



**Montana Department of Transportation**

2701 Prospect Avenue  
PO Box 201001  
Helena MT 59620-1001

Jim Lynch, Director  
Brian Schweitzer, Governor

July 15, 2005

Environmental Quality Council  
Room 171, State Capitol  
PO Box 201704  
Helena MT 59620-1704

**RECEIVED**

JUL 18 2005

LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE

Subject: **MDT Statewide Maintenance Projects**  
**Clark Canyon - Grant**  
ID: S-324 (Beaverhead County)  
Reference Post from: 0.0  
Reference Post to: 12.8

The Environmental Services Unit of the Montana Department of Transportation has reviewed the Environmental Checklist for the Maintenance Pavement Preservation Activities. We have determined that the Statewide PCE for these types of projects would cover this project.

If there are special provisions for these projects the special provisions are attached or included on the checklist.

I have attached the checklists and the location maps for your information.

If you have any questions concerning this letter, please contact me at 444-0456.

Tom Hansen, P.E.  
Engineering Section Supervisor

Attachments

TH:jjr

copies: Loran Frazier, P.E., Chief Engineer, Highways and Engineering Division  
Jon Swartz, Maintenance  
Jeffrey M. Ebert, P.E., District Administrator-Butte  
Martin Martin, Maintenance Superintendent-Butte  
Mark Wissinger, Construction  
Suzy Althof, Contract Plans  
File

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# ENVIRONMENTAL CHECKLIST FOR MAINTENANCE ACTIVITIES

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

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

Project No.: \_\_\_\_\_

ID: C00324

Designation: Clark Canyon - Grant

Proposed Date of Maintenance Activity: July 05-June -06

Federal Funds Involved? Yes  No

Reference Post (Station) 0.0

to Reference Post (Station) 12.8

Applicants Name: Martin Martin

Address: 3751 Wynne Butte, Mt

Type of Proposed Maintenance Activity: Crack Seal

IMPACTS ON THE PHYSICAL ENVIRONMENT (TO BE COMPLETED BY APPLICANT)		
Impact Questions	[Y/N] There are Potential Impacts; or Item Requires Documentation, Evaluation, Mitigation Measures, and/or (a) Permit(s).	
	Yes	No
1. Does the proposed action require work 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. (See listing on page 3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are there any recorded occurrences, and/or critical habitat for Federally-listed Threatened and Endangered Species in the vicinity of the proposed activity?	<input checked="" type="checkbox"/>	<input type="checkbox"/> Possibility of Eagles in area
3. Does the proposed action have an impact on water quality? If answer is NO go to question 4.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3a. If the answer to number 3 is yes, is a Clean Water Act ' Section 402 permit required? (MPDES issued by MDEQ)	<input type="checkbox"/>	<input type="checkbox"/> N/A
4. Does the proposed project have impacts to wetlands or waters of the U.S.? If answer is NO go to question 5.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4a. If the answer to number 4 is yes, is a Clean Water Act ' 404 permit authorization required?	<input type="checkbox"/>	<input type="checkbox"/> N/A
4b. If the answer to number 3 or 4 is yes, is a Stream Protection Act ' 124SPA permit required? (Issued by MDFWP)	<input type="checkbox"/>	<input checked="" type="checkbox"/> N/A
5. Does the proposed project involve hazardous waste site[s]? (Superfund, spills, underground storage tanks, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/> Checked NRIS. jz
6. Is the proposed activity on and/or within approximately 1.6 Km (1 mile) of an Indian Reservation? If answer is NO go to question 7.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6a. Are any Tribal water permits required?	<input type="checkbox"/>	<input type="checkbox"/> N/A
7. Is the proposed project in a "Class I Air Shed" (Some Indian Reservations)?	<input type="checkbox"/>	<input checked="" type="checkbox"/> N/A

8. Magnitude and significance of potential impacts: To be completed by applicant.

Checklist prepared by: Martin Martin  
Applicant (Maintenance Chief)

