



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

County SANDERS

April 8, 2005

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APR 11 2005

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

To Whom It May Concern:

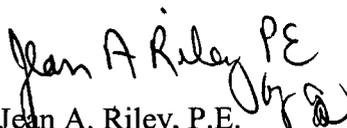
Subject: Cooperating Agency Environmental Documentation

As a Cooperating Agency under the provisions of 23 CFR 771.111 the Montana Department of Transportation (MDT) is providing you a copy of this project's environmental documentation.

This environmental documentation complies with the provisions of 23 CFR 771.117(a) and (d) for categorically excluding this proposed project from further National Environmental Policy Act (NEPA) (42 U.S.C. 4321, et seq.) documentation requirements. The attached also complies with the provisions of 75-1-103 and 75-1-201, MCA (see ARM 18.2.237 and 18.2.261, MEPA "Actions that qualify for a Categorical Exclusion" as applicable to the MDT).

If you have any questions concerning the attached environmental documentation please call the MDT Environmental Services Division at (406) 444-7228.

Sincerely,


Jean A. Riley, P.E.
Engineering Bureau Chief
Environmental Services Division

S:\ADMIN\48_GEN_CORRESP\MAILINGS\COOP AGENCY LTR.DOC\2000_SLOPE_FLATTENING_N_JCTMT200

Attachment



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

April 7, 2005

Janice W. Brown, Division Administrator
Federal Highway Administration (FHWA)
2880 Skyway Drive
Helena, MT 59602

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APR 08 2005

Subject: **STPHS 36-1(19)3
2000-Slope flattening- N of Jct. MT 200
UPN 4702**

ENVIRONMENTAL

This is to request approval of this proposed project as a Categorical Exclusion (CE) under the provisions of 23 CFR 771.117(d), and the Programmatic Agreement as signed by the MONTANA DEPARTMENT OF TRANSPORTATION (MDT) and the FHWA on April 12, 2001. Copies of its draft Scope of work (March 2, 2005) and Project Location Map are attached. This proposed action also qualifies as a CE 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 Programmatic Categorical Exclusion Approval (PCE) as initially agreed by the (former) MONTANA DEPARTMENT OF HIGHWAYS (MDOH) and the FHWA on December 6, 1989. (Note: An "X" in the "N/A" column is "Not Applicable" to, while one in the "UNK" column is "Unknown" at the present time for this proposed project.)

NOTE: A response in a 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 <u>23 CFR 771.117(a)</u> .	<input type="checkbox"/>	<u>X</u>		
2. This proposed project involves (an) unusual circumstance(s) as described under <u>23 CFR 771.117(b)</u> .	<input type="checkbox"/>	<u>X</u>		
3. This proposed project involves one (or more) of the following situations where:				
A. Right-of-Way, easements, and/or construction permits would be required.	<u> </u>	<u>X</u>		
1. The context or degree of the Right-of-Way action would have (a) substantial social, economic, or environmental effect(s).	<input type="checkbox"/>	<u>X</u>	<u> </u>	
2. There is a high rate of residential growth in this proposed project's area.	<u> </u>	<u>X</u>	<u> </u>	<u> </u>

