



Montana Department of Transportation

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August 20, 2013

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ENVIRONMENTAL

Jeff Patten, Operations Engineer - Butte
Federal Highway Administration (FHWA)
585 Shepard Way, Suite 2
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AUG 26 2013

FHWA
MONTANA DIVISION

Subject: Categorical Exclusion Concurrence Request
STPS 275-1(8)1
MAIN ST BR DEER LODGE
Control No. 6708000

Dear Jeff Patten:

This submittal requests approval of the above-mentioned project as a Categorical Exclusion under the provisions of 23 CFR 771.117(d). The proposed action also qualifies as a Categorical Exclusion under the provisions of ARM 18.2.261(1).

Background

A Supplemental Environmental Assessment (EA) for Bridge Replacements and Channel Improvements on Cottonwood Creek was prepared by the Federal Emergency Management Agency (FEMA) in September 2011 and a Finding of No Significant Impact (FONSI) was approved on October 12, 2011. FEMA prepared an EA/FONSI for this work since the FEMA regulations do not contain a provision to categorically exclude this type of work.

The Montana Department of Transportation (MDT) Environmental Services Bureau has reviewed the subject project and concluded that the analysis contained in the FEMA-approved Supplemental EA and FONSI for Bridge Replacements and Channel Improvements on Cottonwood Creek remains valid for the subject project. Additionally, MDT has concluded that the proposed work would qualify for categorical exclusion under applicable state and federal transportation regulations. This categorical exclusion documentation will reference the FEMA EA/FONSI with the addition of a Section 4(f) evaluation and an update on the details of the current design.

Project Location and Limits

The proposed project is located on Secondary 275, MP 1.1, in Deer Lodge Montana where Main Street crosses Cottonwood Creek.

Purpose and Need

Flooding along Cottonwood Creek in the City of Deer Lodge has occurred on a regular interval since 1908. Powell County has identified the need to lessen the potential for flooding and property damage along Cottonwood Creek in Deer Lodge.

Powell County recently utilized FEMA and local funds and reconstructed the stream channel and replaced bridges with inadequate hydraulic capacity along Cottonwood Creek to accommodate 900 cfs. The current hydraulic capacity of the Cotton Creek channel where it flows through Deer Lodge is less than 900 cfs at the Main Street Bridge. The purpose of this project is to provide a 900 cfs capacity at the Main Street Bridge to alleviate flooding.

Scope of work

The proposed scope of work for this project involves a bridge replacement with reconstructed roadway approaches as needed to match the grade of the new structure. Proposed work includes roadway widening to provide two 12-ft travel lanes, a 14-ft turn lane, two 8-ft shoulders (may be modified to two 2-ft shoulders), and two 5-ft sidewalks. Stream work is included to tie the previously reconstructed channel with the new structure configuration. Additional items include lighting, grading, gravel, plant mix surfacing, signing, pavement markings, riprap, and re-vegetation.

The 2011 EA completed by FEMA analyzed project impacts that may result from the replacement of the Main Street Bridge with a two-span cast-in place concrete slab bridge with an intermediate pier. The current selected alternative eliminates the intermediate pier and spans the entire channel. The following narrative serves to update and supplement the existing environmental documentation.

The Main Street Bridge is a section 4(f) site and an evaluation for the Main Street Bridge replacement is attached.

Environmental Considerations

An aerial photo showing the location of the proposed bridge relative to the existing is attached. The impacts and mitigation resulting from the proposed changes are summarized in Table 1 below.

Table 1. Summary of Potential Impacts and Proposed Mitigation

Section	Resource	Change in Potential Impact Compared to FEMA EA/FONSI	Change in Potential Mitigation Compared to FEMA EA/FONSI
4.1	Geology Topography and Soils	Overall project impacts remain the same as those identified in the Supplemental EA prepared by FEMA in September 2011. The current selected alternative results in only minor temporary impacts to geology, topography, and soils.	No change in mitigation.
4.2	Water Resources	The proposed paving work would result in a negligible increase in impermeable surface. It is not expected that this small increase would result in an adverse impact to water resources. Overall project impacts remain the same as those identified in the Supplemental EA prepared by FEMA in September 2011. The current selected alternative results in	No change in mitigation.

