# Table of Contents

Data and Statistics Bureau ........................................................................................................ 4  
Geospatial Information Section ................................................................................................. 5  
  Secondary Highway Fund Allocation ......................................................................................... 5  
  City/County Motor Fuel Tax Allocations ............................................................................... 7  
  Road Inventory ......................................................................................................................... 9  
  Road Log .................................................................................................................................. 10  
Official GIS Files and Linear Referencing Systems ................................................................. 12  
Interactive Mapping Platform (ArcGIS Online/AGOL) ............................................................. 13  
Standard and Custom Maps ....................................................................................................... 14  
Functional Classification and System Review .......................................................................... 16  
Highway Performance Monitoring System ............................................................................ 17  
Official Montana Highway Map ............................................................................................... 19  
Traffic Data Collection and Analysis....................................................................................... 21  
  Traffic Monitoring System ........................................................................................................ 21  
  Continuous Counter Program .................................................................................................. 23  
  Weigh-in-Motion Program ........................................................................................................ 25  
  Short-Term Count Program ..................................................................................................... 27  
Multimodal Planning Bureau ..................................................................................................... 29  
Rail, Air Quality and Studies Section ....................................................................................... 30  
  Congestion Management and Air Quality Improvement Program ....................................... 31  
  Montana Freight Plan ............................................................................................................... 36  
  Montana Essential Freight Rail Loan Program ........................................................................ 37  
  Statewide Long-Range Transportation Planning Process ...................................................... 39  
  Statewide Planning Public Involvement Process ................................................................... 41  
Statewide and Urban Section .................................................................................................... 43  
  Bicycle and Pedestrian Program ............................................................................................ 43  
  City Park Rest Area Program ................................................................................................. 44  
  MDT Rest Area Planning .......................................................................................................... 46  
  Surface Transportation Block Grant Program – Urban ............................................................ 48  
  Metropolitan Planning Process ............................................................................................... 51  
  Metropolitan Planning Organization Transportation Improvement Program ..................... 54
SPA 124 Process for Preconstruction .............................................................. 124
SPA 124 Process for Geotechnical Field Investigations ................................. 126
SPA 124 Process for Maintenance .................................................................. 127
MDT Historic, Archaeological and Cultural Analysis and Preservation Process ...... 128
Biological Resource Report/Preliminary Biological Assessment Process .......... 130
On-Site Aquatic Resource Mitigation Process .................................................. 133
Off-Site Aquatic Resource Mitigation Process .................................................. 135
Biological .......................................................................................................... 139
Noise Analysis and Abatement Process ............................................................ 139
Initial Site Assessment Process ........................................................................ 141
Data and Statistics Bureau

Geospatial Information Section
Traffic Data Collection and Analysis
Geospatial Information Section
Secondary Highway Fund Allocation

Unit
Geospatial Information Section

Contact
Brian Andersen, (406) 444-6103

Program Purpose
To maintain a complete and current record of all local, state and federal highway system mileage within the state of Montana. The inventory is used in part for the equitable allocation of STP (Surface Transportation Program) Secondary Highway Funds to districts as a percentage of the overall STP Secondary program.

Funding
Total state fuel tax funds available: $30,000,000 for each year of the 2013/2014 biennium. Allocation percentages are based on the following factors as a percent of statewide data:

- 35% on rural population
- 30% on land area
- 30% on rural road mileage
- 5% on bridge deck area on bridges that are 20 feet or longer

Program Eligibilities
Eligible improvements include resurfacing, rehabilitation and reconstruction of roadways and bridges as well as railroad crossing improvements and epoxy striping.

Statutes
In compliance with MCA 60-3-206 and best available road inventory data, a table is developed depicting an equitable percentage distribution of approximately $30 million of federal and state funding that is annually set aside for the construction needs of Montana’s Secondary road system. The actual annual allocation of total funds into this program is determined by the Montana Transportation Commission on a biennial basis.
Secondary Highway Fund Allocation
A sub-allocation of the federal Surface Transportation Program (STP)

Data Source:
- The Transportation Information System (TIS)
- Department of Commerce: the Census and Economic Bureau
- Department of Revenue
- Bridge Database

Inventory and Mapping Section creates spreadsheets with best available data by September 1st (annual basis).

Distribution is calculated to reflect Montana Code Annotated (MCA) required pro-rates for each factor.

MDT Data and Statistics Bureau Chief approves Final Distribution Percentage for each Financial District.

MDT Data and Statistics Chief notifies Project Analysis Bureau (Secondary Roads Engineer) of distribution percentage.

MDT Data and Statistics Chief notifies Fiscal Programming of distribution percentages.

Transportation Commission approves funding total STPS (Surface Transportation Program – Secondary).

Project Analysis Bureau meets annually with all Montana counties to discuss funding availability for Secondary Highway Program.

Fiscal Programming converts percentages into a dollar amount.

Allocation Percentages:
- 30% on rural road mileage
- 35% on population
- 30% on land area
- 5% on bridge deck area

Data Source:
- The Transportation Information System (TIS)
- Department of Commerce: the Census and Economic Bureau
- Department of Revenue
- Bridge Database
City/County Motor Fuel Tax Allocations

**Unit**
Geospatial Information Section

**Contact**
Brian Andersen, (406) 444-6103

**Program Purpose**
The purpose of City/County Motor Tax Fuel Allocations is to maintain a complete and current record of all local, state and federal highway system mileage within the state of Montana. The inventory is used in part for equitable allocations of state motor fuel tax funds to cities and counties for the maintenance and construction of roads across MDT’s five financial districts.

**Funding**
Total state fuel tax funds available: $16,766,000 for each year of every biennium per MCA 15-70-101. Allocation percentages are based on the following factors:

- **For counties ($6,306,000):**
  - 40% on rural road mileage within a county
  - 40% on rural populations
  - 20% on land area

- **For cities ($10,360,000):**
  - 50% population
  - 50% street and alley mileage within the municipal limits

  [Other than Primary, National Highway Systems (NHS) and Interstate]

  NOTE: $100,000 goes to Montana’s Local Technical Assistance Program administered through Montana State University.

**Statutes**
In compliance with the legislatively established formula (pursuant to MCA 15-70-101), develops tables depicting state motor fuel tax allocations to all 129 cities and 56 counties. The tables reflect the $16,766,000 of motor fuel tax funds allocated to city and county governments for the construction, maintenance and repair of rural roads and city streets and alleys.

**Project Selection**
Project selections are by local governments.
Data preparation using TIS (Transportation Information System) Road Log database to determine city/county road mileage open to public travel.

Map Creation

Map and Mileage Certification Letter mailed to Montana cities and counties.

Local entities (cities and counties) return certified mileage to MDT Geospatial Information Section (with edits if necessary).

The updated and agreed-upon data is incorporated into the source databases.

Final calculations to reflect the local entities prorated amount, approved by the MDT Data and Statistics Bureau Chief.

Cities and counties are sent notification letters and table showing dollar amount; MDT Account Services is notified to distribute funds on a monthly basis.
Program Purpose
To maintain a complete and current record of all local and state highway systems within the state of Montana. The inventory provides statistical data in the Transportation Information System (TIS), which is used to develop the Road Log, allocation of county Secondary funds, allocation of fuel tax funds to the cities and counties and various other documents and reports for the Montana Department of Transportation.

Road Inventory

- Identify roads to be inventoried from the Fuel Tax Process, construction projects and other sources.
- Collect portion of system roads data annually from the field.
- Quality Assurance and Quality Control of collected field data in the office.
- Submit final data to Road Log Manager.
- Road Log Manager loads updates and changes into TIS (Transportation Information System) and GIS files.
Road Log

**Unit**
Geospatial Information Section

**Contact**
Brian Andersen, (406) 444-6103

**Program Purpose**
To maintain a centralized data file of all basic location and attribute information for all roads in Montana that are open to public travel. The Road Log is also used to generate reports and supply specific information to the Montana Department of Transportation management teams, Federal Highway Administration, and to cities and counties. The Road Log serves as MDT’s common road and highway referencing system and includes 81 data items including roadway location information, surface type, width, length, number of lanes, etc.

**Statute**
None
Road Log

Road information is received:
- Project plans
- Error found
- Realignment
- New road
- Boundary changes
- System changes
- Other

Locations and attributes are calculated using GIS analyses and other tools.

Affected Oracle Tables and GIS files are identified for changes/updates.

Updates are made to TIS Working Files and GIS Files.

GIS Files

Spatial analyses and attribute data are used to create maps and/or reports.

TIS Tables

TIS History Tables are updated automatically with Tracking Records

TIS Dynamic Segmentation (Bi-weekly)

TIS New Road Log
Official GIS Files and Linear Referencing Systems

**Unit**
Geospatial Information Section

**Contact**
Brian Andersen, (406) 444-6103

**Program Purpose**
To provide a centralized location for Geographic Information System (GIS) files pertaining to any Montana Department of Transportation data need for spatial analysis or displays. These files are used for viewing and creating maps in addition to running spatial analyses to provide visual displays of standard and customer data reports as well as to support decision making by MDT personnel and management.