Environmental Services
Phone: (406) 444-7228
Fax: (406) 444-7245

Web Page: www.mdt.state.mt.us
Road Report: (800) 226-7623
TTY: (800) 335-7592

	<u>YES</u>	<u>NO</u>	<u>N/A</u>	<u>UNK</u>
3. There is a high rate of commercial growth in this proposed project's area.	___	<u>X</u>	___	___
4. Work would be on and/or within approximately 1.6 kilometers (1± mile) of an Indian Reservation.	___	<u>X</u>	___	___
5. There are parks, recreational, or other properties acquired/improved under <i>Section 6(f)</i> of the <i>1965 National Land & Water Conservation Fund Act (16 U.S.C. 460L, et seq.)</i> on or adjacent to proposed the project area.	___	<u>X</u>	___	___
The use of such <i>Section 6(f)</i> sites would be documented and compensated with the appropriate agencies. (e.g.: MDFW&P, local entities, etc.).	___	<input type="checkbox"/>	<u>X</u>	___
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 (16 U.S.C. 470, et seq.)</i> by the State Historic Preservation Office (SHPO), which would be affected by this proposed project.	___	<u>X</u>	___	___
7. There are parks, recreation sites, schoolgrounds, wild-life refuges, historic sites, historic bridges, or irrigation that might be considered under <i>Section 4(f)</i> of the <i>1966 U.S. DEPARTMENT OF TRANSPORTATION Act (49 U.S.C. 303)</i> on or adjacent to the project area.	___	<u>X</u>	___	___
a. "Nationwide" Programmatic <i>Section 4(f)</i> Evaluation forms for these sites are attached.	___	<input type="checkbox"/>	<u>X</u>	___
b. This proposed project requires a full (i.e.: DRAFT & FINAL) <i>Section 4(f)</i> Evaluation.	<input type="checkbox"/>	___	<u>X</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").	___	<u>X</u>	___	___
1. Conditions set forth in <i>Section 10</i> of the <i>Rivers and Harbors Act (33 U.S.C. 403)</i> and/or <i>Section 404</i> under <u>33 CFR Parts 320-330</u> of the <i>Clean Water Act (33 U.S.C. 1251-1376)</i> would be met.	___	<input type="checkbox"/>	<u>X</u>	___
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 Montana Inter-Agency Wetland Group.	___	<input type="checkbox"/>	<u>X</u>	___

	<u>YES</u>	<u>NO</u>	<u>N/A</u>	<u>UNK</u>
3. A 124SPA Stream Protection permit would be obtained from the MDFW&P?	___	<u>X</u>	___	
4. There is a delineated floodplain in the proposed project area under FEMA's Floodplain Management criteria.	___	<u>X</u>	___	
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"/>	___	<u>X</u>	
5. Tribal Water Permit would be required.	___	<u>X</u>	___	
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 U.S. Department of Agriculture, or the U.S. Department of the Interior.	___	<u>X</u>	___	
The designated National Wild & Scenic River systems in Montana are:				
a. Middle Fork of the Flathead River (headwaters to South Fork confluence).	___			
b. North Fork of the Flathead River (Canadian Border to Middle Fork confluence).	___			
c. South Fork of the Flathead River (headwaters to Hungry Horse Reservoir).	___			
d. Missouri River (Fort Benton to Charles M. Russell National Wildlife Refuge).	___			
In accordance with <i>Section 7 of the Wild and Scenic Rivers Act (16 U.S.C. 1271 – 1287)</i> , this work would be coordinated and documented with either the Flathead National Forest (Flathead River), or U.S. Bureau of Land Management (Missouri River).	___	<input type="checkbox"/>	<u>X</u>	
C. This is a "Type I" action as defined under <u>23 CFR 772.5(h)</u> , 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.	___	<u>X</u>	___	
1. If yes, are there potential noise impacts?	___	<u>X</u>	___	
2. A Noise Analysis would be completed.	___	<input type="checkbox"/>	<u>X</u>	
3. There would be compliance with the provisions of both <u>23 CFR 772</u> for FHWA's Noise Impact analyses and MDT's Noise Policy.	<u>X</u>	<input type="checkbox"/>	___	

	<u>YES</u>	<u>NO</u>	<u>N/A</u>	<u>UNK</u>
D. There would be substantial changes in access control involved with this proposed project.	___	<u>X</u>		
If yes, would they result-in extensive economic and/or social impacts on the affected locations?	<input type="checkbox"/>	___		<u>X</u>
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"/>		<u>X</u>
2. Adverse effects to through-traffic dependant businesses would be avoided or minimized.	___	<input type="checkbox"/>		<u>X</u>
3. Interference to local events(e.g.: festivals) would be minimized to all possible extent.	___	<input type="checkbox"/>		<u>X</u>
4. Substantial controversy associated with this pending action would be avoided.	___	<input type="checkbox"/>		<u>X</u>
F. Hazardous wastes /substances, as defined by the U.S. Environmental Protection Agency (EPA) and/or the Montana Department of Environmental Quality (MDEQ), and/or (a) listed "Superfund" (under CERCLA or CECRA) site(s) are currently on and/or adjacent to this proposed project.	___	<u>X</u>		
All reasonable measures would be taken to avoid and/or minimize substantial impacts from same.	___	<input type="checkbox"/>		<u>X</u>
G. The Montana Pollutant Discharge Elimination System's conditions (<u>ARM 16.20.1314</u>), including temporary erosion control features for construction would be met.	<u>X</u>	<input type="checkbox"/>		___
H. Permanent desirable vegetation with an approved seeding mixture would be established on exposed areas.	<u>X</u>	___		___
I. Documentation of an "invasive species" review to comply with both E.O.#13112 and the <i>County Noxious Weed Control Act (7-22-21, M.C.A.)</i> , including directions as specified by the county(ies) wherein its intended work would be done.	<u>X</u>	<input type="checkbox"/>		___