Section	Resource	Change in Potential Impact Compared to FEMA EA/FONSI	Change in Potential Mitigation Compared to FEMA EA/FONSI
	Water Resources (cont.)	<p>drainage patterns returning to historic patterns and confined to the normal stream channel. Surface water quality over the long-term would be improved by reducing silt and debris caused by flooding.</p> <p>The project will impact approximately 290 linear feet of channel upstream and downstream of the Main Street Bridge. Prior to this proposed work, Powell County reconstructed Cottonwood Creek throughout most of the City of Deer Lodge to increase the capacity of the channel to a minimum of 900 cfs. In some locations, this was an increase of more than 50%. Reconstruction work stopped on either side of the Main Street Bridge so that the channel could be routed through the existing bridge. This has resulted in an undersized and unnatural meander of the channel. The proposed channel reconfiguration associated with the bridge replacement will connect the upstream and downstream reaches and better mimic a natural meander. The reconstruction will also provide for better fisheries habitat by creating a low flow channel that does not currently exist, as well as removing some man-made hard armoring components such as sidewalk slabs. The proposed configuration will still require armoring to protect adjacent houses, but it is proposed to use buried rip-rap with willow shoots. The inclusion of the willows will ultimately provide shade for the fishery.</p>	

Section	Resource	Change in Potential Impact Compared to FEMA EA/FONSI	Change in Potential Mitigation Compared to FEMA EA/FONSI																					
4.3	Floodplains	<p>This project is located within a detailed study floodplain and a floodplain permit will be required. This permit will be issued by the City of Deer Lodge whom will have DNRC review the submitted application. Based on DNRC comments on the Second Street Bridge project the Consultant will need to model the effective model, the duplicate effective model , existing conditions, proposed conditions, no bridge, 2-year event, 50-year event, 100-year event, 500-year event and the design event (900 cfs). The model will need to tie to the effective model from the 1994 Flood Insurance Rate Map study.</p> <p>Per the MOU between the County and MDT, Powell County shall apply to FEMA for a LOMR (Letter of Map Revision) within six months after project construction is completed. At this time a CLOMR (conditional) is not assumed to be required.</p>	<p>No change in mitigation. Proposed features would be designed in accordance with 23 CFR 650 Subpart A and in coordination with the appropriate regulatory agencies.</p>																					
4.4	Biological Resources	<p>The Supplemental EA prepared by FEMA in September 2011 states the following on page 10 and 11: <i>As of May 2011. USFWS lists the following federally endangered (E) and threatened (T) animal species for Powell County, Montana.</i></p> <table border="0"> <thead> <tr> <th>SCIENTIFIC NAME</th> <th>COMMON NAME</th> <th>STATUS</th> </tr> </thead> <tbody> <tr> <td>Ursus arctos horribilis</td> <td>Grizzly Bear</td> <td>LT</td> </tr> <tr> <td>Lynx canadensis</td> <td>Canada lynx</td> <td>LT, CH</td> </tr> <tr> <td>Salvelinus confluentus</td> <td>Bull Trout</td> <td>LT, CH, PCH</td> </tr> <tr> <td>Canis lupus</td> <td>Gray Wolf</td> <td>LE, XN</td> </tr> <tr> <td>Anthus spragueii</td> <td>Sprague's Pipit</td> <td>C</td> </tr> <tr> <td>Gulo gula luscus</td> <td>Wolverine</td> <td>C</td> </tr> </tbody> </table> <p>C = Candidate; PCH = Proposed Critical Habitat; LT = Listed Threatened; CH = Designated Critical Habitat; LE = Listed Endangered; P = Proposed</p> <p><i>Grizzly Bears are primarily located in areas identified as Recovery Zones (in Powell County, that includes the "U.S.A. experimental non-essential" zone and the "Cabinet Yaak Recovery Zone</i></p>	SCIENTIFIC NAME	COMMON NAME	STATUS	Ursus arctos horribilis	Grizzly Bear	LT	Lynx canadensis	Canada lynx	LT, CH	Salvelinus confluentus	Bull Trout	LT, CH, PCH	Canis lupus	Gray Wolf	LE, XN	Anthus spragueii	Sprague's Pipit	C	Gulo gula luscus	Wolverine	C	<p>No change in mitigation.</p>
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Section	Resource	Change in Potential Impact Compared to FEMA EA/FONSI	Change in Potential Mitigation Compared to FEMA EA/FONSI
	<p>Biological Resources (cont.)</p>	<p><i>Population"). Canada Lynx prefer boreal forest landscapes near snowshoe hares; abundant large, woody debris piles; and/or areas where winter snow conditions are generally deep and fluffy. Gray Wolves flourish in a wide range of habitat including: temperate forests, mountains, tundra, taiga, and grasslands. Sprague's Pipits thrive in grassland habitat for both breeding and wintering. Wolverines occur within a wide variety of habitats, primarily boreal forests, tundra, and western mountains. Bull Trout are a cold- water fish of relatively pristine stream and lake habitats."</i></p> <p><i>"Correspondence was sent to the USFWS May 26, 2011, updating the project scope of work to include the 2nd and Main Street bridges, as well as associated drainage channel and road work. In that correspondence, because of the preferred habitat of listed species and the biological profiles of the proposed project area, as well as the use of a single –span structure, FEMA determined the projects "may affect, but are not likely to adversely affect" listed species. The USFWS response on September 2, 2011 concurred with the NLAA determination. "</i></p> <p>An updated search of T&E species conducted on January 14, 2013 for Powell County did not reveal the presence of any additional species. The search did reveal the status of the Gray Wolf as "Recovery." Overall project impacts remain the same as those identified in the Supplemental EA prepared by FEMA in September 2011.</p> <p>Re-evaluation of the Determination of Effect based on the change to structure type proposed and follow-up consultation with the USFWS is underway.</p>	