**MDT's Official GIS files and Linear Referencing Systems (ongoing basis)**

1. Determine which features need to be changed (either from Oracle or an edit to the spatial database).
2. Makes changes in Oracle Spatial Database using ArcGIS.
3. Publish file using ArcCatalog (if necessary).
4. Send notification to GIS working group distribution list (if necessary).
Interactive Mapping Platform (ArcGIS Online/AGOL)

**Unit**
Geospatial Information Section

**Contact**
Brian Andersen, (406) 444-6103

**Program Purpose**
http://mdt.maps.arcgis.com/home/index.html

MDT AGOL is an interactive web mapping platform and collaborative content management system used for planning and visual display of data. This platform allows users to make informed decisions by providing a visual display of spatial and tabular data to easily gather and analyze information on an interactive web map. This does not replace existing infrastructure and work processes – it is a complement to existing services and provides a “window” into the existing data structure.

Users can quickly turn data into valuable information by creating intelligent interactive web maps and sharing them privately or publicly with stakeholders and decision makers. MDT AGOL makes spatial data available through an interactive web map, a web application (app) and a mobile app without the need for programming. The result is a tool that is accessible to multiple users, at any time, on any operating system without a tie to legacy application development environments which leads to user and data independence.

- Provides MDT and its stakeholders with an intuitive workspace in which to collaborate on planning and departmental efforts, internally as well as with other state agencies, local governments and federal agencies.
- Facilitates better working relationships, enhances communication and reduces duplication of work.
- Allows users to make more informed decisions by providing a visual display of spatial and tabular data.
- Users can quickly turn data into valuable information by creating intelligent, interactive web maps and sharing them privately or publicly with decision makers.
- Makes spatial data available through an interactive web map, a web app and a mobile app without the need for application development and programming. That means it is accessible to users anytime on any operating system.
Standard and Custom Maps

**Unit**
Geospatial Information Section

**Contact**
Brian Andersen, (406) 444-6103

**Program Purpose**
To maintain current, accurate and legible Montana State road maps at suitable scales depicting various types of information. These are necessary tools used by the Montana Department of Transportation in the planning of transportation projects. In addition to the needs of highway planners and administrators, many other federal, state and local governmental agencies and the general public use these maps for business and recreational purposes. Maps may be maintained and revised periodically based on long-term needs.

**Statute**
None
**Standard and Custom Maps**

1. **Receive map request.**
2. **Obtain specific details about map contents and timeline for completion.**
3. **Notify Supervisor of map request including map type and responsibility.**

**Custom Maps**
- **Assigned MDT Cartographer determines how to create requested map.**
  - Using existing template, annotation or layer symbology.
  - Create new layers and/or layout; OR
  - Use a combination of the two options.

- **Create appropriate metadata for map and new data if needed.**
- **Assigned Cartographer meets with lead Cartographer to review plan to create map.**
- **Create map.**
- **Send out map.**

**Standard Maps**
- **Update RIM map/work request spreadsheet.**
- **Owner modifies and/or prints existing map.**
- **Refer to "Mapping Best Practices Manual" for quality map making.**
- **Update RIM map/work request spreadsheet.**
- **Refer to RIM Metadata Practices.**
- **Assigned Cartographer meets with lead Cartographer to review completed product.**
- **Send out map.**
**Unit**
Geospatial Information Section

**Contact**
Brian Andersen, (406) 444-6103

**Program Purpose**
To maintain a current record of all public highways (both urban and rural) in Montana as well as their functional classification. Functional classification is needed to meet Federal Highway Administration (FHWA) requirements and to determine the basis for funding eligibility requirements under Title 23 U.S.C. – Highways Code. The functional classification of the roads in faster growing rural and urban areas is reviewed and evaluated by the MDT Multimodal Planning Bureau and revised as necessary. The Geospatial Information Section is responsible for recording and maintaining the associated databases and maps.

Changes in the functional classification of highways are on an as-needed basis and may occur several times per year. These changes are submitted to the MDT Transportation Commission and FHWA for review and approval when there is evidence that the level of service of the highway has changed.

**Functional Classification and System Review**
See Process/Flow Diagram for Road Log for database changes or Standard and Custom Maps for map maintenance.

**Statute**
None
Highway Performance Monitoring System

**Unit**
Geospatial Information Section

**Contact**
Brian Andersen, (406) 444-6103

**Program Purpose**
The Highway Performance Monitoring System (HPMS) is a specialized highway inventory program required by the Federal Highway Administration. It is used to provide data that reflects the extent, condition, performance, usage and operating characteristics of the nation’s highways in the state of Montana.

**Authority**
The requirements outlined in the Highway Performance Monitoring System Field Manual are authorized under 23 U.S.C. 315, which places the responsibility on the Secretary of Transportation for management decisions which affect transportation. Additionally, 23 C.F.R. 1.5 provides the Federal Highway Administration with authority to request such information deemed necessary to administer the Federal-aid highway program.

A biennial estimate of future highway investment needs of the United States is mandated by Congress [23 U.S.C. 502(g)]. HPMS data is used for assessing highway system performance under Federal Highway Administration strategic planning and performance reporting processes in accordance with requirements of the Government Performance and Results Act (GPRA, Sections 3 and 4) and for apportioning Federal-aid highway funds under TEA-21 (23 U.S.C. 104). Additionally, 23 C.F.R. 420.105(b) requires individual states to provide data that supports FHWA’s responsibilities to Congress and the public.

**Statute**
None
Highway Performance Monitoring System (annual basis)

1. Obtain previous year’s data for HPMS from various sources (Pavement, Traffic, TIS Road Log, Sample Panel and image/field sample inventory).

2. QA/QC (Quality Assurance/Quality Control) of data using internal validations.

3. Create summary and CSV files of validated data. Load files into web-based submittal software. Run software validations.

4. Review and correct data files until all files are correct. Provide submittal letter to support data edits and changes.

5. Submit annual certification of public road miles by June 1st, signed by the current Governor or his/her designee. Submit data to FHWA by June 15th.

6. Address any comments after FHWA reviews data. Resubmit if necessary.

7. Run sample adequacy. Collect data on samples added to meet adequacy. Review/collect data on samples in annual collection cycle.
Official Montana Highway Map

Unit
Geospatial Information Section

Contact
Brian Andersen, (406) 444-6103

Program Purpose
To maintain a current, accurate and legible Montana State road map. The Official Montana Highway Map is a hard-copy map intended to be used by travelers in Montana to depict roads and their surface types that are maintained by the state, as well as other roads that connect more well-traveled roads. The map is updated biennially.

Statute
None
**Annual Changes**
- Changes are tracked in a spreadsheet throughout the two-year process.
- Verify phone numbers, websites, points of interest and text boxes.
- Advisory Committee meeting.

**Check and Update Layers**
- Annotation, points, lines and polygon layers.
- Changes to roads (surface type, number of lanes, system, name changes, realignments.
- Review map symbols.

**Check and Update Map Elements and Layout**
- Mileage chart
- Update population in city index and symbology
- Update safety information
- Index
- Text boxes
- Legend
- Inset maps

**Cartographic and Graphic Design Elements**
- Review other state maps.
- Review list of ideas.
- Coordinate with Travel Montana.

**Review Map and Printing**
- Meet with Director.
- PDF of map to printer.
- Receive and review proof from printer.
- Press check map for color quality.
- Print.

**Distribute and Cleanup**
- Hardcopy distribution
- Create map for web display
- Database cleanup
Traffic Data Collection and Analysis
Traffic Monitoring System

Unit
Traffic Data Collection and Analysis Section

Contact
Becky Duke, (406) 444-6122

Program Purpose
To collect and report traffic data on Montana’s open-to-public roadways. Traffic statistics generated as part of the Traffic Monitoring System are available for use by government agencies, planning organizations, engineering entities, and the public.

Statute
23 C.F.R. 500.204
Traffic Monitoring Program

Daily data downloads from continuous and short-term traffic counters. Data includes volume, weight, speed and vehicle classification records.

Web-based Traffic Data Management System (TDMS)

Data Quality Checks

Data is continuously compiled throughout the calendar year. Statistics are created for daily, monthly and annual reporting purposes.

Monthly Data Submittal to TMAS
Traffic Yearly Counts (TYC) database
Internal and external custom traffic requests.

Federal Annual Submittal
- Highway Performance Monitoring System

MDT Management Systems

Annual Traffic Reports
- Traffic by Sections (TBS) Report
- Statewide Vehicle Miles Traveled (VMT) Report
- Traffic Flow Map
- Montana’s Automatic Traffic Recorders Report
Internal and external customer traffic requests.
Continuous Counter Program

Unit
Traffic Data Collection and Analysis Section

Contact
Becky Duke, (406) 444-6122

Program Purpose
To collect and report traffic data on Montana’s open-to-public roadways. Traffic statistics generated as part of the Automatic Traffic Recorder Program are available for use by government agencies, planning organizations, engineering entities and the public.

The Automatic Traffic Recorder program collects traffic information continuously at strategically selected locations across the state, providing traffic volume and vehicle classification information to be used as per 23 C.F.R. 500.204(c).

Statute
23 C.F.R. 500.204(c)
Continuous Counter (CC) Program

Daily download of various CC site files. CC site types include motorcycle, volume, class by axle, and class by length.

Web-based Traffic Data Management System (TDMS)

Data Quality Checks

Data is compiled throughout the calendar year. Statistics are created for daily, monthly and annual reporting purposes. Adjustment factors are built and applied to traffic counts collected as part of the Short-term Count Program to generate estimated annual average traffic counts (AADTs).

Traffic Yearly Counts (TYC) Database

Federal Monthly Submittal
– Travel Monitoring Analysis System (TMAS)

Data Quality Checks

Montana Highway Patrol
MDT – Motor Carrier Services
MDT – District Staff

Traffic Yearly Counts (TYC) Database

Internal and external customer traffic requests.

