



December 5, 2012

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ENVIRONMENTAL

Kevin L. McLaury
Division Administrator
Federal Highway Administration
585 Shepard Way
Helena, MT 59601-9785

**MASTER FILE
COPY**

Attention: Jeff Patten

Subject: Programmatic Categorical Exclusion (PCE) Concurrence Request
Flowing Wells Rest Area
NH 57-5(33)249
UPN 5154000

Dear Kevin McLaury:

This submittal requests approval of the above-mentioned proposed project as a Categorical Exclusion under the provisions of 23 CFR 771.117(d) and the Programmatic Agreement as signed by the Montana Department of Transportation (MDT) and the Federal Highway Administration (FHWA) on April 12, 2001. This proposed action also qualifies as a Categorical Exclusion under ARM 18.2.261 (Sections 75-1-103 and 75-1-201, MCA).

The following form provides the documentation required to demonstrate that all of the conditions are satisfied to qualify for a PCE. Copies of the Traffic Noise Analysis Memorandum, the State Historic Preservation Office (SHPO) concurrence letter, and the Garfield County Weed Supervisor response email are on file at MDT. A copy of the Scoping Meeting Minutes/Preliminary Field Review Report, dated June 12, 2012, and a project location map are attached. In the following form, "N/A" indicates not applicable; "UNK" indicates unknown.

NOTE: A response in a large box will require additional documentation for a Categorical Exclusion request in accordance with 23 CFR 771.117(d).