Section	Resource	Change in Potential Impact Compared to FEMA EA/FONSI	Change in Potential Mitigation Compared to FEMA EA/FONSI
4.5	Transportation	Overall project impacts remain the same as those identified in the Supplemental EA prepared by FEMA in September 2011. The current selected alternative results in no anticipated long-term impacts on traffic circulation or volume.	No change in mitigation.
4.6	Environmental Justice	Overall project impacts remain the same as those identified in the Supplemental EA prepared by FEMA in September 2011. The current selected alternative results in no adverse anticipated impacts on minority or low-income populations. The proposed project would provide flood relief, which would benefit all populations in the watershed equally.	No change in mitigation.
4.7	Air Quality	Overall project impacts remain the same as those identified in the Supplemental EA prepared by FEMA in September 2011. The current selected alternative results in no anticipated long-term impacts to air quality. Construction-related combustion and fugitive emissions could temporarily impact air quality in the immediate area of the work.	No change in mitigation.
4.8	Noise	Overall project impacts remain the same as those identified in the Supplemental EA prepared by FEMA in September 2011. Noise would temporarily increase during construction activities in the immediate area of the bridge replacement and channel improvements.	No change in mitigation.

Section	Resource	Change in Potential Impact Compared to FEMA EA/FONSI	Change in Potential Mitigation Compared to FEMA EA/FONSI
4.9	Cultural Resources	<p>Overall project impacts remain the same as those identified in the Supplemental EA prepared by FEMA in September 2011.</p> <p>The bridge is eligible for listing in the National Register of Historic Places. It is anticipated that acquisition of land in the northeast quadrant would be required to facilitate the new creek alignment.</p> <p>Applicable Section 4(f) analysis documentation or the replacement of the Main Street bridge is attached.</p>	<p>The Supplemental EA states the following on page 15: "The original MOA for the Cottonwood Creek Bridge stipulated mitigation measures to be implemented as a result of the loss of the bridge. Specifically the 2008 MOA required: 1) Replication of the historic bridge side panel features on the replacement bridge; 2) Use of the existing four lamp posts located on the current bridge or replacement of the four lamp posts with those that closely replicate the existing posts; and 3) Off-site mitigation to include the evaluation of approximately 51 historic properties for a proposed Deer Lodge Main Street Historic District for nomination to the NRHP. On July 18, 2011 Montana SHPO concurred that the current design plans meets all stipulations in the original Memorandum of Agreement (MOA) finalized March 27, 2008. All original mitigation measures and project conditions apply."</p> <p>The PFR indicates that MDT will be responsible for historical/cultural review and documentation for the project.</p>
5.0	Secondary and Cumulative Impacts	<p>The City's efforts to replace bridges and improve the channel have been completed with the exception of the Main Street Bridge. Overall, the bridge replacements and channel</p>	<p>No change in mitigation.</p>

Section	Resource	Change in Potential Impact Compared to FEMA EA/FONSI	Change in Potential Mitigation Compared to FEMA EA/FONSI
		improvements result in increased hydraulic capacity so that flooding issues on Cottonwood Creek do not become problematic. It is not expected that MDT's proposed project would result in any significant secondary or cumulative impacts for any of the resource areas described above.	