Federal Annual Submittal
– Highway Performance Monitoring System (HPMS)

MDT Management Systems

Annual Traffic Reports
– Traffic by Sections (TBS) Report
– Statewide Vehicle Miles Traveled (VMT) Report
– ArcGIS Online Spatial Maps

Internal and external customer traffic requests.
Weigh-in-Motion Program

Unit
Traffic Data Collection and Analysis Section

Contact
Becky Duke, (406) 444-6122

Program Purpose
To collect and report traffic data on Montana’s open-to-public roadways. Traffic statistics generated as part of the Traffic Count Program are available for use by government agencies, planning organizations, engineering entities, and the public.

The Weigh-in-Motion (WIM) program collects traffic data continuously at strategically selected locations across the state, and provides vehicle weight, traffic volume and vehicle classification information for use as per 23 C.F.R. 500.204(c).

Statute
23 C.F.R. 500.204(c)
**Weigh-in-Motion (WIM) Program**

Daily download of Per Vehicle Records (PVR) from WIM sites. Data includes volume, weight, speed and vehicle classification records.

Web-based Traffic Data Management System (TDMS)

Data Quality Checks

Data is compiled throughout the calendar year. Statistics are created for daily, monthly and annual reporting purposes. Adjustment factors are built and applied to traffic count collected as part of the Short-term Count Program to generate estimated annual average daily traffic counts (AADTs).

Federal Monthly Submittal
- Travel Monitoring Analysis System (TMAS)

MDT’s Traffic Yearly Counts (TYC) Database

Montana Highway Patrol
MDT – Motor Carrier Services
MDT – District Staff
MDT – Traffic Data Collection Staff

Internal and external customer traffic requests.

Federal Annual Submittal
- Highway Performance Monitoring System (HPMS)

MDT Management Systems

Annual Traffic Reports
- Traffic by Sections (TBS) Report
- Statewide Vehicle Miles Traveled (VMT) Report
- ArcGIS Online Spatial Maps
- Montana’s Automatic Traffic Recorders Report

Internal and external customer traffic requests.
Short-Term Count Program

Unit
Traffic Data Collection and Analysis Section

Contact
Becky Duke, (406) 444-6122

Program Purpose
To collect and report traffic data on Montana’s open-to-public roadways. Traffic statistics generated as part of the Traffic Count Program are available for use by government agencies, planning organizations, engineering entities and the public.

The Short-Term Count Program collects traffic volume and, in some cases, vehicle classification information on a short-term basis (24 to 48 hours) at select locations on Montana highways across the state. The Short-Term Count Program meets the requirements of C.F.R. Part 500.204(d) short-term traffic monitoring.

Statute
23 C.F.R. Part 500.204(d)
**Short-Term Count Program**

Data Collection is between April and October
- Every year
- Statewide
- 48-hour volume/vehicle classification counts

Web-based Traffic Data Management System (TDMS)

Data Quality Checks

Data is compiled throughout the calendar year and statistics are created for annual reporting purposes.

MDT’s Traffic Yearly Counts (TYC) Database

Federal Annual Submittal
- Highway Performance Monitoring System (HPMS)

MDT Management Systems

Annual Traffic Reports
- Traffic by Sections (TBS) Report
- Statewide Vehicle Miles Traveled (VMT) Report
- ArcGIS Online Spatial Maps

Internal and external customer traffic requests.
Unit
Rail, Air Quality and Studies Section

Contact
Kraig McLeod, (406) 444-6256

Program Purpose
The 65th Montana Legislature passed a fuel tax increase that went into effect on July 1, 2017. A portion of the revenue generated by the increase will be allocated to local governments for road construction, reconstruction, and maintenance of roads and bridges. Initial allocations were available March 1, 2018.

Funding
The increased fuel taxes will be deposited into a new Bridge and Road Safety and Accountability Restricted Account. After reductions for initial distributions that include refunds, distributor payments, and non-highway fuel uses, MDT will receive 35% of the taxes while the remaining 65% will be allocated to local governments through the Bridge and Road Safety and Accountability Program (BaRSAA).

MDT will allocate the collected funds to cities, towns, counties, and consolidated city-county governments using the same ratios used to distribute existing motor fuel tax revenues to local governments through the highway restricted account as set forth in Section 15-70-101(2)(b), (2)(c), and (3), MCA. The new funds will be held in a separate BaRSAA account until distributed.

Distribution or Reservation of Funds
Beginning March 1, 2018, and every March 1 thereafter, local governments may request distribution of their allocation from MDT. Local governments must match each $20 requested for distribution with at least $1 of local government budgeted matching funds. If unable to match the funds as required, local governments may request reservation of funds. Reservation requests can be made between September 1st and November 1st. Distribution and reservation requests must currently be made using the WebGrants online application system. This system will allow for electronic entry of the information necessary for the distribution and/or reservation of funds to local governments.

Statutes
MCA 15-70-130
ARM 18.16
Congestion Management and Air Quality Improvement Program

Unit
Rail, Air Quality and Studies Section

Contact
Kraig McLeod, (406) 444-6256

Program Purpose
The purpose of the Congestion Mitigation and Air Quality Improvement Program (CMAQ) is to fund transportation projects that improve air quality by reducing transportation-related emissions and relieving traffic congestion. Funding is available to reduce congestion and improve air quality for areas classified as non-attainment or maintenance according to the Environmental Protection Agency’s National Ambient Air Quality Standards and to areas deemed high risk for becoming non-attainment for ozone, carbon monoxide (CO), and particulate matter (both PM$_{10}$ and PM$_{2.5}$).

Funding
The federal share for most eligible CMAQ projects is 86.58%. The remaining 13.42% is provided by the state if the project is on-system, otherwise by the local entity. CMAQ program guidance directs approximately 8% of Montana’s CMAQ apportionment to Missoula, based on Missoula’s historical carbon monoxide (CO) nonattainment classification.

Distribution of Funds
Funding flexibility allows the majority of Montana’s CMAQ apportionment to be spent anywhere in the state on any project eligible for CMAQ or Surface Transportation Program funding. The Transportation Commission has chosen to allocate CMAQ apportionments to the Great Falls and Billings Metropolitan Planning Organizations (MPOs) in the same amounts provided to Missoula. In addition, approximately $2.6 million is distributed annually to the Urban Highway Program (STPU). The remaining “flexible” portion of CMAQ funds are used to proactively address air quality and congestion problems throughout the state through the Montana Air and Congestion Initiative Program.

Statutes
23 U.S.C. 149
23 U.S.C. 104
**Non-Metropolitan Planning Organization**

**Congestion Mitigation and Air Quality Improvement (CMAQ) Program**

**Montana Air and Congestion Initiative (MACI) Discretionary Program**

### Project Initiation

**Project Eligibility**
- Determination of project type and location.
- Quantitative/qualitative estimation of project air quality improvement.

MDT requests project proposals from non-attainment and high-risk areas in the state. Project proposals must meet project eligibility guidelines.

MDT evaluates proposals to determine compliance with target emissions for the non-attainment or high-risk area.

### Project Prioritization, Submittal and Approvals

The local agency and MDT District Administrators meet and cooperatively develop a priority list of MACI projects and submit to the Multimodal Planning Bureau.

The Multimodal Planning Bureau ranks, prioritizes and selects projects to include in the Statewide Transportation Improvement Program (STIP).

STIP is sent to MDT Planning, Engineering and Administration Division for approval.

STIP is submitted to the Transportation Commission for approval.

STIP receives final approval from FHWA and FTA and is then distributed.

Multimodal Planning Bureau determines state spending authority. Ensures projects do not conflict with area SIP control strategies.
**Project Agreement – Program Development**

A Memorandum of Agreement (MOA) between MDT and the local agency is executed for each MACI project (if located off-system).

After the agreement is executed, a request for programming is made to the MDT Fiscal Programming Section.

After a project is established, the Multimodal Planning Bureau provides fiscal tracking and monitoring of the MACI program and projects.

**Reporting Requirements**

Annual Activity Report includes:
- Emission reduction estimates for each project
- Air quality benefits to be expressed in terms of kilograms per day for carbon monoxide (CO), particulate matter (PM), both PM2.5 and PM10, volatile organic compounds (VOC), and nitrogen oxides (NOX).

Submission of Annual Activity Report to FHWA division office by February 1st of each year.
**Billings and Great Falls**  
*Congestion Mitigation and Air Quality Improvement (CMAQ) Program*  
*Montana Air and Congestion Initiative (MACI) Guaranteed Program*

**Missoula**  
*Congestion Mitigation and Air Quality (CMAQ) Mandatory Program*

### Project Initiation

**Project Eligibility**
- Determination of project classification according to CMAQ and MACI program.
- Determination of project exempt/nonexempt status for regional conformity.
- Quantitative/qualitative estimation of air quality improvement.

MDT requests project proposals from non-attainment and high-risk areas in the state. Project proposals must meet the project eligibility guidelines.

MDT evaluates all proposals to determine compliance with target emissions for the non-attainment area.

### Project Prioritization, Submittal and Approvals

The local agency and MDT District Administrators meet and cooperatively develop a priority list of MACI projects and submit to Multimodal Planning Bureau. MPO projects are included in the TIP which is approved by the Transportation Policy Coordinating Committee. The approved TIP becomes part of the STIP.

The Multimodal Planning Bureau ranks, prioritizes and selects projects for including in the Statewide Transportation Improvement Program (STIP).

The STIP is submitted to the Transportation Commission for approval.

The STIP is then submitted to FHWA Division Office and the FTA Regional Office for approval in finding that the project has been developed in a consistent manner with all federally required processes.

