor will be required to develop a Storm Water Pollution Prevention Plan (SWPPP) and adhere to, install, and maintain BMPs for erosion and sediment control.

- g) Wetlands Impacts:** Construction activities near surface waters have potential to have a short-term adverse impact on wetlands due to potential for erosion and sediment.

Wetlands Mitigation: Throughout design and construction, avoidance and minimization measures will continue to be employed where practicable. MDT and/or its contractor will adhere to applicable conditions including CWA 404 Permit conditions, CWA 401 Certification requirements, and MPDES Construction General Permit.

- h) Vegetation, Wildlife, and Aquatic Resources Impacts:** Construction activities facilitate increased potential for erosion, sedimentation and weed infestation in disturbed areas.

Disturbed areas resulting from construction could generate land and water erosion potential that could impact water quality and/or create temporary habitat and vegetation loss. Additional short-term construction impacts could include temporary displacement of wildlife, migratory birds, and aquatic species from human-related disturbance. However, because of the different phases of construction, no single location would experience a long-term period of disruption.

Wildlife and migratory bird populations found in the project area are likely accustomed to periodic human disturbances due to the presence of the existing roadway and residential and commercial developments. Construction activities could result in the loss of some small mammals or reptiles that may be occupying their burrows or nests at the time of construction. However, the loss of some individuals would have little or no effect to the overall population of these species in the vicinity of the project. Other species present in the project corridor such as deer and most birds, would be able to avoid mortality by moving into adjacent habitat. Permanent displacement of populations or increased habitat fragmentation would be unlikely to result from this project.

Vegetation, Wildlife, and Aquatic Resources Mitigation: The Contractor will be required to revegetate disturbed areas.

- i) **Threatened/Endangered Species Impacts:** No effects to threatened and endangered species are expected.

Threatened/Endangered Species Mitigation: No mitigation required or proposed.

- j) **Historical/Cultural Resources Impacts:** Previously unknown historical or cultural materials may be unearthed during construction.

Historical/Cultural Resources Mitigation: In the unlikely event that archeological or historical artifacts are encountered during construction, MDT Standard Specifications require the Contractor to immediately stop work and notify the Project Manager of the find. The Project Manager is required to stake the area to remain undisturbed until the significance of the site has been determined and appropriate measures are carried out.

- k) **Hazardous Materials Impacts:** Previously unknown hazardous materials may be encountered during construction.

Hazardous Materials Mitigation: MDT Standard Specifications require any hazardous materials discovered, generated, or used during implementation of the proposed action to be handled and disposed in accordance with applicable local, State, and Federal regulations.

- l) **Visual Resources Impacts:** Construction activities may cause minor, short-term, localized adverse visual impacts.

Visual Resources Mitigation: The Contractor will be required to revegetate disturbed areas.

23. Permits/Notifications/Authorizations

The following permits/authorizations are expected to be required prior to any relevant disturbance:

- A Clean Water Act Section 404 permit from the US Army Corp of Engineers. The proposed project is expected to qualify for a Nationwide Permit. The 404 permit will require adherence to any conditions of DEQ for 401 Certification.
- A weed control plan approved by Gallatin County.
- Under the Clean Water Act (33 USC 1251-1376), this proposed project would require a Section 402/MPDES permit from DEQ's Permitting and Compliance Division.
- Additionally, work would be in accordance with the Water Quality Act of 1987 (P.L. 100-4), as amended.
- MDT will follow the SPA 124 Process with the FWP in accordance with 87-5-501, et seq. MCA.
- City of Bozeman MS4 permit.

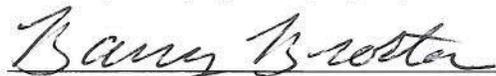
24. Public Involvement

Based on the currently anticipated scope of work, a Level C public involvement plan is appropriate. Public involvement activities already conducted and intended to be conducted are briefly described below:

- The scoping meeting for the College - Main to South 19th - Bozeman project was held at the City of Bozeman Engineering Division office in Bozeman on February 22, 2011.
- A news release will be prepared to explain the project and include a Department point of contact.
- A Public Information Meeting will be held to describe the scope of the proposed project, discuss potential impacts, and seek input.
- A second Public Information Meeting will be held to update the public of the project's status and seek input.
- Personal contact was made with local officials from the City of Bozeman, the Bozeman Area Bicycle Advisory Board (BABAB), the Bozeman Pedestrian and Traffic Safety Committee, and Montana State University. No groups having unique needs or specific concerns were identified.
- Construction notifications and information during construction will be provided via signing, mailings, radio ads and newspaper articles.