Maintenance Superintendent  
Title  
ENVIRONMENTAL ENGINEERING  
SECTION SUPERVISOR

6-17-05  
Date

Approved by: 

7/15/05

Environmental Services  
(when items 1, 2, 3, 3a, 4, 4a, 4b, 5, 6, 6a, or 7 are checked "Yes")

Title

Date

- A. The applicant shall complete the checklist indicating a "Yes" or "No" for each item, except number 8 which may require a narrative response.
- B. When a "Yes" is indicated on any number of items 1 through 7, the applicant must explain why and provide the appropriate documentation, evaluation, permit, and/or mitigation measures required to satisfy environmental concerns for the project. Use attachments if necessary.
- C. If the applicant checks "Yes" for any one item, the checklist and the applicant's mitigation proposal, documentation, evaluation and/or permit shall be submitted to MDT Environmental Services. Contact Number 444-7228.
- D. When the applicant checks a "Yes" item, the applicant cannot be authorized to proceed with the proposed work until Environmental Services reviews the information and signs the checklist.
- E. Applicant will obtain all necessary permits or authorizations from other entities with jurisdiction prior to beginning the Pavement Preservation Activity.

**Montana's Wild and/or Scenic Rivers system as published by the U.S. DEPARTMENT OF AGRICULTURE (USDA), or the U.S. DEPARTMENT OF THE INTERIOR (USDoI)**

1. Middle Fork of the Flathead River (headwaters to South Fork of the Flathead River confluence)
2. North Fork of the Flathead River (Canadian Border to Middle Fork of the Flathead River confluence)
3. South Fork of the Flathead River (headwaters to Hungry Horse Reservoir)
4. Missouri River (Fort Benton to Charles M. Russell National Wildlife Refuge)



## 1. THREATENED AND ENDANGERED SPECIES

Bald eagles or other raptors may actively nest in the vicinity of this project. If you suspect that any new aggregate borrow source, gravel, crushing, storage or staging areas, or processing plants may potentially be located within one mile of an active nest, submit the location of such site(s) to MDT-Environmental Services Bureau for review, prior to commencing operation.

Large carnivores such as wolves, lynx and other cats, or bears may occupy some areas in the vicinity of this project. If you suspect that any new aggregate borrow source, gravel, crushing, storage or staging areas, or processing plants may potentially be located within one mile of an actively occupied area, submit the location of such site(s) to MDT-Environmental Services Bureau for review, prior to commencing operation.

If you are unsure about any of the above listed requirements or require on-site guidance, contact Deb Wambach, Butte District Biologist, at 444-0461.

## 2. PROTECTION OF WETLAND AREAS AND OTHER DRAINAGES

Impacts to any and all wetland areas and other drainages, including spring drainages, located adjacent to the project are not anticipated in association with this project. MDT has NOT acquired any water quality permits, including a Clean Water Act Section 404 permit, a Stream Protection Authorization 124 permit, or a 318 Authorization permit. Therefore, impacts to any and all wetland areas and other drainages, including spring drainages, located adjacent to the project are not permitted. Avoid all equipment traffic, fill material, staging activities and other disturbances to the wetland areas and other drainages. If situations are observed during construction that may potentially impact water quality, including wetland areas, utilize Best Management Practices (BMP) and/or Temporary Erosion Control measures as necessary to protect the resource. Refer to Section 208 of the MDT Detailed Drawings (2004 metric edition) for Erosion and Sediment Control Best Management Practices.

Install Temporary Erosion Control measures as deemed necessary by the Engineer. Payment to be determined using the Erosion and Sediment Control rate schedule and paid under Miscellaneous Work.

If complete avoidance of all impacts to these areas is not possible, contact the Butte District Biologist at 444-0461 or the Construction Permit Coordinator at 444-7648, so that the proper permits can be secured prior to working in these areas. Any impacts to these areas and associated consequences, without the proper permitting, are the responsibility of the Contractor.