Multimodal Planning Bureau determines state spending authority. Ensures projects do not conflict with area SIP control strategies.
**Project Agreement – Program Development**

A Memorandum of Agreement (MOA) between MDT and the local agency is executed for each MACI project.

After the agreement is executed, a request for programming is made to the MDT Fiscal Programming Section.

After a project is established, the Multimodal Planning Bureau provides fiscal tracking and monitoring of the MACI program and projects.

**Reporting Requirements**

Annual Activity Report includes:
- Emission reduction estimates for each project
- Air quality benefits to be expressed in terms of kilograms per day for carbon monoxide (CO), particulate matter (PM), both PM$_{2.5}$ and PM$_{10}$, volatile organic compounds (VOC), and nitrogen oxides (NOX).

Submission of Annual Activity Report to FHWA division office by February 1st of each year.
Montana Freight Plan

Unit
Rail, Air Quality and Studies Section

Contact
Kraig McLeod, (406) 444-6256

Program Purpose
This plan provides a comprehensive evaluation of freight transportation in Montana and provides guidance for both short and long-term freight-related transportation investment decisions.

The Montana Freight Plan was developed in accordance with 49 USC 70202 and in alignment with MDT’s long range multi-modal policy plan, TranPlanMT. The plan was developed with input and advisement of freight stakeholders doing business in Montana. The plan includes goals and strategies to improve freight transportation in Montana and support national multimodal freight policy goals.

Statute
49 U.S.C. 70202
Montana Essential Freight Rail Loan Program

Unit
Rail, Air Quality and Studies Section

Contact
Kraig McLeod, (406) 444-6256

Program Purpose
To provide a revolving loan fund for rail construction and rehabilitation projects on light-density rail lines or related infrastructure.

Funding
In recent years, no additional funds have been made available for the program by state or federal bodies although the original federal allocation remains, along with accrued interest. Recipients pay back loans in equal installments over ten years (which replenishes the fund) with the option to defer payment for two years. Recipients may request an extension to the ten-year payback which will be reviewed by Montana Department of Transportation on a case-by-case basis. MCA 60-11-115 states that the fund is required to maintain a balance of at least $500,000.

Eligibility
To be eligible for the loan program, a project must meet the state funding eligibility requirements stated in MCA 60-11-120. Among these requirements is applicant matching of loan proceeds. The state share of approved projects for acquisition and construction is 50% (applicant provides 50%), and the state share for rehabilitation projects is 70% of total project costs (applicant provides 30%). Eligible applicants include railroads, cities, counties, companies, and regional rail authorities. Port authorities may also qualify provided they have been included in the state transportation planning process.

Statutes
MCA 60-11-113 through 116.
Montana Essential Freight Rail Loan Program (MEFRL)
Project Development/Implementation Process

MDT Multimodal Programs Bureau solicits application for MEFRL loan program funds (if sufficient loan fund balance exists).

Preliminary applications are submitted to the Bureau and reviewed for eligibility.

Upon meeting eligibility requirements, full application materials including in-depth financial reports are requested.

MDT Review Team approves or disapproves projects based on feasibility.

Project is not recommended to the Transportation Commission.

Consultation with peer agencies (Commerce, Agriculture, Governor’s Office) and open period for public comment.

Recommend to Transportation Commission for approval.

Loan agreement is signed between the state and applicant for use of rail funds, and repayment terms are specified in the agreement.

Project is Implemented.
Statewide Long-Range Transportation Planning Process

**Unit**
Rail, Air Quality and Studies Section

**Contact**
Charity Watt, (406) 444-3439

**Program Purpose**
Implement, evaluate, and revise TranPlanMT as necessary and comply with 23 U.S.C. Section 135 requirements. This long-range plan policy is an essential component of a continuing statewide planning process focused on assisting MDT in developing and implementing policy goals and strategies. The process allows MDT an opportunity to work with the public and stakeholders to identify and achieve transportation goals to keep Montana moving forward. TranPlanMT defines the policy direction for operating, preserving and improving Montana’s Transportation system over a 20-year horizon.

**Funding**
State Planning and Research and matching state funds

**Statutes**
23 U.S.C. 135
23 C.F.R. 450.200
Statewide Long-Range Transportation Planning Process

TranPlanMT Implementation and Evaluation Process

Led by the Multimodal Planning Bureau, administrators and program leads strive to implement TranPlanMT policy goals and action areas, while sustaining accomplishments and realizing identified future focus area(s) goals and objectives.

Multimodal Planning Bureau reviews the TranPlanMT policy goals and action areas with department administrators and program leads.

Multimodal Planning Bureau reviews comments and develops biennial report and presentation of current action item status, current biennium accomplishments, future biennium focus areas.

TranPlanMT Biennial Public Involvement and Stakeholder Evaluation Surveys

Review questions and post to stakeholders for limited revisions or suggestions to maintain year-to-year analysis.

Revise and edit survey questions, then transmit to research/survey consultant for consultant contract finalization.

Research/survey consultant conducts survey and finalizes draft report.

Public Involvement and Stakeholder Surveys finalized.

Multimodal Planning Bureau compiles and analyzes the even-year feedback and the biennial surveys information to executive leadership, administrators and program leads.

Multimodal Planning Bureau presents summary and recommendations to Transportation Commission and staff.

If recommendations for major update to TranPlanMT, Multimodal Planning Bureau coordinates development of process and update.

No update necessary. Proceed with annual/biennial efforts.

If recommendation is for minor revision to TranPlanMT, Multimodal Planning Bureau coordinates revisions through policy paper format.

Review of even-year interactive and odd-year public involvement processes will include and consider state and national changes requiring the need for TranPlanMT update(s).
Statewide Planning Public Involvement Process

**Unit**
Rail, Air Quality and Studies Section

**Contact**
Charity Watt, (406) 444-3439

**Program Purpose**
To provide multiple opportunities for interested citizens and stakeholders to provide direct input into the transportation planning and decision-making process through a flexible, responsive and cost-effective public involvement process.

**Funding**
State Planning and Research and matching state funds

**Statutes**
23 U.S.C. 135
23 C.F.R. 450.210
Statewide Planning Public Involvement Process

Multimodal Planning Bureau coordinates continuing efforts to inform the public and solicit input.

- Coordinates distribution of input to appropriate MDT staff.
- Conducts public involvement process for biennial TranPlanMT analysis.
- Transmits TranPlanMT Public Involvement Survey
- Transmits TranPlanMT Stakeholder Survey

Contributes to:

- Quarterly newsletter
- Toll-free line
- Press releases and advertisements
- Workshops
- Special mailings

For special projects, Project Analysis and Policy Bureau develop project- or study-specific public involvement processes.

Monitors development of new and innovative public involvement and visualization techniques and adopts if appropriate.
Statewide and Urban Section
Bicycle and Pedestrian Program

Unit
Statewide & Urban Planning

Contact
Michelle Wheat, (406) 444-9273

Program Purpose
Implement and evaluate the Bicycle and Pedestrian goals and strategies of TranPlanMT, as necessary. Support a cooperative, continuous, and comprehensive framework for making bicycle and pedestrian transportation infrastructure design decisions in all roadway projects. Coordinate the Montana Share the Road bicycle and pedestrian safety program as an integral part of the Vision Zero initiative.

Statutes
MCA 60-3-301 thru 309
23 U.S.C. 217
City Park Rest Area Program

Unit
Statewide and Urban Section

Contact
Vicki Crnich, (406) 444-7653

Background
Montana Department of Transportation initiated the City Park Rest Area (CPRA) program in 1991 as a low-cost way to help address rest area needs on Montana's primary and non-interstate national highways. The program provides local governments with much needed funding to construct or improve locally owned park facilities. In exchange, local governments agreed to open and maintain the rest areas from April to November for a minimum of ten years. Thirteen communities participated in the program.

Program Purpose
In 2004, MDT amended the Rest Area Plan regarding CPRAs. MDT offers additional funding assistance, based on availability, to participating local governments to maintain or improve CPRA facilities that are older than ten years and that MDT determines are still serviceable. Currently, ten communities participate in the program.

Funding
Funding assistance is subject to appropriation by the Montana Legislature through the General Appropriations Act (House Bill 2). It is unlikely that MDT will fund new locations for this program.

Program Eligibilities
The parameters of this funding assistance include the following basic requirements:

- MDT will only reimburse local governments.
- Proposals for funding assistance for improvements must be reviewed by MDT’s Facilities Manager and the improvements must directly benefit the traveling public.
- Eligible maintenance costs include janitorial supplies, labor, garbage disposal, grounds maintenance and utilities necessary to provide a safe and clean rest area facility. Additional items will be considered on a case-by-case basis.
- MDT will periodically inspect each facility to ensure the facility has been maintained. The reimbursement agreement can be discontinued at the discretion of MDT should the facility not be maintained in a satisfactory manner.
City Park Rest Area Program  
Program Cycle  
Funding Cycle is based on the state fiscal year (July 1st – June 30th)

February
- Confirm funding in biennium budget.

March
- MDT solicits eligible CPRAs for interest and priorities in upcoming SFY.
- MDT reminds local governments to submit reimbursement requests for current SFY (deadline is June 30th) if applicable.

April – May
- Review submitted CPRA priorities with MDT Facilities for upcoming SFY.

May – June
- Develop agreements with local governments for MDT-approved priorities for upcoming SFY.