| | <u>YES</u> | <u>NO</u> | <u>N/A</u> | <u>UNK</u> |
|---|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| 1. This proposed project would have (a) significant environmental impact(s) as defined under 23 CFR 771.117(a). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. This proposed project involves (an) unusual circumstance(s) as described under 23 CFR 771.117(b). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. This proposed project involves one (or more) of the following situations where: | | | | |
| A. Right-of-Way, easements, and/or construction permits would | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | <u>YES</u> | <u>NO</u> | <u>N/A</u> | <u>UNK</u> |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| be required. | | | | |
| 1. The context or degree of the Right-of-Way action would have (a) substantial social, economic, or environmental effect(s). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. There is a high rate of residential growth in this proposed project's area. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. There is a high rate of commercial growth in this proposed project's area. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Work would be on and/or within approximately 1.6 kilometers (1± mile) of an Indian Reservation. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. There are parks, recreational, or other properties acquired/improved under <i>Section 6(f)</i> of the 1965 <i>National Land & Water Conservation Fund Act</i> (16 USC 460L, <i>et seq.</i>) on or adjacent to proposed the project area. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| The use of such <i>Section 6(f)</i> sites would be documented and compensated with the appropriate agencies. (<i>e.g.</i> : MDFWP, local entities, etc.). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 <i>Section 106</i> of the <i>National Historic Preservation Act</i> (16 USC 470, <i>et seq.</i>) by the State Historic Preservation Office (SHPO), which would be affected by this proposed project. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. There are parks, recreation sites, school grounds, wildlife refuges, historic sites, historic bridges, or irrigation that might be considered under <i>Section 4(f)</i> of the 1966 <i>US DEPARTMENT OF TRANSPORTATION Act</i> (49 USC 303) on or adjacent to the project area. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. The proposed project would not impact the site(s), so a 4(f) evaluation is not necessary. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. De minimis finding(s) is/are necessary for this project. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. "Nationwide" Programmatic <i>Section 4(f)</i> Evaluation forms for these sites are attached. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. This proposed project requires a full (<i>i.e.</i> : DRAFT & FINAL) <i>Section 4(f)</i> Evaluation. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | <u>YES</u> | <u>NO</u> | <u>N/A</u> | <u>UNK</u> |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| B. The activity would involve work in a streambed, wetland, and/or other waterbody(ies) considered as "waters of the United States" or similar (e.g., "state waters"). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1. Conditions set forth in <i>Section 10</i> of the <i>Rivers and Harbors Act</i> (33 USC 403) and/or <i>Section 404</i> under 33 CFR Parts 320-330 of the <i>Clean Water Act</i> (33 USC 1251-1376) would be met. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 US Army Corps of Engineers and other Resource Agencies (Federal, State and Tribal) as required for permitting | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. A 124SPA Stream Protection Authorization would be obtained from the MDFWP? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. There is a delineated floodplain in the proposed project area under FEMA's Floodplain Management criteria. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| The water surface at the 100-year flood limit elevation would exceed floodplain management criteria due to an encroachment by the proposed project. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Tribal Water Permit would be required. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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 US Department of Agriculture, or the US Department of the Interior. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| The designated National Wild & Scenic River systems in Montana are: | | | | |
| a. Middle Fork of the Flathead River (headwaters to South Fork confluence). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. North Fork of the Flathead River (Canadian Border to Middle Fork confluence). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. South Fork of the Flathead River (headwaters to Hungry Horse Reservoir). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Missouri River (Fort Benton to Charles M. Russell National Wildlife Refuge). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | <u>YES</u> | <u>NO</u> | <u>N/A</u> | <u>UNK</u> |
|---|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| In accordance with <i>Section 7</i> of the <i>Wild and Scenic Rivers Act</i> (16 USC 1271 – 1287), this work would be coordinated and documented with either the Flathead National Forest (Flathead River), or US Bureau of Land Management (Missouri River). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1. If yes, are there potential noise impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. A Noise Analysis would be completed. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. There would be compliance with the provisions of both 23 CFR 772 for FHWA's Noise Impact analyses and MDT's Noise Policy. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| D. There would be substantial changes in access control involved with this proposed project. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, would they result in extensive economic and/or social impacts on the affected locations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 would be made for access by local traffic, and be posted for same. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Adverse effects to through-traffic dependant businesses would be avoided or minimized. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Interference to local events (e.g. festivals) would be minimized to all possible extent. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Substantial controversy associated with this pending action would be avoided. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F. Hazardous wastes /substances, as defined by the US Environmental Protection Agency (EPA) and/or the Montana Department of Environmental Quality (MDEQ), and/or (a) listed "Superfund" (under <i>CERCLA</i> or <i>CECRA</i>) site(s) are currently on and/or adjacent to this proposed project. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| All reasonable measures would be taken to avoid and/or minimize substantial impacts from same. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | <u>YES</u> | <u>NO</u> | <u>N/A</u> | <u>UNK</u> |
|---|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| G. The Stormwater Discharge conditions (ARM 17.30.1101-1117), including temporary erosion control features for construction would be met. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| H. Permanent desirable vegetation with an approved seeding mixture would be established on exposed areas. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| I. Documentation of an "invasive species" review to comply with both EO #13112 and the <i>County Noxious Weed Control Act</i> (7-22-2152, MCA), including directions as specified by the county(ies) wherein its intended work would be done. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| J. There are "Prime" or "Prime if Irrigated" Farmlands designated by the Natural Resources Conservation Service on or adjacent to the proposed project area. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If the proposed work would affect Important Farmlands, then a CPA 106 Farmland Conversion Impact Rating form would be completed in accordance with the <i>Farmland Protection Policy Act</i> (7 USC 4201, <i>et seq.</i>). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| K. Features for the <i>Americans with Disabilities Act</i> (PL 101-336) compliance would be included. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| L. A written Public Involvement Plan would be completed in accordance with MDT's Public Involvement Handbook. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. This proposed project complies with the <i>Clean Air Act's Section 176(c)</i> (42 USC 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 <u>not</u> covered under the EPA's September 15, 1997 Final Rule on air quality conformity. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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 Resources Management Bureau, etc.). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- | | <u>YES</u> | <u>NO</u> | <u>N/A</u> | <u>UNK</u> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| C. Is this proposed project in a "Class I Air Shed" under 40 CFR 52.1382(c)(2-4) and 40 CFR 81.417? (Northern Cheyenne, Flathead, and Fort Peck Indian Reservations; Glacier and Yellowstone National Parks; Anaconda-Pintlar, Bob Marshall, Cabinet Mountains, Gates of the Mountains, Medicine Lake, Mission Mountain, Red Rock Lakes, Scapegoat, Selway-Bitterroot, and U.L. Bend Wilderness Areas) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Federally listed Candidate, Threatened or Endangered (T/E) Species: | | | | |
| A. There are recorded occurrences and/or critical habitat in this proposed project's vicinity. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| B. Would this proposed project result in a "jeopardy" opinion (under 50 CFR 402) from the Fish & Wildlife Service on any Federally listed T/E Species? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

This proposed project would not create disproportionately high and/or adverse impacts on the health or environment of minority and/or low-income populations (EO #12898). It also complies with the provisions of *Title VI* of the *Civil Rights Act* of 1964 (42 USC 2000d) under the FHWA's regulations (23 CFR 200).

In accordance with the provisions of 23 CFR 771.117(a), this pending action would not cause any significant individual, secondary, or cumulative environmental impacts. Therefore, the FHWA's concurrence is requested that this proposed project is properly classified as a Categorical Exclusion.