Conclusions

Overall project impacts remain the same as those identified in the Supplemental EA prepared by FEMA in September 2011. 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), or 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, Date: 8/20/13
Barry Brosten - Butte District Project Development Engineer
MDT Environmental Services Bureau

Heidy Bruner, Date: 8/21/13
Heidy Bruner, P.E. - Engineering Section Supervisor
MDT Environmental Services Bureau

Concur Jeffery Patten Date 9-3-13
Federal Highway Administration

- Copies:
Jeff Ebert, P.E. - Butte District Administrator
Paul Ferry, P.E. - Highway Engineer
Kent Barnes, P.E. - Bridge Engineer
Robert Stapley - Right-of-Way Bureau Chief
Lisa Hurley - Fiscal Programming Supervisor
Tom Erving - Fiscal Programming Section
Suzy Price, Supervisor - Contract Plans Section
Tom Martin, P.E. - Environmental Services
Heidy Bruner, P.E. - Environmental Services
File

CN 6708 Main Street - Deerlodge Cottonwood Creek Bridge Replacement



Map Location



Created 2011



MONTANA DIVISION

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

Project # STPS 275-1(8)1, (P.M.S. C# 6708000)

Date: August 20, 2013

Project Name: MAIN ST BR DEER LODGE

Location: Main Street Bridge

Powell County

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

NOTE: Any response in a box will require additional information, and may result in an individual evaluation/statement. Consult the "Nationwide" Section 4(f) Evaluation procedures.

	<u>YES</u>	<u>NO</u>
1. Is the bridge a NATIONAL HISTORIC LANDMARK?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have agreements been reached through the procedures pursuant to <i>Section 106</i> of the <i>National Historic Preservation Act</i> with the following:		
STATE HISTORIC PRESERVATION OFFICE (SHPO)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Any other agency/ies with jurisdiction at this location?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) If "YES" will additional approval(s) for this <i>Section 4(f)</i> application be required?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) List of agencies with jurisdiction at this location:		
USA - CORPS OF ENGINEERS (<i>Section 404</i> Permit)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
USDA - Forest Service	<input type="checkbox"/>	<input type="checkbox"/>
USDA - Soil Conservation Service (<i>FPPA</i>)	<input type="checkbox"/>	<input type="checkbox"/>
FEMA Regulatory Floodway (Permit)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MDFW&P - Parks Division (Fishing Access Site)	<input type="checkbox"/>	<input type="checkbox"/>
MDFW&P - Wildlife Division (wetlands)	<input type="checkbox"/>	<input type="checkbox"/>
MDFW&P - Fisheries Division (<i>MSPA</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MDSL (navigable rivers under state law)	<input type="checkbox"/>	<input type="checkbox"/>
MDEQ - Air and Waste Management Bureau	<input type="checkbox"/>	<input type="checkbox"/>
MDEQ - Water Quality Bureau	<input type="checkbox"/>	<input type="checkbox"/>
MDNR&C (irrigation systems)	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>

ALTERNATIVES & FINDINGS

EACH of the following **ALTERNATIVES** for this proposed project have been evaluated to avoid the use of the historic bridge:

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

The above **ALTERNATIVES** have been applied in accordance with this PROGRAMMATIC SECTION 4(f) EVALUATION and are supported by **EACH** of the following **FINDINGS**:

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

ALTERNATIVES & FINDINGS (#2 - conclusion:)

	<u>YES</u>	<u>NO</u>
c) This ALTERNATIVE does not correct the serious restrictions on visibility (approach geometrics, structural requirements) which also contributes to an unsafe condition at this location.	<u>X</u>	_____
Is this rehabilitation ALTERNATIVE therefore considered to be feasible and/or prudent based on the preceding evaluations?	<input type="checkbox"/>	<u>X</u>
3. The relocation ALTERNATIVE , in which the new bridge has been moved to a site that presents no adverse effect upon the existing structure has also been considered under the following FINDINGS :		
a) Terrain and/or local geology. The present structure is located at the only feasible and/or prudent site for a bridge on the existing route. Relocating to a new site — either up-, or downstream of the preferred location — will result in extraordinary bridge/approach engineering and associated construction costs.	<u>X</u>	_____
The preferred site is the <u>only</u> prudent location due to the terrain and/or geologic conditions in the general vicinity.	<u>X</u>	_____
Any other location would cause extraordinary disruption to existing traffic patterns.	<u>X</u>	_____
b) Significant social, economic and/or environmental impacts. Locating the proposed bridge in other than the preferred site would result in significant social/economic impacts such as the displacement of families, businesses, or severing of prime/unique farmlands.	<u>X</u>	_____
Significant environmental impacts such as the extraordinary involvement in wetlands, regulated floodplains, or habitat of threatened/endangered species are likely to occur in any location outside the preferred site.	<u>X</u>	_____
c) Engineering and economics. Where difficulty/ies associated with a new location are less extreme than those listed above, the site may still not be feasible and prudent where costs and/or engineering difficulties reach extraordinary magnitudes. Does the ALTERNATE location result in significantly increased engineering or construction costs (such as a longer span, longer approaches, etc.)?	<u>X</u>	_____
d) Preservation of existing historic bridge may not be possible due to either or both of the following:		
the existing structure has deteriorated beyond all reasonable possibility of rehabilitation for a transportation or alternative use;	<u>X</u>	_____
no responsible party can be located to maintain and preserve the historic structure.	<u>X</u>	_____