July – June
- Review and process reimbursement requests from local governments for eligible/approved activities.
MDT Rest Area Planning

Unit
Statewide and Urban Section

Contact
Vicki Crnich, (406) 444-7653

Program Purpose
To provide state-maintained rest area facilities that emphasize safety, quality, and cost effectiveness in accordance with MDT’s Rest Area Plan.

Funding
Typical rest area construction/reconstruction costs range from approximately $4 million to $6 million. Projects are funded utilizing federal funding with a state match.

Program Eligibilities
Rest areas or corridors in need of a rest area must be identified on the Montana Department of Transportation’s Rest Area Plan Map and be prioritized by the Statewide Rest Area Prioritization Plan Committee.

Project Selection
MDT’s Statewide Rest Area Prioritization Plan committee meets regularly to discuss and advance the progress and priority of rest area projects. Projects must be included in the Statewide Transportation Improvement Program (see flowchart for project development process). Sixty-five rest areas are in service on the National Highway System and primary highways and are primarily maintained by MDT through private contractors.

Statute
None

NOTE: MDT is responsible for all state-maintained rest areas (49 sites). In addition to these, there are 16 other rest areas that are not maintained by MDT.
Dedicated funding for Statewide Rest Area projects comes from the core program (federal) funds.

The Rest Area Prioritization Plan Committee nominates and maintains an actively managed list of rest area projects via an asset strategy approach, balanced against available funding and utilizing existing infrastructure to the greatest extent possible. Site selection follows the Montana Rest Area Plan guidelines.

MDT Management Approval

Project Analysis Section submits a request for project approval to the Transportation Commission.

Project Analysis Section adds project to the Statewide Transportation Improvement Program (STIP).

Project Analysis Section submits a request for programming through Fiscal Programming and FHWA.

Is the project a fit for design build?

YES

Reconstruction, rehabilitation, and new construction at proposed rest area sites are evaluated in the PE phase through a Phase 1 site evaluation (consultant contract). ROW, water, wastewater, usage, forecasted demand are assessed and project is planned.

NO

Is the rest area site viable?

NO

YES

Project Construction

MDT Construction Engineering leads a design-build project development team to draft RFP, review and score submittals, and then advance a recommendation for selection of a design-build firm to the Transportation Commission, initiating the rest area.

Project Construction

The rest area project is designed and developed under the design-bid-build process.

Project Construction

NO

YES
Surface Transportation Block Grant Program – Urban

Unit
Statewide and Urban Section

Contact
Carol Strizich, (406) 444-9240

Program Purpose
The Surface Transportation Block Grant Program - Urban (STPU) provides financial resources for construction improvements on the designated urban highway system in Montana’s urban areas (areas with populations greater than 5,000 based on the most recent decennial census).

Funding
The STPU Program is a sub-allocation of the larger Surface Transportation Block Grant Program. This sub-allocation is authorized by state statutes approved annually by the Montana Transportation Commission. The allocation is based on a per capita distribution and is recalculated each decade following the census updates. The federal share for this program is 86.58% with the state contributing 13.42% in matching funds.

Program Eligibilities
Activities and projects eligible under the STPU Program include:

- Construction of new facilities
- Reconstruction, resurfacing, restoration and rehabilitation of existing facilities
- Operational improvements
- Bicycle facilities, pedestrian walkways and carpool projects and programs
- Additionally, these funds may also be transferred into transit capital at the discretion of the urban area.

Statutes
23 U.S.C. 133 and MCA 60-2-126, 127 and 60-3-211

Project Selection
Urbanized Areas with >50,000 population (includes Billings, Great Falls and Missoula)

- STPU project proposals must advance through the Metropolitan Planning Process and come from an approved transportation plan and metropolitan transportation improvement program.
- The project is reviewed by MDT staff to ensure it is within means and eligible for STPU funds and has met the appropriate planning and programming regulations.
- Routes and projects are selected by the Transportation Commission in cooperation with the Metropolitan Planning Organization from the approved plan and Metropolitan Transportation Improvement Program (TIP). Historically, the Commission has approved all projects nominated by local governments if the project meets the program criteria.
- After approval, the Statewide and Urban Planning Section or MDT district requests to initiate a preliminary engineering program developed by the district.
• Once that is in place, the Statewide and Urban Planning Section monitors the progress of the project.

_Urban Areas with >5,000 – 50,000 population_

• For urban areas with formal transportation committees made up of citizens and government officials called Transportation Coordinating Committees (TCCs) or Transportation Advisory Committees (TACs), these committees initiate the project proposals for the STPU program. They must go through the formal process involving the appropriate committees and be reflected in the official meeting minutes.

• For urban areas that DO NOT have a formal transportation committee, the local officials (mayor and chairperson of county commission) submit priorities for the STPU program. Priorities must have a signed approval from both the mayor and county chairperson regardless of whose jurisdiction the project is located.

• The Statewide and Urban Planning Section reviews the proposed project to ensure it is fiscally constrained and eligible for STPU funds.

• The final decision of committing funds for the project is made by the Transportation Commission in accordance with the Statewide Transportation Improvement Program (STIP) process.

• After approval, the Statewide and Urban Planning Section or MDT district requests to initiate a preliminary engineering program developed by the district.

• Once that is in place, the Statewide and Urban Planning Section monitors the progress of the project.
Surface Transportation Block Grant Program – Urban (STPU)

In Urbanized Areas, local officials nominate and approve an urban priority through the Technical Advisory Committee (TAC) and the Policy Coordinating Committee (PCC). In smaller urban areas, STPU priorities are nominated and approved by the TAC/TCC if one is established or by letter of request signed by the appropriate mayor and county commission chair.

The proposed projects must come from an approved transportation plan (where applicable).

Projects are reviewed by the Statewide Urban Section and if eligible, they are nominated in PPMS.

In small urban areas, projects are added to the STIP. Urban projects in an MPO must be included in an approved TIP. Once in a TIP, projects are amended into the STIP.

Project is approved by the Transportation Commission and added to the program.

Request programming of PE.

Project monitored for fiscal constraint.
Metropolitan Planning Process

Unit
Statewide and Urban Section

Contact
Carol Strizich, (406) 444-9240

Program Purpose
To support a cooperative, continuous and comprehensive framework for making transportation investment decisions in metropolitan areas. Montana’s metropolitan areas are Billings, Great Falls and Missoula.

Funding
The Metropolitan Planning funding is an apportionment of funds from the following programs:

- NHPP – National Highway Performance Program
- STP – Surface Transportation Block Grant Program (federal funds)
- HSIP – Highway Safety Improvement Program
- CMAQ – Congestion Mitigation and Air Quality Improvement Program
- PL – Metropolitan Planning Funds

These apportionments are mandated by 23 U.S.C. 134. These funds are distributed to each metropolitan area through each state’s own apportionment formula. Montana’s formula is based on the metropolitan area’s population. MDT matches Metropolitan Planning funds with 13.42% state funds.

Program Eligibilities
Metropolitan Planning funds are available for Metropolitan Planning Organizations (MPOs) to carry out the long-range transportation planning process required by 23 U.S.C 134 and 23 C.F.R 450 including the development of metropolitan area transportation plans and transportation improvement programs (TIP). Eligible activities include conducting inventories of existing routes to determine physical condition and capacity; determining the types and volumes of vehicles using these routes; predicting the level and location of future populations, unemployment and economic growth; and using such information to determine current and future transportation needs. Under 23 U.S.C 134, MPOs are responsible for developing, in cooperation with the state and affected transit operators, a long-range transportation plan and a TIP for the area. Both the plan and the TIP must be fiscally constrained. The TIP must also be prioritized, consistent with the long-range transportation plan and include all projects in the metropolitan area that are being proposed for funding with either Title 23 or Federal Transit Act (49 U.S.C. 53) funds.

Statutes
23 U.S.C. 134 – Metropolitan Planning
23 C.F.R. Part 450
49 C.F.R. Part 613
**Project Selection**
The MPO, in cooperation with the state and operators of publicly owned transit services, shall be responsible for carrying out the metropolitan planning process. Program oversight is a joint FHWA/FTA responsibility. Since this is a federally funded program, the MPOs are expected to follow certain requirements that are part of the Metropolitan Transportation Planning process that includes:

- **Long Range Transportation Plan** – addresses at least a 20-year planning horizon.

- **Transportation Improvement Program (TIP)** – covering a period of no less than four years with funds being available in the first year and reasonably available in the second through fourth years.

- **Unified Planning Work Plan (UPWP)** – a document that describes the annual planning activities and work activities to maintain the three C’s (continuing, comprehensive, and cooperative).

Another product/project developed by MPOs with PL funds is a Public Participation Plan which is a document that describes the MPO’s processes, timelines, and public notification and participation requirements associated with the development of transportation planning documents.

Each of these requirements should be completed in cooperation with Statewide and Urban Planning Section, with MDT.
**Metropolitan Planning Process (PL)**

**Urban Planning Work Programs Process (UPWP)**

- Estimated Federal Apportionment
  - Statewide and Urban Planning Section sends letter advising MPOs of their formula allocation PL apportionment.

- MPO develops and submits draft UPWP to Statewide and Urban Planning Section for review.
  - Statewide and Urban Planning Section provides technical assistance to MPOs as needed.

- Review based on:
  - Status of plan
  - Public input
  - Routine review

- Statewide and Urban Planning Section submits draft UPWP to FHWA for review.

- Statewide and Urban Planning Section submits draft UPWP to FHWA for review.

- Statewide and Urban Planning Section drafts letter conveying MDT, FHWA and FTA comments.

- MPO incorporates comments into final document and obtains TAC/PCC approval.