Eric Thunstrom, Date: 12/5/12
Eric Thunstrom
Great Falls District Project Development Engineer
MDT Environmental Services Bureau

Concur Heidy Bruner, Date: 12/6/12
Heidy Bruner, P.E., Engineering Section Supervisor
MDT Environmental Services Bureau

Concur Jeffrey Patten, Date: 12/10/12
Federal Highway Administration

Attachment: Scoping Meeting Minutes/Preliminary Field Review Report, dated June 12, 2012.

electronic copies without attachment (unless otherwise noted):

| | |
|--|--|
| Shane Mintz | Glendive District Administrator |
| Tom Martin, P.E. | Environmental Services Bureau Chief |
| Heidy Bruner, P.E. | Environmental Services Bureau Engineering Section Supervisor |
| Kent Barnes, P.E. | Bridge Engineer |
| Paul Ferry, P.E. | Highways Engineer |
| Tim Conway, P.E. | Consultant Design Engineer |
| Jim Frank, P.E. | Glendive District Preconstruction Engineer |
| Robert Stapley | Right-of-Way Bureau Chief |
| Moriah Thunstrom, P.E. | Consultant Project Engineer |
| Suzy Price | Contract Plans Bureau Chief |
| Tim Tilton | Contract Section Supervisor |
| Nicole Pallister | Fiscal Programming Section Supervisor |
| Tom Erving | Fiscal Programming Section |
| Vacant | Glendive District Environmental Engineering Specialist |
| Montana Legislative Branch Environmental Quality Council (EQC) (with attachment) | |

copies with attachment:

| | |
|------|-------------------------------|
| File | Environmental Services Bureau |
|------|-------------------------------|



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

Memorandum

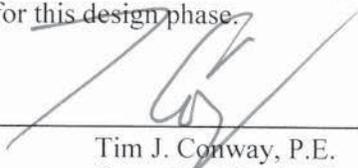
To: Tim J. Conway, P.E.
 Consultant Design Engineer

From: Bryan L. Miller, P.E. *BLM*
 Consultant Plans Engineer

Date: June 12, 2012

Subject: Flowing Wells Rest Area
 NH 57-5(33)249
 UPN 5154000
 Work Type: 111-New Facility Construction

Please approve the attached Scoping Meeting Minutes for the subject project. The minutes were prepared by the consultant, DOWL HKM. These minutes are also intended to serve as the Preliminary Field Review Report for this design phase.

Approved  Date 6/13/12
 Tim J. Conway, P.E.
 Consultant Design Engineer

We are requesting comments from those on the distribution list. We will assume their concurrence if we receive no comments within two weeks of the approval date.

Distribution:

- | | |
|---|--|
| Shane Mintz, District Administrator | Tom Martin, Environmental Services Bureau Chief |
| Kent Barnes, Bridge Engineer | Lynn Zanto, Rail, Transit, & Planning Division Administrator |
| Paul Ferry, Highways Engineer | Jake Goettle, Construction Engineering Services Bureau |
| Roy Peterson, Traffic and Safety Engineer | Matt Strizich, Materials Engineer |
| Robert Stapley, Right-of-Way Bureau Chief | Jon Swartz, Maintenance Administrator |

cc:

- | | |
|---|---|
| Dawn Stratton, Fiscal Programming Section | Jeff Patten, FHWA - Operations Engineer |
| Gabe Priebe Project Design Manager | Consultant design Project File |
| Bryan Miller, Consultant Plans Engineer | |

e-copies:

- | | |
|---|---|
| Lesly Tribelhorn, Highways Design Engineer | Jake Goettle, Construction Bureau – VA Engineer |
| Mark Goodman, Hydraulics Engineer | Jim Frank, District Preconstruction |
| Marc Wotring, District Hydraulics Engineer | Steve Heidner, District Projects Engineer |
| Bonnie Gundrum, Env. Resources Section Supervisor | Ray Peaslee, District Materials Lab |
| Larry Sickerson, District Biologist | Thomas Roberts, District Maintenance Chief |
| Tom Atkins, District Project Development Engineer | Patty Patterson, District Right of Way Supervisor |
| Danielle Bolan, Traffic Engineer | Phillip Inman, Utilities Engineering Manager |
| LeRoy Wosoba, District Traffic Project Engineer | David Hoerning, R/W Engineering Manager |
| Kraig McLeod, Safety Engineer | Greg Pizzini, Acquisition Manager |
| Scott Walter, Bridge Area Engineer, Glendive District | Joe Zody, R/W Access Management Section Manager |
| Matt Strizich, Materials Engineer | Paul Johnson, Project Analysis Bureau |
| Daniel Hill, Pavement Analysis Engineer | Sue Sillick, Research Section Supervisor |
| DJ Berg, District Geotechnical Manager | Alyce Fisher, Fiscal Programming |
| Bryce Larsen, Supervisor, Photogrammetry & Survey | Scott Bunton, Engineering Cost Analyst |
| Marty Beatty, Engineering Information Services | Dawn Stratton, Fiscal Programming |
| Paul Grant, Public Involvement Officer | Jean Riley, Planner |
| Christopher DeVerniero, Transportation Planning | Kim Janzen, Helena Maintenance |