ALTERNATIVES & FINDINGS (#3. - conclusion:)

Therefore, in accordance with the previously-listed FINDINGS it is neither feasible nor prudent to locate the proposed bridge at a site other than the preferred **ALTERNATE** as described.

YES NO

X

MEASURES TO MINIMIZE HARM

This "Nationwide" Programmatic Section 4(f) Statement applies only when the following **Measures to Minimize Harm** have been assured; a check in a box MAY void the Programmatic application — if so, a full Section 4(f) Evaluation **will be required**:

- | | <u>YES</u> | <u>NO</u> |
|---|------------|--------------------------|
| 1. Is the bridge being rehabilitated under this proposed project? | _____ | <u>X</u> |
| If "YES", is the historic integrity of the structure being preserved to the greatest extent possible; consistent with unavoidable transportation needs, safety, and load requirements? | <u>na</u> | <input type="checkbox"/> |
| <u>NOTE:</u>
If "NO", refer to item 2., following, to determine <u>Programmatic</u> applicability. | | |
| 2. The bridge is being replaced, or rehabilitated to the point where historic integrity is affected. Are adequate records being made of the existing structure under HISTORIC AMERICAN ENGINEERING RECORD standards, or other suitable means developed through consultation with SHPO and the ACHP? | <u>X</u> | <input type="checkbox"/> |
| 3. If the bridge is being replaced, is the existing structure being made available for alternative use with a responsible party to maintain and preserve same? | <u>X</u> | <input type="checkbox"/> |
| 4. If the bridge is being adversely affected, has agreement been reached through the <u>Section 106</u> process of the <u>National Historic Preservation Act</u> on these Measures to Minimize Harm (which will be incorporated into the proposed project) with the following: | | |
| SHPO (Date: <u>1/14/99</u>) | <u>X</u> | <input type="checkbox"/> |
| ACHP (Date: <u>1/29/99</u>) | <u>X</u> | <input type="checkbox"/> |
| FHWA (Date: <u>1/21/99</u>) | <u>X</u> | <input type="checkbox"/> |
| A copy of the Amendment to Programmatic Agreement signed/approved by these agencies is attached. | <u>X</u> | <input type="checkbox"/> |

COORDINATION

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

City/County government:
Local historical society:

Adjacent property owners:
Others:

Copies of letters from these agencies regarding this proposed project are attached. This proposed project is also documented as an Environmental Assessment/FONSI under the requirements of the *National Environmental Policy Act (42 U.S.C. 4321, et seq.)*.

SUMMARY & APPROVAL - The proposed action meets all criteria regarding the required **ALTERNATIVES, FINDINGS, and Measures to Minimize Harm** which will be incorporated into this proposed project. This proposed project therefore complies with the July 5, 1983 Programmatic Section 4(f) Evaluation by the U.S. DEPARTMENT OF TRANSPORTATION's Federal Highway Administration. This document is submitted pursuant to **49 U.S.C. 303** and in accordance with the provisions of **16 U.S.C. 470f**.



Heidi Bruner, P.E.
Engineering Section Supervisor
Environmental Services

Date: 8/21/13

Approved: Jeffrey G. Peltier
Federal Highway Administration

Date: 9-3-13

HB:BCB

Attachments

copies: Jeff Ebert, P.E. - Butte District Administrator
Paul Ferry, P.E. - Highway Engineer
Kent Barnes, P.E. - Bridge Engineer
Robert Stapley - Right-of-Way Bureau Chief
Lisa Hurley - Fiscal Programming Section
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