



December 20, 2011

Alan Woodmansey
Operations Engineer
Federal Highway Administration
585 Shepard Way
Helena, MT 59601-9785

Subject: Statewide Pavement Preservation Project
STPP 28-2(39)56
South of Red Lodge – S
Control Number: 7598 000

Dear Alan Woodmansey,

The MDT Environmental Services Bureau has reviewed the Preliminary Field Review/Scope of Work Report (PFR/SOW) for the subject project. Based on the completed Environmental Checklist for Pavement Preservation Projects (Checklist), we conclude that the Statewide Programmatic Categorical Exclusion for these types of projects would cover this project.

The following special provisions will be included in this project:

- PROTECTION OF AQUATIC RESOURCES
- ENVIRONMENTAL MITIGATION AND COORDINATION MEASURES FOR T&E SPECIES

For your information, I have attached a copy of the PFR/SOW, the signed Environmental Checklist, and the special provisions listed above. If you have questions or concerns, please contact Tom Gocksch at 444-9412. He will be happy to assist you.

Sincerely,


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

e-copy (w/ all attach):

- | | |
|-----------------------|--------------------------------------------------------|
| Stefan Streeter, P.E. | Billings District Administrator |
| Paul R. Ferry, P.E. | Highway Engineer |
| Tom S. Martin, P.E. | Chief, Environmental Services Bureau |
| Heidy Bruner, P.E. | Environmental Services Bureau Engr. Section Supervisor |
| Kevin Christensen, PE | Construction Engineer |
| Suzy Price | Contract Plans Bureau Chief |
| Dawn Stratton | Fiscal Programming Section |
| Alyce Fisher | Fiscal Programming Section |
| Tom Gocksch, PE | Environmental Services |

Hard copy (w/ checklist):

- **Montana Legislative Branch Environmental Quality Council (EQC)**
- Environmental Services File

HSB:tgg:S:\PROJECTS\BILLINGS\7000-7999\7598\7598ENPPCSPFHW01.doc

(FOR PROJECTS WITH NO RIGHT-OF-WAY INVOLVEMENT)

Applicant cannot be authorized to proceed with the proposed work until ALL of the conditions of the checklist have been satisfied.

ENVIRONMENTAL CHECKLIST FOR PAVEMENT PRESERVATION PROJECTS

(CRACK SEALING, SEAL & COVER, THIN OVERLAYS, MILL & FILL, PLANT MIX LEVELING, MILL OGFC, MICRO SURFACING, FOG SEAL)

Project Number: STPP 28-2(39)56 Control No 7598000 Project Name: South of Red Lodge - S

Reference Post (Station): 56.4 To Reference Post (Station): 64.2

Applicant's Name: Montana Department of Transportation Address: PO Box 201001; Helena, MT 59620-1001

Type of Proposed Pavement Preservation Activity: Mill and overlay

IMPACTS ON THE PHYSICAL ENVIRONMENT (TO BE COMPLETED BY APPLICANT)

Table with 3 columns: Impact Questions, Yes, No, Comment. Contains 14 rows of questions regarding environmental impacts like water quality, wetlands, and air quality.

Checklist prepared by:

Ryan Dahlke Applicant

Project Design Engineer Title

12/5/2011 Date

Approved by: [Signature] Environmental Services

ENVIRONMENTAL SERVICES SECTION SUPERVISOR Title

12/21/11 Click here to enter a date. Date

(When any of the above questions are checked "Yes")

The Applicant is **not** authorized to proceed with the proposed work until the checklist has been reviewed and approved, as necessary, and any requested conditions of approval have been incorporated.