- Statewide and Urban Planning Section reviews UPWP to ensure requested changes have been incorporated (communication from FHWA and FTA as needed).

- Statewide and Urban Planning Section sends final document to FHWA for approval.

- Statewide and Urban Planning Section notifies the MPO of MDT/FHWA approval or requests changes to the document as a condition of approval.
Metropolitan Planning Organization Transportation Improvement Program

Unit
Statewide and Urban Section

Contact
Carol Strizich, (406) 444-9240

Program Purpose
Under 23 U.S.C. 134 it is required that each Metropolitan Planning Organization (MPO) prepare a fiscally constrained transportation project/programming document called a Transportation Improvement Program (TIP).

The TIP is developed in cooperation with city, county, state and federal agencies, transportation providers, citizens and other interested parties. The TIP includes a priority list of projects and project segments to be carried out in each three-year period after the initial adoption of the TIP. It also includes a financial plan that demonstrates how the TIP can be implemented. The basic premise behind a TIP is that it is the incremental implementation (no less than 4 years) of the Metropolitan Long-Range Transportation Plans (normally 20 years). The TIP serves to present manageable components of the long-range plan to funding agencies and the public.

Statutes
23 C.F.R. Part 450
23 U.S.C. 134
49 U.S.C. 53 (Federal Transit Act)
49 C.F.R. Part 613

Project Selection
The TIP is a multi-year program and must be updated every four years. Updating the TIP begins with a call for projects by the MPO with revenue information provided by the state. The MPO’s Technical Advisory Committee (TAC) then makes a recommendation to the Transportation Policy Coordinating Committee (PCC). The PCC makes final changes and approves the document at the local level. Modification of the TIP can be made at any time throughout the year and must receive approval by the PCC and MDT in cooperation with responsible federal agencies (FHWA, FTA and EPA). Air quality conformity determinations must be done for each updated TIP and TIP amendment to ensure conformity with the Clean Air Act. The TIP can be revised through an amendment process or an administrative modification and incorporated by reference into the Statewide Transportation Improvement Program.
Mobility and Access: Effects of all projects, international border crossings, road connectivity from inside to outside metro area, efficient freight movement, enhancement of services.

System Performance and Preservation: Congestion relief, efficient use of existing transportation facilities, identify needs through management systems, preservation of existing ROW, new factors from FAST Act.

Environment and Quality of Life: Overall socioeconomic and environmental effects, energy conservation measures, short- and long-term land use planning, increase transit system security.

Public Involvement: Allows consideration of land use, socioeconomic and environmental effects.

Travel Demand Modeling

Fiscally Constrained Financial Plan: Developed by MPO in cooperation with state and transit operator.

Transportation Plan Developed by MPO
Covers 20-year planning horizon

Air Quality Conformity? (perform regional analysis for plan)

YES

Air Quality Conformity? (perform regional analysis for plan)

NO

Plan approved by MPO

Begin Transportation Improvement Program (TIP Process).

YES

Plan Revision Needed?

NO

Air Quality Conformity?

YES

TIP Approval

Project Development

* Serves as a strategic management tool.
* Updated at least every four years.
* Document includes a list of priority projects and covers a four-year period.
* Must be consistent with the Transportation Plan developed by the MPO.
* Can be modified through public involvement.
* In non-attainment areas, modifications can be made in accordance with EPA’s conformity requirements.

* TIP must be approved by the MPO and the Governor (or designee).
* Conformity determination made by the FHWA and FTA.
* Upon approval, becomes part of STIP.
* Must be financially constrained.
Comprehensive Highway Safety Plan

Unit
Statewide and Urban Section

Contact
Pam Langve-Davis, (406) 444-7646

Program Purpose
The Comprehensive Highway Safety Plan (CHSP) was developed in response to SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) requiring states to have a data-driven strategic highway safety plan.

The MDT Director chairs the Executive Leadership Team (ELT) which includes the Governor of Montana, Office of Indian Affairs, 13th Judicial Court Judge, Department of Corrections, Office of Public Instruction, Department of Public Health and Human Services, the Attorney General, Office of Court Administration, Montana Highway Patrol, Montana Department of Transportation, Federal Highway Administration (FHWA), and representatives from the Montana Sheriffs and Peace Officers Association, Montana League of Cities and Towns, Montana Association of Counties, Montana County Attorney Association, Montana Tavern Association and others. The ELT provides guidance and direction on implementation of the plan. Committees for the three emphasis areas of the CHSP (roadway departure & Intersections crashes, Impaired Driving, and Occupant Protection) work to implement strategies to achieve established performance targets and the ultimate vision of Vision Zero – zero fatalities and zero serious injuries on all public roads.

Funding
State Planning and Research

Program Eligibilities
Safety strategies are identified and evaluated by the CHSP Advisory Committee for their potential benefits, costs and ability to attain defined performance objectives. Successful strategies are then prioritized based on their likely benefits and cost effectiveness relative to the identified safety goals and objectives. These strategies are then incorporated into the CHSP and implemented through various programs and stakeholders across the state.

Statute
23 U.S.C. Section 148
Comprehensive Highway Safety Plan (CHSP)

1. Establish goals, objectives and performance measures.
2. Address issues at all jurisdictional levels.
3. Establish interagency coordination mechanism.
4. Confer with CHSP Committee stakeholders periodically throughout the year.
5. Identify and evaluate safety strategies.
6. Prioritize strategies.
7. Provide Strategic Implementation Plan.
Functional Classification/System Designation Review

Unit
Statewide and Urban Section

Contact
Carol Strizich, (406) 444-9240

Program Purpose
Federal and state highway systems are designated based on urban and rural functional classification. After receiving a request for review from local governments, Statewide & Urban staff analyze the route in accordance with federal functional classification guidelines to determine if the proposed change is justified. Statewide & Urban staff make recommendations to the Transportation Commission contingent on FHWA approval.

*For mapping questions on these systems, refer to GeoInfo, Brian Andersen, 444-6103 or brandersen@mt.gov.

Funding
State Planning and Research

Statute
23 C.F.R. 470
**Highway System and Functional Classification Actions**

- Initiated by MDT or Local Government
- MDT staff reviews route for functional classification and system eligibilities – makes recommendations
- Secure Preliminary approval of concept from FHWA
- Local approval and resolution, if appropriate, are obtained
- Transportation Commission approval contingent FHWA approval
- FHWA approval of functional classification and system modification as appropriate
- Assign route number if warranted and update maps
- Appropriate offices and local governments are notified of changes
- ACTION CANCELLED

1. No
2. Yes
3. Yes
4. No
5. Yes
6. No
7. Yes
Grants Bureau

Transit

State Highway Traffic Safety
Transit Section
Section 5311 – Formula Grants for Rural Areas

Unit
Transit Section

Contact
David Jacobs, (406) 444-9192

Program Purpose
The goals of the Section 5311 – Formula Grants for Rural Areas are:

- Enhance the access of people in rural areas;
- Assist in the maintenance, development, improvement, and use of public transportation systems in rural and small urban areas;
- Encourage coordination of programs and services;
- Support job access and reverse commute projects;
- Assist in the development and support of intercity bus transportation; and
- Provide for the participation of private providers in rural transportation to the maximum extent feasible.

Funding
Funding amounts fluctuate each year but the estimated funding is approximately $10.3 million annually. Operating assistance is broken into three categories:

- Operating (ratio of 54.11/45.89)
- Administration (ratio of 80/20)
- Maintenance (ratio of 80/20)

Capital assistance is funded at a ratio of 86.56/13.42.

Program Eligibilities
Rural Montana transit agencies and small urban areas receive funds from the Federal Transit Administration (FTA) through the Montana Department of Transportation. Eligible recipients include local public bodies, private nonprofit organizations, tribal governments, and operators of rural public transportation services.

Section 5311 funds are available for expenditure for public transportation projects in rural areas. Section 5311 services may be designed to maximize usage by members of the general public who are transportation disadvantaged including elderly persons and persons with disabilities.

Statutes
MCA 60-21-101
49 U.S.C. Federal Transit Act as amended
Grant Process
This program is an annual application by the MDT Rail, Transit and Planning Division to the FTA. Contracts are implemented between recipients and MDT. Rural transit agencies applying for operating and/or capital assistance have an annual application deadline of the 1st business day of March.
Section 5311 – Formula Grants for Rural Areas
Grant Administration Procedures

Transit Section receives FTA allocation. Approved grant amounts are sent to existing Section 5311 grantees and any new applicants expressing interest and meeting minimum requirements.

Amounts Determined by:
- Formula calculation
- Base year expenditures
- Performance Measures
- Inflation
- Available Funding

Screening Criteria Include:
- Population
- Budget
- Coordination
- Community Support
- Transportation Development Plan

MDT Transit Staff screen grant applications/coordination plans.

Application identified as a Capital Grant or Operational Grant

Contracts between MDT and Section 5311 agencies are prepared and sent for Civil Right’s and Legal’s review and then signed by the sub-recipient and Administrator.

Go to Section 5310 Phase I

MDT Transit Staff review applications/coordination plans.

Application identified as a Capital Grant or Operational Grant

Contracts between MDT and Section 5311 agencies are prepared and sent for Civil Right’s and Legal’s review and then signed by the sub-recipient and Administrator.

Grant application electronically submitted to FTA for review and approval via TrAMS.

Sub-recipient submits quarterly reports of expenses and statistics to the Transit Section.

Transit Section Supervisor approves operating reimbursement requests and submits for payment processing.

Transit Section provides technical assistance and monitors program through on-site visits.