YES NO N/A UNK

J. There are "Prime" or "Prime if Irrigated" Farmlands designated by the Natural Resources Conservation Service on or adjacent to the proposed project area.

___ X

If the proposed work would affect Important Farmlands, then an AD-1006 Farmland Conversion Impact Rating form would be completed in accordance with the *Farmland Protection Policy Act (7 U.S.C. 4201, et seq.)*.

___ X

K. Features for the *Americans with Disabilities Act (P.L. 101-336)* compliance would be included.

___ X

L. A written Public Involvement Plan, would be completed in accordance with MDT's Public Involvement Handbook.

X

4. This proposed project complies with the *Clean Air Act's Section 176(c) (42 U.S.C. 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 not covered under the EPA's September 15, 1997 Final Rule on air quality conformity.

X ___

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 Quality Division, etc.).

___ X

C. Is this proposed project in a "Class I Air Shed" (Indian Reservations) under 40 CFR 52.1382(c)(3)?

___ X

5. Federally listed Threatened or Endangered (T/E) Species:

A. There are recorded occurrences, and/or critical habitat in this proposed project's vicinity.

X ___

YES NO N/A UNK

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?

 X

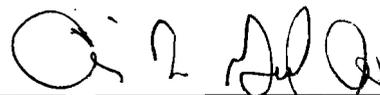
The proposed project would not induce significant land-use changes, nor promote unplanned growth. There would be no significant effects on access to adjacent property, nor to present traffic patterns.

This proposed project would not create disproportionately high and/or adverse impacts on the health or environment of minority and/or low-income populations (E.O.#12898). It also complies with the provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 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.



Thomas L. Hansen, P.E.
Engineering Section Supervisor
MDT Environmental Services Bureau

Concur  Date: 4/8/05
Federal Highway Administration

Attachments

"ALTERNATIVE ACCESSIBLE FORMATS OF THIS DOCUMENT WILL BE PROVIDED ON REQUEST."

- cc: Dwane Kailey, P. E. - MDT Missoula District Administrator
- Paul R. Ferry, P.E. - MDT Highways Engineer
- Kent M. Barnes, P.E. - MDT Bridge Engineer
- John H. Horton, Jr. - MDT Right-of-Way Bureau Chief
- Suzy Althof, - MDT Contract Plans Section Supervisor
- David W. Jensen, Supervisor - MDT Fiscal Programming Section
- Susan Kilcrease - MDT Environmental Services
- ✓ Environmental Quality Council

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Montana Department of Transportation
Helena, Montana 59620-1001

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MAR 03 2005

ENVIRONMENTAL

Memorandum

TO: Distribution
FROM: Duane E. Williams, P.E.
Traffic and Safety Engineer

DATE: March 2, 2005

SUBJECT: STPHS 36-1(19)3, U.P.N. 4702
2000 - Slope Flattening - N of Jct. MT 200
Work Type 310 - Roadway and Roadside Safety Improvements

Attached is the Scope of Work Report for the subject project. We request that those on the distribution review this report and submit your concurrence three weeks from the above, signed date.

Your comments and recommendations are also requested if you do not concur or concur subject to certain conditions. We will assume concurrence if we do not receive comments back within two weeks from the above, signed date. At this time, the report will be submitted to the Engineering Division Administrator for final approval.