25. Conclusion

In accordance with 23 CFR 771.117(a), this pending action would not cause any significant individual, indirect (secondary), or cumulative environmental impacts. No extraordinary circumstances as specified in ARM 18.2.261(2), nor unusual circumstances as specified in 23 CFR 771.117(b), have been identified. Therefore, the FHWA's concurrence is requested that this proposed project is properly classified as a Categorical Exclusion.



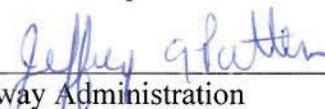
Barry Brosten
MDT Environmental Services Bureau
Butte District Project Development Engineer

Date: 10/21/2011



Heidy Bruner, P.E.
MDT Environmental Services Bureau
Engineering Section Supervisor

Date: 10/21/11

Concur 
Federal Highway Administration

Date: 10/25/11

Attachments

copies (w/o attach):

Jeff Ebert	MDT Butte District Administrator
Tim Conway, P.E	MDT Consultant Design Engineer
Joe Walsh	MDT Butte District Engineering Services Supervisor
Rob Bukvich	MDT Bozeman Construction
Robert Stapley	MDT Right-of-Way Bureau Chief
Nicole Pallister	MDT Fiscal Programming Section Supervisor (acting)
Suzy Price	MDT Contract Plans Bureau Chief
Tom Martin, P.E.	MDT Environmental Services Bureau Chief
Heidy Bruner, P.E.	MDT Environmental Services Engineering Section Supervisor
Mike Dalsoglio, P.E	Consultant Design Project Manager
Barry Brosten	MDT Environmental Services Project Development Engineer

copies (w/attach):

File MDT Environmental Services
Montana Legislative Branch Environmental Quality Council (EQC)
City of Bozeman Offices

MDT attempts to provide accommodation for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats of this information will be provided upon request. For further information, call 406.444.7228 or TTY (800.335.7592) or call Montana Relay at 711.



Aerial photograph provided by: City of Bozeman, 2007.



Map Legend

	Signalized		Waterbody		On-System Route
	Unsignalized		Ditch		Local Route
	Project Corridor		Stream - Piped		City Limits
			Stream		Ownership

0 250 500 750 1,000 Feet
1 inch = 500 feet

FIGURE 1.1
PROJECT VICINITY MAP
Control No: 7426 College - Main to S 19th

Map Created by:
ROBERT PECCIA & ASSOCIATES
www.rpa-hln.com
1-800-667-8160

Appendix A

Section 106 Documentation

1. Determination of Eligibility letter from MDT to SHPO (May 18, 2011) with SHPO Concurrence Stamp (June 6, 2011).



2011090202

RECEIVED

SEP 02 2011

BY: SHPO
RECEIVED

SEP 19 2011

ENVIRONMENTAL

CONCUR
MONTANA SHPO

DATE 16 Sep 2011 SIGNED

• JEFF
• M DOT
• COLLECT -
MAIN TO SOUTH
19TH, BOZEMAN
EFFECT
24GA 1833

August 31, 2011

Mark Baumler, Ph.D.
State Historic Preservation Office
1410 8th Avenue
P O Box 201202
Helena, MT 59620-1202

Subject: STPU 1210(3)
College – Main to South 19th – Bozeman
UPN 7426

Dear Mark:

Enclosed is the Determination of Effect for the above reconstruction project in Gallatin County. We have determined that the propose project would have **No Effect** to the National Register-eligible Delbert and Rita Myrick House (24GA1833) for the reasons specified in the document. We request your concurrence.

If you have any questions, please contact me at 444-6258.

Jon Axline, Historian
Environmental Services

Enclosure

Copy: Jeff Ebert, P.E., Butte District Administrator
Tim Conway, P.E., Consultant Design
Bonnie Gundrum, Resources Section