After 4th quarter operating reimbursements, sub-recipient contracts are closed out.

Submit Annual Report to FTA via TrAMS.
Section 5310 – Enhanced Mobility of Seniors and Individuals with Disabilities

Unit
Transit Section

Contact
David Jacobs, (406) 444-9192

Program Purpose
To provide assistance for enhanced mobility of seniors and individuals with disabilities in all areas – urbanized, small urban and rural. The program seeks to enhance coordination of federally assisted programs and services in order to encourage the most efficient use of federal resources and achieve the national goal of improved mobility for elderly persons and persons with disabilities.

Funding
Grants are funded 80% federal and 20% local match. For Americans with Disabilities Act and/or Clean Air Act projects, grants are funded at 85% federal and 15% local match. Funding sources: Federal Transportation Administration (FTA), approximately $800,000.

Program Eligibilities
There are three categories of eligible applicants:

- Private nonprofit organizations having been exempted by statute under Section 501(c) of the Internal Revenue Code.
- Public bodies that certify to the state that no nonprofit corporations or associations are readily available in an area to provide the service.
- Public bodies approved by the state to coordinate services for elderly persons and persons with disabilities.

*Eligible applicants must apply through the lead agency in their community. The Section 5310 program requires that projects must be derived from a locally developed, public transit-human services transportation plan.

Statutes
MCA 60-21-101
49 U.S.C. Federal Transit Act

Grant Process
This is an annual application by the MDT Rail, Transit and Planning Division to the FTA. The annual application deadline for transit agencies to apply to the state for capital assistance is the first business day of March. Applications are then scored and prioritized based on application content and applicant’s needs. Contracts are implemented between recipients and MDT. This grant is part of the Statewide Transportation Improvement Program.
**Section 5310 – Enhanced Mobility of Seniors and Individuals with Disabilities**

**Phase 1 – Formal Application Process**

The Transit Section receives applications from the lead agency in the coordinated system, reviews and rates them on content.

The Capital Assistance Review (CAR) Committee rates applications based on need. Need and content ratings are combined and averaged into one rating.

Transit Section prioritizes projects for funding.

Proposed projects are sent to the Director’s Office.

Transit Section notifies all applicants.

Grant application prepared and submitted electronically to Federal Transit Administration (FTA).

FTA approves grant application.

Successful recipients are contacted, appointments established and equipment specifications developed cooperatively.

Notify applicant agency

State Reps from:
- Developmental Disabilities Program
- Aging Services Program
- Tribal Grantee
- MTA Board Member
- Section 5311 Grantee
- Consumer
- Section 5307 Grantee
- DPHHS Transportation Coordinator

Go to Phase II
Bid packages include:
A. Request for quotation
B. Instructions to bidders
C. Terms of award
D. Required "Certification of compliance with special provisions for vehicle manufactures"
E. Request for references

MDT Purchasing Bureau staff posts bids on eMACS and the system automatically notifies vendors.

Bid openings are conducted by MDT Purchasing Section staff per MDT Policies and Procedures.

Bids are reviewed by Transit Section and bid selection is determined.

Sub-recipient and all responding vendors are notified of bid selection.

Go to Phase III
Equipment is ordered from successful bidder.

MDT completes the TVM reporting form and submits to FTA Civil Rights.

Contracts between MDT and the sub-recipient are prepared and sent for Civil Right’s and Legal’s review and then signed by the sub-recipient and Administrator. (Cover letter requests local match from the sub-recipient.)

Sub-recipient transmits local match within 45 working days.

YES

Manufacturer’s Statement of Origin, invoice, odometer statement and vehicle paperwork are requested from vendor.

Vehicle is delivered and inspected by MDT staff to verify compliance with purchase order.

State puts lien on title, sub-recipient applies for and retains title to vehicle.

Transit Supervisor approves the invoice for payment and submits for processing. Check is sent to vendor.

Transit Section provides technical assistance through on-site visits and monitors projects for the useful life of vehicle.

Sub-recipient reports vehicle data to the Transit Section quarterly.

Submit annual report to FTA via TrAMS.

Sub-recipient reports vehicle data to the Transit Section quarterly.

Submit annual report to FTA via TrAMS.

Section 5310 – Enhanced Mobility of Seniors and Individuals with Disabilities
Phase III – Equipment Placement
Section 5304 – Statewide and Non-Metropolitan Transportation Planning

**Unit**
Transit Section

**Contact**
David Jacobs, (406) 444-9192

**Program Purpose**
The Section 5304 Program is the principal source of federal financial assistance to help non-urban areas plan, develop and improve comprehensive public mass transportation systems. The eligible recipient of Section 5304 funds is the state of Montana.

**Funding**
Approximately $114,000 is allocated to the state of Montana annually. Use of these funds requires a 20% match by local recipients.

**Program Eligibilities**
Eligible activities under this grant include planning, engineering, designing and evaluating of non-urban public transportation projects for the development of regional transportation plans and for various other technical studies.

**Project Selection**
This is an annual application by the Transit Section to the Federal Transit Administration. Federal funds cover 80% of the program with the remaining 20% coming from unrestricted federal funds, state monies or local match.

**Statute:**
49 U.S.C. 5304
State Highway Traffic Safety Section
EMS Grant Program

Unit
State Highway Traffic Safety Section

Contact
Chad Newman, (406) 444-0856

Program Purpose
The EMS (Emergency Medical Services) grant program is administered by the State Highway Traffic Safety Section. This program provides grants to eligible EMS services around the state for needed vehicles, equipment, and training purchases. The program was authorized by the 2009 Montana State Legislature and made permanent in 2011. $1 million of MDT state unrestricted funds per year is available in this grant.

Funding
$1 million per state fiscal year of state funds are available from the highway non-restricted account. There is a local match requirement of 10% bringing the state spending authority for this program to $1.2 million per state fiscal year.

Distribution of Funds
Following the ranking of applications and confirmation of grant award by the MDT Director, a Memorandum of Agreement is executed between MDT and the grantee. Bids for emergency vehicles are let through the Montana Department of Administration and tracking of the vehicle and equipment purchases is done jointly. Other equipment is procured through MDT’s purchasing process.

Program Eligibility
All applicants must meet the eligibility requirements set forth in statute and policy. The yearly application process will award grants to emergency medical service providers for purchasing or leasing of ambulances; emergency response vehicles; or equipment for training, communication, or providing medical care to a patient. Applications must include a statement and a proposed budget showing how the grant funds will be spent and identify matching fund sources. Applications will be evaluated through a competitive process based on criteria ranking.

Statutes
MCA 61-2-501 thru
MCA 61-2-507

Program Timeline/Events
1. Application solicitation begins in the spring on an annual basis.
2. Applications are submitted to MDT by June 30.
3. MDT selects applications meeting minimum requirements. Applications are reviewed and ranked by a committee consisting of the State Highway Traffic Safety Supervisor, Program Planner, MDT staff, and a representative of the DPHHS EMS program.

4. Rankings are taken by the Planning Administrator to the MDT Director.

5. Award letters to applicants are signed by MDT Director. Non-award letters are signed by the Grants Bureau Chief.

6. Selected projects are funded based on the state fiscal year.

7. Memorandum of Agreement signed by recipient, MDT legal staff, Civil Rights and Planning Administrator.

8. Non-vehicle equipment is purchased by MDT and shipped directly to recipients. Vehicles are purchased through a competitive bid process through Department of Administration and vehicle specifications verified in Helena by Program Planner.

9. Equipment bill paid in full by MDT Accounting Department. Local match billed to recipient by MDT Accounting Department.
Highway Safety Plan

Unit
State Highway Traffic Safety Section

Contact
Janet Kenny, (406) 444-7417

Program Purpose
The mission of the State Highway Traffic Safety Section (SHTSS) is to reduce the number and severity of traffic crashes, injuries, and fatalities on Montana highways. The Highway Safety Plan (HSP) is developed following the annual Highway Safety Planning Meeting where input is provided by traffic safety stakeholders. The HSP allocates funds as required by the Highway Safety Act of 1966.

The Fixing America’s Surface Transportation (FAST) Act was signed into law on December 5, 2015 and was effective for most behavioral safety programs beginning with the FFY 2017 grant year. The FAST Act carries forward highway traffic safety grant programs from MAP-21 with some amendments and additions. Funding authorization is for five years beginning in 2016. MDT will continue to implement highway safety grant programs designed to reduce traffic crashes and the resulting deaths, injuries, and property damage.

The Montana HSP document must contain the following:

- Planning Process – includes data that identifies the state’s highway safety problems, determines safety performance measures and targets, identifies countermeasures and strategies to address the problems, and identifies the participants involved in the process.
- Performance Plan – describes the performance measures and data-driven targets the state plans to implement.
- Strategies and Projects – describes the activities the state plans to implement related to the targets. This is the operational portion of the HSP and identifies projects to be funded by SHTSS.
- Performance Report – discusses the state’s success in meeting performance targets identified in the previous year’s HSP.
- Program Cost Summary – the state’s proposed allocation of funds by program area.
- State Certifications and Assurances – ensures the state will comply with laws and regulations and program requirements. This is signed by the Governor’s Representative for Highway Safety (MDT Director).
- Teen Traffic Safety Program (optional) – application for program to improve traffic safety in teen drivers.
- Section 405 Grant Application – consolidates National Priority Safety Section 405 Incentive Grant Program application with the Section 402 Program.