Distribution: (all w/attachment)
D. Kailey Missoula D.A.
P.R. Ferry Highways Engineer
K.M. Barnes Bridge Engineer
J.H. Horton Right-of-Way Bureau
M. McArthur Construction Bureau
M. Strizich Materials Bureau
D.J. Blacker Maintenance Division
S.S. Straehl Planning Division
J. Riley Environmental Bureau

I Recommend Approval

John A. Riley
Date 3/22/05

cc: (all w/attachment)
Loran Frazier, Engineering
D.W. Jensen, Fiscal Programming
FHWA (HOP-MT)
D.C. Bolan, Traffic Engineer
Shane Stack, Missoula
Gary Kalberg, DCE - Kalispell
Traffic and Safety File
Suzan Kilcrease, Missoula
Pat Basting - Missoula
Suzan Patterson - Missoula

Sandie Stiff
Jim Cornell
Tom Hanek
P.A. Jomin
T.S. Martin
Joan Scott,
Jim Robert
Ken Lamb
I.B. Ulberg

Return to Bea When "Initial Column" Completed By 3-16-05

Comments?	Y	N	Initials/Date
Biological			
Cultural			<i>NSP 3/7/05</i>
Haz Mat LEI			<i>VGL 3/9</i>
Erosion Control			
Engineer			
Seeding			<i>XLD</i>

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MAR 03 2005

ENVIRONMENTAL

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- Distribution: (all w/attachment)
- D. Kailey Missoula D.A.
 - P.R. Ferry Highways Engineer
 - K.M. Barnes Bridge Engineer
 - J.H. Horton Right-of-Way Bureau
 - M. McArthur Construction Bureau
 - M. Strizich Materials Bureau
 - D.J. Blacker Maintenance Division
 - S.S. Straehl Planning Division
 - J. Riley Environmental Bureau

I Recommend Approval

John A. Riley
Date 3/22/05

- cc: (all w/attachment)
- Loran Frazier, Engineering
 - D.W. Jensen, Fiscal Programming
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 - Traffic and Safety File
 - Suzan Kilcrease, Missoula
 - Pat Basting - Missoula
 - Suzan Patterson - Missoula

- Sandie St
- Jim Cornu
- Tom Han
- P.A. Jom
- T.S. Mar
- Joan Sco
- Jim Robr
- Ken Lan
- I.B. Ulbr

Return to Bell When "Initial Column" Completed By 3-16-05

Comments?	Y	N	Initials/Date
Biological		X	PB 3/15
Cultural			
Haz Mat			
Erosion Control			
Engineer		X	SWK 3/16/05
Seeding			



Montana Department of Transportation
Helena, Montana 59620-1001

Memorandum

TO: Duane E. Williams, P.E.
Traffic and Safety Engineer

FROM: Ivan B. Ulberg, P.E. *IBU*
Traffic Project Manager
Traffic and Safety Bureau

DATE: March 2, 2005

SUBJECT: STPHS 36-1(19)3, U.P.N. 4702
2000 – Slope Flattening – N of Jct. MT 200
Work Type 310 – Roadway and Roadside Safety Improvements

SCOPE OF WORK REPORT

Proposed Scope of Work

This project is being designed to address off road accidents involving the collision with a fixed object or overturning of the vehicle on a single curve on P-36/MT 28. The proposed scope of work includes slope flattening on the outside of the curve and upgrading the signing and delineation through the curve. The existing chevrons will be upgraded, along with the curve advisory signs on either end of the curve. New standard delineation will be placed along both sides of the roadway.

Project Location and Limits

This safety project is located in the Missoula District, north of Plains in Sanders County. The project encompasses a portion of P-36/MT 28 between RP 2.8 and 3.5, approximately 4.8 km north of the junction with MT 200. A map showing the location is attached to this report.

Physical Characteristics

The existing roadway traverses rolling terrain in a rural area. This section of roadway was constructed in 1944 under FAP 87 G, and improved in 1947. The roadway consists of two paved lanes, 6.7 meters in total width, with a total top width of 7.9 meters.