MEMORANDUM

TO: Gabe Priebe, P.E.
Consultant Design Project Engineer

FROM: William Dreyer, P.E.
DOWL HKM Project Engineer

DATE: June 12, 2012

RE: Scoping Meeting Minutes and Preliminary Field Review
Flowing Wells Rest Area
NH 57-5(33)249
UPN 5154000

This memo is to transmit the Scoping Meeting Minutes from the Scoping Meeting held on Wednesday, May 30, 2012 at the MDT Glendive District Office with the associated field review.

Introduction

The purpose of the meeting was to define the scope and services that will be necessary for a Phase I site evaluation of the Flowing Wells Rest Area located at the southwest corner of the intersection of MT 200 and MT 24, approximately 36 miles east of Jordan, MT, and approximately 31 miles southwest of Circle MT. The Phase I scope will be to analyze, evaluate, design, and permit water supply and wastewater systems to serve the future reconstruction of the rest area under a subsequent design-build project (Phase II). Right-of-way (ROW) design for land acquisition is currently anticipated, due to the possible relocation of the rest area site, north of MT 200. Phase I will also include preparation of environmental compliance documentation for reconstruction of the rest area, including the water and wastewater system, the building facility, and the parking area.

The formal meeting began at approximately 8:30 AM with introductions of attendees and the distribution of the Meeting Agenda (to guide scoping discussions). MDT provided a copy of the well log and Source Water Delineation and Assessment Report before the meeting. An aerial depiction of the existing Flowing Wells Rest Area was provided by DOWL HKM as a handout. A copy of the meeting agenda and the handout reviewed during the meeting are attached to these meeting minutes. The scoping meeting consisted of an office review followed by a field review of the site. The scoping meeting concluded at approximately 10:00 AM and the field review concluded at approximately 12:00 PM.

The meeting was attended by the following individuals:

| | |
|------------------|-------------------------------|
| Gabe Priebe | MDT Consultant Design, Helena |
| Chris DeVerniero | MDT Data & Statistics, Helena |
| Kim Janzen | MDT Facilities, Helena |
| Tracy Milroy | MDT Glendive District |
| Jim Frank | MDT Glendive District |
| Steve Heidner | MDT Glendive District |
| Kevin Gower | MDT Maintenance, Wolf Point |
| Phil Odegard | DOWL HKM |
| William Dreyer | DOWL HKM |

Sarah Nicolai of DOWL HKM (via teleconference).

Project Protocols and Miscellaneous

- The purpose of this meeting is to serve as both the Preliminary Field Review and the scoping meeting for this project.
- Gabe Priebe will be the MDT Consultant Design Project Manager for this project. Gabe will be the point of contact regarding significant project issues and deliverables.
- Robert Padmos will be the Consultant Design Plans Checker/Reviewer.
- DOWL HKM will be the consultant. As the engineer of record for this project phase, DOWL HKM will not be eligible to participate in a future design-build project to reconstruct the rest area.
- DOWL HKM has just completed Phase I for the Greycliff Rest Area, and will be developing the Phase I for this project in a similar manner.
- While the purpose of the project is to permit a water/wastewater system for a future design-build or design-bid-build project, the project will still follow the MDT consultant activity format for a design project. The project schedule and activity durations will also be based on this format, and will be determined during the scoping of this project.
- It is expected that guidance for developing Phase I will come from the Western Transportation Institute *Rest Area Use: Data Acquisition and Usage Estimation* report, dated February 2011.
- MDT staff indicated that the Flowing Wells Rest Area is currently utilized as a seasonal-use rest area open April 15 through November 15. It is anticipated that the rest area will be converted to year-round use. The Phase I scoping and design will assume year-round use of the rest area.
- It was agreed that there may be some right-of-way acquisition needed for this project. The property acquisition may include property north of MT 200, as well as additional right-of-way for possible turn bays. The property to the north of the site is owned by John Frady. DOWL HKM and MDT staff will evaluate right-of-way possibilities as part of the scoping process.
- MDT staff indicated wind issues are a concern at the site. This issue may be mitigated through landscape design in Phase II of the project. Power generation through the use of wind may be a design element for Phase II of the project.