- A. Complete the checklist items 1 through 7, indicating "Yes" or "No" for each item. Include comments, explanations, information sources, and a description of the magnitude/importance of potential impacts in the right hand column. Attach additional and supporting information as needed. The checklist preparer, by signing, certifies the accuracy of the information provided.
- B. When "Yes" is indicated on any item, the checklist preparer must explain why and provide the appropriate documentation, evaluation, permit, and/or mitigation measures required to satisfy environmental concerns for the project. Use attachments if necessary. **Any proposed mitigation measures will become a condition of approval.**
- C. If the applicant checks "Yes" for any one item, the checklist and MDT's mitigation proposal, documentation, evaluation and/or permit shall be submitted to MDT Environmental Services Bureau. Electronic format is preferred. Contact Number 444-7228.
- D. When the applicant checks a "Yes" item, MDT cannot be authorized to proceed with the proposed work until Environmental Services Bureau reviews the information and signs the checklist.
- E. MDT will obtain all necessary permits or authorizations from other entities with jurisdiction prior to beginning the Pavement Preservation Activity.
- F. The links above are provided as a starting point for potential sources of information for completing the checklist. The Applicant is encouraged to consult Environmental Services Bureau and/or other information sources.

PROTECTION OF AQUATIC RESOURCES

Aquatic resources include, but are not limited to, wetlands, springs, streams (perennial, ephemeral, and intermittent drainages), rivers, lakes, ponds, reservoirs, irrigation systems, and associated riparian areas.

Impacts to aquatic resources are not anticipated in association with this project. MDT has NOT acquired any water quality permits or authorizations, including a Clean Water Act Section 404 permit (COE), a Stream Protection Act 124 (MFWP), or a 318 Authorization (DEQ). Therefore, impacts to any and all aquatic resources located adjacent to the project are not permitted. Avoid all equipment traffic, fill material, staging activities and other disturbances to aquatic resources.

In areas adjacent to any water body; including streams, irrigation ditches, wetland areas or in areas immediately adjacent to the highway susceptible to sediment transport conduct operations in a manner to avoid placement of materials in these areas.

Any impacts to these areas and associated consequences, without the proper permitting, are the responsibility of the Contractor. The Contractor must secure the appropriate permits or authorizations prior to working in these areas. If complete avoidance of these areas is not possible, contact the Project Manager immediately and coordinate the permitting effort with the District Biologist at 444-7227 or the District Environmental Engineering Specialist at 657-0273.

ENVIRONMENTAL MITIGATION AND COORDINATION MEASURES FOR T&E SPECIES

A. Description. This project is located within grizzly bear habitat. Transient individuals may infrequently occur within the vicinity of the project throughout the construction season. To reduce the chance of bear-human conflicts and to minimize impacts to this T&E species, adhere to the following requirements:

1. Keep all areas in a neat condition; promptly clean up any project related spills, litter, garbage, etc.

Keep all food and food related items inside a closed, hard-sided vehicle or special bear resistant container (see Note below) except when preparing or eating food.

Store petroleum products, antifreeze, and personal items such as deodorants, toothpaste, soap and lotions in the same manner as food, as these products may attract bears.

Deposit garbage and waste items in grizzly bear-resistant containers. Remove the accumulated garbage and waste from the project site daily and dispose of in accordance with all Tribal, Federal, State and local laws, regulations and ordinances.

No overnight camping is allowed within the project vicinity, except in designated campgrounds, by any crew member or other personnel associated with this project.

Note: A bear-resistant container is a securable container constructed of solid material capable of withstanding 200 foot-pounds of energy applied by direct impact. The container, when secured and under stress, will not have any openings greater than 6.35 mm (¼ inch), that would allow a bear to gain entry by biting or pulling with its claws.

Promptly notify the Project Manager of any road killed game animals found in the vicinity of the project. The Project Manager will arrange to have the animals picked-up and disposed of properly.

Promptly notify the Project Manager of any grizzly bears observed in the vicinity of the project, or contact Environmental Services District Biologist at 444-7227 or 444-7228.

B. Basis of Payment. Consider all costs associated with this provision incidental to performance of the work. Include the cost in the cost of other items.