Traffic Data

Note: All traffic data taken from the original 2001 PFR, i.e. letting dates are not current

2001 ADT = 1,190 (Present)

2003 ADT = 1,250 (Letting)

2013 ADT = 1,580 (Future)

DHV = 240

D = N/A

T = 12.5%

ESAL = 106

AGR = 2.4%

Accident History

Between January 1, 1989 and December 31, 1998 there were eleven (11) investigated accidents. The addressable trend for this location is off road accidents involving the collision with a fixed object or overturning of the vehicle. Six of the eleven accidents were considered addressable with the proposed slope flattening and signing upgrades. Of the six addressable accidents, there were no fatal accidents, six injury accidents resulting in seven injuries, and no property damage accidents.

Major Design Features

Design Speed:

The existing roadway traverses rolling terrain in a rural area. The design speed is 90 kph.

Horizontal Alignment:

The horizontal alignment will not change.

Vertical Alignment:

The vertical alignment will not change.

Grade:

The existing grades will not change.

Surfacing Requirements:

No surfacing will be required.

Guardrail:

No guardrail will be installed with this project.

Bridge:

There is no bridge involvement.

Hydraulics:

There is no hydraulics involvement.

Right-of-Way:

No new right-of-way is required. No construction permits are anticipated.

Utilities:

No utility involvement is required.

Railroad:

There is no railroad involvement.

Geo-technical:

There is no geo-technical involvement.

ADA Requirements:

There are no ADA requirements.

Environmental

A Categorical exclusion is being prepared for this project, and will be finished prior to securing design approval for this project.

Traffic Control

Traffic will be maintained through each location of the project during construction with appropriate signing, flagging, etc. in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).

Public Involvement

Level A public involvement is required. A news release has been published, and is sufficient for this project.

Cost Estimate

The initial cost estimate provided by the Safety Management Section was \$11,865 with a benefit/cost (B/C) ratio of 34.14. An updated cost estimate is attached. The updated cost estimate for the signing is \$7,023, and for the slope flattening \$7,004, for a total cost of \$14,027. This estimate includes 15% CE, but does not include traffic control. A traffic control cost estimate will be requested from the district at Plan-in-Hand.