- MDT staff indicated the site sees a significant volume of RV units as well as wide load tractor trailer units.
- The meeting minutes will follow the PFR format, and will be due 7 days from the scoping meeting.
- DOWL HKM will provide an initial cost proposal, scope of services and proposed activity durations within 21 calendar days of the scoping meeting.
- MDT activities will be combined with consultant activity durations to develop an agreed upon schedule
- Negotiations must be completed within 6 weeks of the scoping meeting.
- The project is scheduled to go to design build in 2013-2014. Phase I of the project is estimate to be completed in 9 months.

Proposed Scope of Work

The intended scope of work for this initial phase (Phase I) of the Flowing Wells Rest Area project is to provide design of a water/wastewater system for the rest area to meet expected 20-year needs, to obtain conditional permitting of the system through the Montana Department of Environmental Quality (MDEQ), and to provide environmental compliance documentation. Once approved, the permit and environmental compliance documentation will allow for the development of a design-build project to reconstruct the rest area. Through the development of the conditional permitting of the water and wastewater system during this phase of the project, less risk will be carried by possible design-build teams during the subsequent design-build phase. Furthermore, obtaining this conditional permitting in advance of the design-build process is expected to expedite the development and completion of the project.

Design of the water and wastewater systems will be based on the Western Transportation Institute *Rest Area Use: Data Acquisition and Usage Estimation* report, dated February 2011, as opposed to current AASHTO design guidance for rest areas.

A conceptual site layout will be developed as a part of Phase I, and will include a schematic depiction of a possible rest area layout for the benefit of MDT to scope the design-build portion of this project. The conceptual layout will not be a site design, but will rather identify the location of water and wastewater systems relative to the overall site, as well as to provide a schematic depiction of a possible site layout (parking, building location) for consideration by design-build teams. Design of other site improvements will not be included in this project phase, and will be addressed under a subsequent project phase (Phase II).

Purpose and Need

The purpose of the overall project will be to reconstruct the existing Flowing Wells Rest Area to meet current and future demands, based on anticipated usage through a 20-year planning horizon. A wastewater system with increased capacity and improved treatment capabilities, expanded car and truck parking spaces, and expanded restroom facilities may be needed to accommodate future demand.

Phase I of the project will include design and conditional permitting for anticipated improvements to the water and wastewater system to be used during subsequent design and construction phases (Phase

II). Phase I will also include preparation of environmental compliance documentation. At this time, Phase II improvements are expected to be developed through a design-build project.

Project Location and Limits

The project site is located at the Flowing Wells Rest Area at the southwest corner of the intersection of MT 200 and MT 24, approximately 36 miles east of Jordan, and approximately 31 miles southwest of Circle in Garfield County, MT. MT 200 is classified as a *Principal Arterial-Non Interstate* and MT 24 is classified as a *Minor Arterial* within the MDT functional classification system. A project site map showing the location and current layout of the Flowing Wells Rest Area is enclosed with this memo.

The project limits will include the existing rest area site, the entrance access, the neighboring MDT property that is currently utilized by Tracy Milroy (MDT personnel), the property due north of the rest area, and a portion of the MT 200 right-of-way adjacent to the rest area facilities. Turn lanes may be included at the intersection of MT 200 and MT 24. Should turn lanes be necessary, the project limits will extend along MT 200 to the extent necessary to accommodate turn bays and tapers. The need for rest area relocation and turn lanes is still under consideration, and will be defined as part of developing the scope of services for this project.

Precise project limits will be determined during the design phase of the project.

The availability of record drawings, septic permits water usage and door counter data for the site will be researched, and will be provided to the Consultant if available.

Work Zone Safety and Mobility

No construction will occur upon the completion of this project phase. Work zone safety and mobility will be addressed under a subsequent project phase.

Physical Characteristics

The rest area consists of a single restroom building, picnic locations, and informational boards. The Flowing Wells Rest Area is seasonal, and is closed during winter months; however the design portion of Phase I will assume that the rest area will be changed to year-round use. The restroom facility is in fair condition.

The Flowing Wells Rest Area site is on a gradually sloping terrain, with grades extending away from the parking area. The site is generally at-grade with MT 200. The roadways adjoining the rest area intersection are on relatively flat grades and tangent horizontal alignments.

The area adjacent to the Flowing Wells Rest Area is rural, and is bordered by a residential farmstead and undeveloped grasslands. The rest area's access from MT 200 is provided via a county road that bisects the Garfield County / McCone County line. Excluding the MDT adjacent property, the rest area is surrounded by private land ownership.

Water is provided to the site through an individual well, and the site has an existing electric service.

Traffic Data / Crash Analysis

Two MDT count sites adjacent to the Flowing Wells Rest Area (Sites 28-5-10 and 28-5-1) reported actual annual average daily traffic (AADT) counts of 210 vehicles per day (MT 24) and 440 vehicles per day (MT 200) for 2010, Updated traffic data adjacent to the site will be requested from MDT Traffic.

It was noted by MDT district staff that the rest area appears to be regularly used by the travelling public and it sees a significant amount of RV traffic, as well as wide load tractor trailer units. As such, it was suggested that the future parking configuration should address these needs.

A request for the crash data adjacent to the rest areas for the most recent 3 year period was submitted to MDT Traffic.

Major Design Features

- a. **Design Speed.** MT 200 and MT 24 are currently posted for 70 mph. Due to the scope of this project phase, design speed is not anticipated to be a controlling element for the permitting of a water-wastewater system.
- b. **Horizontal Alignment.** MT 200 and MT 24 adjacent to the rest area are on generally straight alignments. Due to the scope of this project phase, horizontal features of the highway will not be a controlling element for the permitting of a water-wastewater system.

The horizontal alignment of the entry and exit access was not identified as being currently deficient by District staff. Phase I of the project will investigate the current access configurations for the rest area and will depict improvement needs, as necessary, in the conceptual drawings.

- c. **Vertical Alignment.** The area adjacent to the Flowing Wells Rest Area generally consists of hills east and west of the rest area. The project area generally slopes towards the north. MT 200 and MT 24 generally rise and fall with the area's terrain. Due to the scope of this project phase, vertical features of the highway will not be a controlling element for the permitting of a water-wastewater system.

The vertical alignment of the entry and exit access was not identified as being currently deficient by District staff. Phase I of the project will investigate the current access configurations for the rest area. Profiles of the access, access road, parking lot, or MT 200 are not included in Phase I, and will be addressed under a subsequent project phase.

- d. **Typical Section and Surfacing.** The site has a developed parking area with asphalt surfacing. Due to the scope of this project phase, typical sections will not be a controlling element for the permitting of a water-wastewater system. Surfacing sections will not be investigated as a part of this phase of the project.
- e. **Geotechnical Considerations.** Geology in the vicinity of the Flowing Wells Rest Area has not yet been identified, but will be addressed through a preliminary geotechnical memo developed

as a part of Phase I. The well log for the site currently indicates that the well for the rest area is typically productive. It was observed that the current system utilizes a small chlorination system. District staff noted that MDEQ water sampling results have been good for the well. The viability of the well will be verified by an onsite pump test and a static groundwater survey. The current onsite well will be utilized in the groundwater investigation.

Per MDEQ standards, a minimum of three test pits per drainfield zone will be needed for each identified drainfield area. These test pits will help identify the receiving soils in the wastewater treatment and disposal area.

- f. **Hydraulics.** A Location Hydraulics Study has not been prepared for this project, and will not be developed through this phase of the project. No changes to the current surface flow patterns are anticipated with this project phase. Site hydraulics will be addressed through a memo detailing site characteristics.
- g. **Bridges.** There are no bridge structures within the project limits.
- h. **Traffic.** Conceptual traffic elements will be considered for phase I of this project. Traffic improvements will be finalized under a subsequent project phase. No changes are anticipated to existing traffic patterns or considerations as a result of this project phase.
- i. **Pedestrian / Bicycle / ADA.** Pedestrian, bicycle, and ADA features are not included in this phase of the project and will be considered under a subsequent project phase.
- j. **Miscellaneous Features.** Miscellaneous design features have not been identified for this project.
- k. **Context Sensitive Design Issues.** Specific context sensitive design issues were not identified at the scoping meeting.
- l. **Water Supply.** Groundwater is the source of potable water at the Flowing Wells Rest Area site. Water from this source is used to serve the rest area facilities, as well as for irrigation of the lawn and associated landscaped areas. Water supply upgrades will be evaluated based on results from the well pump tests and water sampling investigation. District staff indicated that the water has a strong alkaline taste; this will be confirmed and addressed in the water treatment design. Water supply upgrades will be designed in accordance with current EPA and MDEQ drinking water standards.

Water rights for the Flowing Wells Rest Area will be researched as a part of Phase I activities.