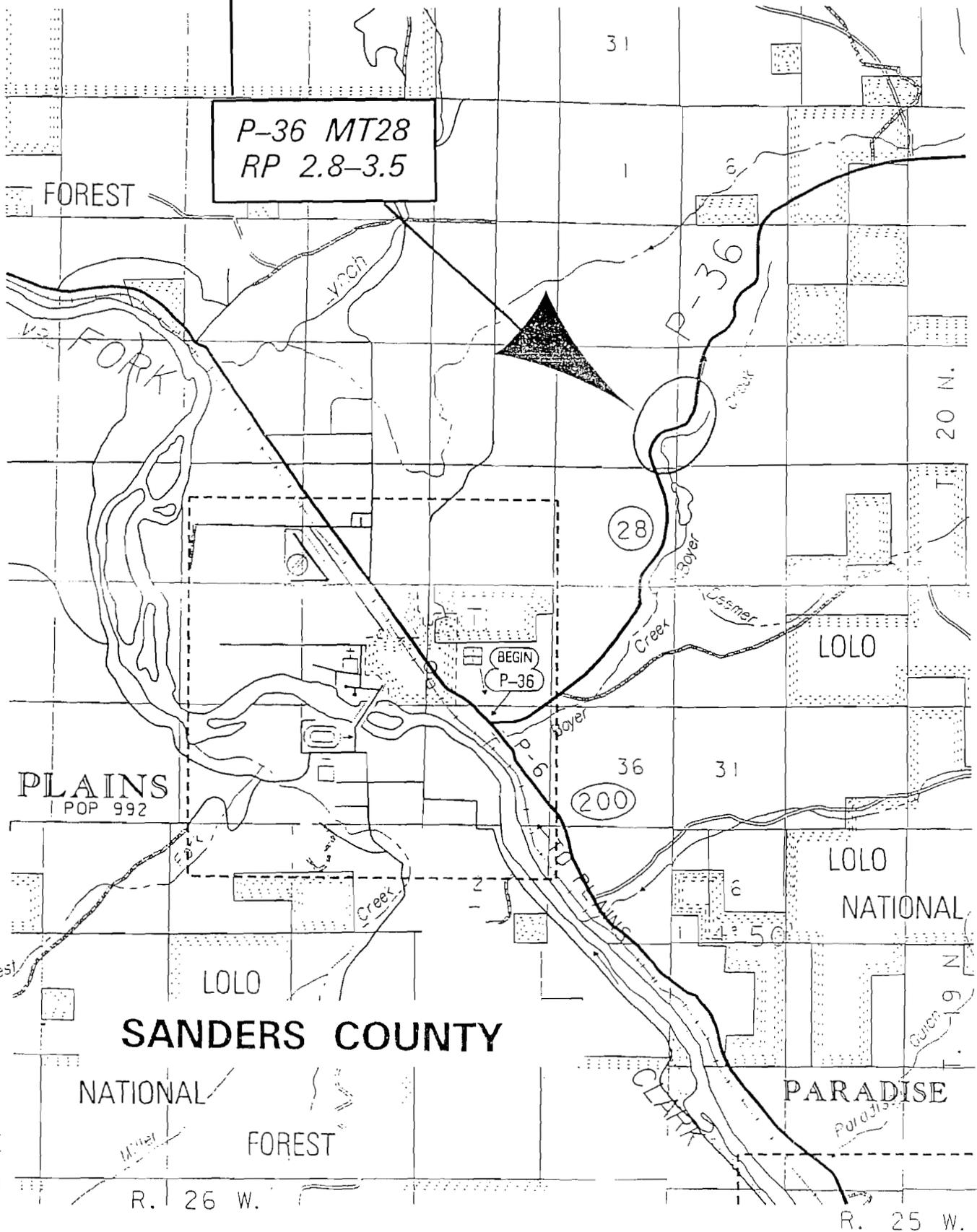
Letting Date

The project is scheduled for an October 1st, 2005 ready date, and a January 25, 2006 letting.

IBU:4702SASOW001

2000-SLOPE FLTN-N JCT MT 200 -STPHS 36-1(19)3

P-36 MT28
RP 2.8-3.5



7-JUN-2001
U7844
X-STPHS36-1(19)3.DGN

Preliminary Estimate

Project Title: 2000 - Slope Flattening - N Jct MT 200 Prepared by: Sam He Stiffler
 Project Number: STPHS 36-1(19)3 Date: February 3, 2005
 Project Length: 0.51 Location: Sanders County
 Des. Super. Approval: Type of Work: Slope Flattening
 Project Cont. Number: 4702 D.A. Approval:

Comparative Prices		
This is for the Districts use only to arrive at District Unit Prices. Do not Print on Final estimate Sheet to Checkers.		
Project 1	Project 2	Project 3
name		
Number		
Year proj let		
Unit Prices	Unit Prices	Unit Prices
Dollars	Dollars	Dollars

Item Number	Quantities	Description	Unit	Average Bid Prices		District Unit Prices	
				Unit Prices	Amount	Unit Prices	Amount
				Dollars	Dollars	Dollars	Dollars
03300000	594	EMBANKMENT IN PLACE	M3	\$6.73	\$3,998.00		\$3,998.00
03500000	129	TOPSOIL-SALVAGING & PLACING	M3	\$3.22	\$415.00		\$415.00
03100616	2	CSP 600 MM X 1 63 MM	M	\$160.66	\$321.00		\$321.00
10110000	0.66	SEEDING AREA NO 1	HA	\$356.13	\$235.00		\$235.00
10210000	0.66	FERTILIZING AREA NO 1	HA	\$96.80	\$64.00		\$64.00
10400000	0.66	CONDITION SEEDBED SURFACE	HA	\$92.77	\$61.00		\$61.00
		Subtotal			\$5,094.00		\$5,094.00
	10%	Mobilization			\$509.40		\$509.40
		Subtotal			\$5,603.40		\$5,603.40
	0%	Traffic Control			\$0.00		\$0.00
0		Traffic Control Devices	Units	0.00	\$0.00		\$0.00
0		Flagmen	Hours	0.00	\$0.00		\$0.00
0		Pilot Car	Hours	0.00	\$0.00		\$0.00
	10%	Construction Engineering			\$560.34		\$560.34
	15%	Contingency			\$840.51		\$840.51
		Total			\$7,004.25		\$7,004.25