- m. **Wastewater Treatment.** Through visual investigation, it appears that on-site sewage treatment at the Flowing Wells Rest Area is currently accomplished through the use of a septic tank and a gravity-fed drainfield. The field review revealed one drainfield in current use and two abandoned drainfields. One of the abandoned drainfields was used by the existing rest area and is located in the north west corner of the site. The other abandoned drainfield was used by

a trailer house that has been removed from the site. It is recommended that the current wastewater treatment facilities be upgraded to include advance treatment capabilities in addition to a new septic tank and drainfield. A detailed site investigation will be performed to adequately size the new system and define groundwater characteristics that affect the treatment objectives at each site.

- n. **Conceptual Site Layout.** A cadastral survey is anticipated for Phase I since additional right-of-way may be necessary. A conceptual site layout will be developed with the intent of evaluating a possible design layout with respect to the location of water and wastewater systems suitable for Phase II. A conceptual site layout will be developed only to the absolute minimum extents necessary to be able to define the site for a future design-build phase of the project. The conceptual site layout will include a planning-level estimate of parking needs; and will identify the existing well location or proposed well location relative to wastewater improvements. A final report summarizing the features that were reviewed and evaluated during Phase I will be provided to be used for future phases of the project.

Other Projects

No other projects have been identified as having a direct impact to this phase of the project.

Design Exceptions

Design exceptions are not anticipated.

Right-of-Way

Right-of-way acquisition is anticipated for this project. Potential areas of acquisition may include property north of and adjacent to MT 200. DOWL HKM will evaluate right-of-way needs during the Phase I project.

Cold In-place Recycle

Cold in-place recycling will not be an element of the permitting of a water-wastewater system, and is not applicable to this project phase.

Access Control

Access control will not be modified with this project phase.

Intelligent Transportation Features

Intelligent transportation features will not be an element of the permitting of water or wastewater systems, and are not applicable to this project phase.

Experimental Features

Experimental features will not be an element of the permitting of a water-wastewater system, and are not applicable to this project phase. Power generation through the use of wind may be a design element for Phase II of the project.

Utilities / Railroads

Utility involvement is expected to be limited. District staff indicated that there is a fiber optic line located in the MT 200 right-of-way. A Phase I SUE will be included in the development of this phase

of the project. Specific details regarding the perpetuation of utility services to the rest area site will be determined under a subsequent project phase. At this time, all utilities within the rest area boundaries are believed to be for the purpose of serving the rest area and as such, are owned by MDT. The District office will provide utility information to the extent available.

There are no railroads adjacent to the site.

Survey / Mapping

DOWL HKM will coordinate with the MDT Glendive District Office, and the District Surveyor regarding existing control at or near the rest area site. If unavailable or if additional control is required, DOWL HKM will develop new control based on MDT standards. DOWL HKM will complete a topographic survey of the entire site, extending sufficiently beyond the right-of-way to ensure adequate coverage of the proposed project site. Utilities located through the Phase I SUE will be identified within the topographic survey.

A cadastral survey will be performed for this phase of the project, as additional right-of-way is anticipated.

Public Involvement

Based on the nature of this project, a *Level A* public involvement plan is anticipated. A public meeting is not considered necessary.

Environmental Considerations

This project is anticipated to fall within a category of actions that does not involve significant environmental impacts, as defined in 23 CFR 771.117(d)(5) - construction of new truck weigh stations or rest areas. A Programmatic Categorical Exclusion is anticipated for this project following a checklist format. This documentation will provide environmental clearance for complete reconstruction of the Flowing Wells Rest Area, including water and wastewater systems and building and parking facilities.

An abbreviated biological resources report will be prepared for this project and will include a brief discussion of sensitive wildlife species based on database reviews. MDT will provide information on species occurrences from the MDT portal to the MNHP database. Based on preliminary information provided by MDT environmental staff, no wetlands are known to occur in the project vicinity. No wetland delineations will be conducted for this project.

A cultural resources survey will be conducted for this project due to the anticipated need for additional right-of-way. A noise analysis will be prepared as there are several residential receptors located in proximity to the rest area site that could be impacted by the project.

Energy Saving / Eco-Friendly Considerations

Development of this project is anticipated to improve nutrient loading such as nitrates and phosphorus, within the project area. These nutrient improvements will be the direct result of the installation of an improved wastewater system. Further energy saving or eco-friendly considerations will be addressed under a subsequent project phase to improve the rest area.

Traffic Control

Construction will not occur as a result of this project phase. Traffic control will be addressed under a subsequent project phase to reconstruct the rest area.

DOWL HKM will conform to standard practices for traffic control, as needed, for data collection and survey.

Project Management

The design phase of the project will be administered by Gabe Priebe P.E. of the Consultant Design Bureau in Helena, MT. The PE phase of this project will not be under full FHWA oversight.

The consultant for this project is DOWL HKM. Todd Cormier, PE, PTOE, AVS will serve as the Consultant Project Manager (406-656-6399, tcormier@dowlhkm.com). The Project Engineer will be William Dreyer, PE (406-586-8834, bdreyer@dowlhkm.com).

Preliminary Cost Estimate

A preliminary cost estimate has not been prepared at this time. A cost estimate will be prepared during the development of the water-wastewater permitting phase of this project, and will be addressed in greater detail within the Scope of Work report.

Recent rest area reconstruction projects in Montana have ranged from \$4M to \$5M. Current program estimates for the Flowing Wells Rest Area is \$1.5M for construction.

Ready Date / Schedule

A ready date has not been established, and will be developed once a schedule has been entered into the MDT OPX2 system. At this time, a 9 month schedule is anticipated.

Site Map

A project site map is included as an enclosure to these meeting minutes.

Scoping Meeting Minutes
 May 30, 2012

for

Flowing Wells Rest Area

MDT Glendive Office start time (8:30 AM)

NH 57-5(33)249

UPN 5154000

| Name | Company | Email | Phone |
|------------------|-------------------------|----------------------|--------------|
| William Dreyer | DOWL HKM | B.Dreyer@DowlHKM.com | 406-586-8834 |
| Phil Coegard | DOWL HKM | pcogard@DowlHKM.com | 906-442-0370 |
| CHRIS DEVERNIERO | MDT | cdevernie@mt.gov | 444-9194 |
| Kim Janzen | MDT - Facilities | kjanzen@mt.gov | 444-3258 |
| Tracy Milroy | Flowing Wells Setba P&S | Tmilroy@MT.Gov | 557-2358 |
| GASS MIZSE | MDT - Con. | gmizse@mt.gov | 414-5746 |
| Jim Frank | MDT - Glendive | jfrank@mt.gov | 345-8214 |
| Steve Heidner | MDT - Glendive | sheidner@MT.gov | 345-8247 |
| Kevin Gower | MDT - Wolf Point | kgower@MT.Gov | 653-6709 |
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Date: May 30, 2012

Scoping Meeting Agenda Outline

Flowing Wells Rest Area

NH 57-5(33)249

UPN 5154000

1. Introduce the Meeting

- Purpose of the meeting is to define the scope of the project sufficiently for the Consultant (DOWL HKM) to prepare a cost proposal and enter into an agreement with MDT.

2. Introductions

- Handouts/Transmittals/Reference Guides
 1. Meeting Agenda Outline
 2. Sign-up Sheet
 3. Sample PFR
 4. Montana Rest Area Usage Final Report
 5. Activity Descriptions (on website – will be modified)
 6. Consultant Design Activity Flowchart (on website – will be modified)

3. Timeframe for Negotiation Submittals

- Consultant to take the meeting minutes/attendance list and submit within 7 days of the scoping meeting. **Follow PFR format.**
- Consultant to provide initial cost proposal, scope of services, and proposed activity durations within 21 calendar days of the scoping meeting. Current Audit Reports of prime and subs due at this time.
- MDT activities will be blended in with the submitted Consultant activity durations to develop an agreed upon schedule.
- Negotiations must be completed within 6 weeks of the scoping meeting.

4. Project Personnel

- Robert Padmos - Consultant Design Plans Checker/Reviewer
- MDT Support Staff
- Gabe Priebe – Consultant Design Project Engineer
 - Administer the Contract
 - Maintain the project on schedule, scope, and budget
 - Acts as liaison between the Consultant and the Department
- Consultant – DOWL HKM
- Consultant Project Manager - _____
 - All contact with department should be initiated through the Consultant Design Project Engineer. At the discretion of the Consultant Project Engineer, the Consultant may be directed to contact MDT review personnel directly.
 - Inform the Consultant Project Engineer if any related correspondence or review items will affect the Agreement.

- All correspondence should be routed through the Consultant Project Engineer. Include Project Name, Fed ID and CN on all correspondence.
- Use Consultant Design sample invoice for billings and progress reports.

5. **Briefly Describe the Project**

Review Project Summary

6. **Project History**

District Comments

7. **Review Work Scope General Categories**

Follow Current PFR Sample

8. **Site Visit**



FIG 1
OF 1

MONTANA DEPARTMENT OF TRANSPORTATION
REST AREAS
FLOWING WELLS REST AREA



| REVISIONS | | |
|-----------|------|-------------|
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