Highway Safety programs eligible for HSP program funding are:

- Speeding
- Occupant protection
- Alcohol or drug impaired driving
- Motorcycle
- Bike and pedestrian safety
- Aggressive, fatigued and distracted driving
- Traffic records
- Emergency Medical Services

The HSP must coordinate with the State Comprehensive Safety Plan (CHSP) and share common targets and countermeasure strategies as derived from the CHSP process. The performance measures common to the state CHSP and HSP (fatalities, fatality rate and serious injuries) are required to be identified identically, as coordinated through the state's CHSP.

**Funding**
The annual HSP process is part of the normal activities of the State Highway Traffic Safety Section.

**Statutes**
23 U.S.C., Section 402
23 C.F.R. 1300
49 C.F.R. 18
MCA 61-2-101 thru 105
## Timeline

<table>
<thead>
<tr>
<th>Milestone</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-grantee application submission to SHTSS for FFY 2019 funding.</td>
<td>March 1, 2018</td>
</tr>
<tr>
<td>Application review and assessment. Funding and project recommendations made to the Governor’s Representative for HSP.</td>
<td>March 1 – May 30, 2018</td>
</tr>
<tr>
<td>Preliminary contract negotiations.</td>
<td>April 30 – May 30, 2018</td>
</tr>
<tr>
<td>SHTSS prepares Draft Annual Highway Safety Plan and submits it to Governor’s Representative for approval.</td>
<td>May 1 – June 15, 2018</td>
</tr>
<tr>
<td>SHTSS submits Annual Highway Safety Plan to NHTSA.</td>
<td>by July 1, 2018</td>
</tr>
<tr>
<td>NHTSA to notify state of FFY 2019 Highway Safety Plan approval.</td>
<td>by August 30, 2018</td>
</tr>
<tr>
<td>SHTSS sends notification to applicants regarding funding approval or denial.</td>
<td>September 1, 2018</td>
</tr>
<tr>
<td>Signed contracts due from grantees to MDT.</td>
<td>October 1, 2018</td>
</tr>
<tr>
<td>Start of Federal Fiscal Year 2019. Contracts are finalized and routed for signatures. Effective date of contract varies.</td>
<td>October 1, 2018 – September 30, 2019</td>
</tr>
<tr>
<td>Annual Highway Safety Planning meeting.</td>
<td>Fall 2018 (date subject to change)</td>
</tr>
</tbody>
</table>
**Highway Safety Plan**

1. **Analyze data to define problems/priority areas. Develop Problem Identification document.**
2. **Identify stakeholders and partners to attend annual safety meeting.**
3. **Present data and program identification to stakeholders at annual meeting.**
4. **Develop priorities, select performance targets and strategies with stakeholders’ input during annual meeting.**
5. **Develop diverse emphasis area teams which focus on individual problems and strategies to improve. Teams meet throughout the year.**
6. **Utilizing data from the CHSP, coordinate and develop HSP for submittal to NHTSA for approval.**
7. **Evaluate outcomes and projects for use in next planning cycle.**
Section 402: Matching Funds

**Unit**  
State Highway Traffic Safety Section

**Contact**  
Bill Tuck, (406) 444-6114

**Program Purpose**  
The Matching Funds program was established to ensure National Highway Traffic Safety funds are matched as required by federal regulations regarding state, local, and third-party contributions.

**Funding:**  
The federal share may not exceed 80% for each fiscal year for which a state receives a grant. Montana is eligible for a sliding scale match rate of 82.75% federal and 17.25% state funds.

The sliding scale is designed to compensate grantee states for the area of states impacted by non-taxable Indian lands, public domain lands, National Forests and National Parks and Monuments.

The state of Montana uses the rates contained in NHTSA Order #462-6C, Table No. 1. The rates in Table No. 1 are based on the ratio of the area of non-taxable Indian lands and public domain lands (reserved and unreserved) exclusive of National Forests and National Parks and Monuments to the total area of the state.

No match is required for Fatality Analysis Reporting System expenditures.

The state uses the cost of the Montana Highway Patrol Division’s HB2 expenditures as the soft match for the Highway Traffic Safety Office.

**Statute**  
23 U.S.C. 402
**Section 402: Matching Funds**

When the NHTSA federal grant application is submitted in the spring, utilize stated program match requirements to determine the state match necessary to support the requested level of grant funding.

Notify State Highway Traffic Safety Supervisor of the required state match amount.

Supervisor drafts, signs and forwards the state match request to the Montana Highway Patrol.

Montana Highway Patrol provides a soft match in the amount of the SHTSS request and provides documentation which includes the dollar amount of the match and a confirmation that this sum is not being used to satisfy any other grant matching requirements.

On NHTSA’s Grants Tracking Website, state match is allocated to all funding sources with a match requirement.
Policy, Program and Performance Analysis Bureau

Policy Analysis
Project Analysis
Program Purpose
The Systems Impact Action Process (SIAP), administered by the Policy Section, coordinates MDT’s review and assessment of impacts resulting from projects initiated by private developers or others that substantially affect the state’s transportation system. The SIAP team provides a coordinated review of projects initiated outside of MDT that may significantly and permanently impact the state’s transportation system. The review process aims to provide private developers with a single point of contact for requesting access to the state’s highway while also protecting the taxpayers’ investment in a safe and efficient transportation system.

SIAP coordinated review allows MDT to identify adverse transportation impacts early in the planning and review phases. With SIAP, MDT and local government agencies concurrently review the project which provides a more complete review of the proposal and cooperative efforts in addressing those impacts. Once impacts are identified, the developer must implement approved mitigation measures to minimize the effect on the transportation system. The mitigation measures are established as conditions that a developer must meet before any permits are issued.

If an environmental review is required for the proposed development, the SIAP review ensures all environmental requirements are included as conditions, and MDT permits are not issued until the environmental review process is complete.

Funding
The costs of private development impacts to the state’s transportation system are minimized by requiring the developer to mitigate those impacts through permit conditions.

Program Eligibilities
Any projects that may substantially impact the transportation system through increased traffic, traffic delays, safety, etc. are eligible. Examples include:

- Railroad at-grade and above-grade crossings
- Road relocations
- Major traffic generators such as a discount store or mall
- Utility service for a major subdivision
- Major developments
- Major subdivisions
- Pipelines
- Access request in limited access-controlled right-of-way
- Projects that must comply with NEPA (National Environmental Policy Act), MEPA (Montana Environmental Policy Act), or the Major Facility Siting Act
- Any projects requiring utility, encroachment and/or approach permits where MDT Environmental Checklist Questions 14 and 15 are answered as “yes.” Question 14 requires the developer to declare if the proposed action will result in increased traffic volumes, increased wait or delays on state highways, or have adverse impacts on other forms of transportation (rail, transit or air movements). Question 15 requires the developer to declare if any other agency licenses, easements or permits are required for the development.

**Statutes**
Administrative processes as approved by MDT Director and administrative rule on permits.
TranPlanMT Mobility & Economic Vitality Goal 8

**Project Selection**
The Policy, Program and Performance Analysis Bureau initially screens submittals for applicable federal and state requirements, department procedures, regulations, guidelines and critical factors which may affect the transportation system. Typically, initial project information is reviewed and selected on the basis of meeting any of the following criteria:

- Developments generating 150 or more peak trips per hour
- Developments accessing an access-control facility
- New access roadway request with the potential to open up existing undeveloped land via a dedicated public right-of-way
- Operational/safety issues that may require engineering solutions
- Access that would serve a major mine site greater than 5 acres
- Questions 14 or 15 of the Environmental checklist are checked “yes”
- District request
- Oversize vehicle transportation projects requiring ground-disturbing road or utility improvements

Projects meeting any of the above selected criteria are nominated for the SIAP review process. The Policy Analysis team then distributes required review materials to the appropriate MDT personnel and lead agencies for review and comment. Correspondence is coordinated and distributed by the Policy Section based on the review of the required materials. The Policy Section also attends multi-agency scoping meetings for the developments and must coordinate and administer all determinations concerning the developments produced from these meetings.

The SIAP review process for permits continues until MDT concurs with the level of mitigation, the design of the mitigations, area hydraulics plan, and the resolution of all environmental issues regarding the development. In cooperation with the appropriate district office, the Policy Section also negotiates agreements with the developer to set forth the framework for exchange, review procedures, timeliness and cost responsibilities established as a result of the mitigations needed by the development.

After the appropriate analysis and coordination, the Policy, Program and Performance Analysis Bureau Chief will sign the Environmental Checklist attached to the Utility Occupancy, Approach,
or Encroachment Permit. The district offices may then issue the permit at their discretion with any appropriate conditions, which are attached to the permit before issuing.

The SIAP environmental review process for major developments may continue through a number of years before the actual construction. The Policy Section continually assesses such proposals and keeps the districts and appropriate headquarters personnel informed of the project status and activities.
System Impact Actions Process

1. Proposed development planned

2. Request, complete and return an Approach Permit Application with the Environmental Checklist.


4. Optional Start-up meeting/conference call with MDT for project's scope.

5. MDT reviews Site Analysis/TIS/Hydraulics/Environmental Checklist.

6. MDT Reviews and Approves Design Plan/Report and/or Access Location/Configuration.

7. Memorandum of Agreement signed (if needed).

8. Approval to enter right-of-way prior to construction, Traffic Control Plan/Work Zone Safety and Mobility Analysis (required) and Proof of Financial Guarantee (if required).

9. Construction completed and inspected.

10. Permit issued (at District's discretion).

11. As-buils and Improvements Estimate Form provided to MDT.

12. MDT Releases Financial Guarantee (if required).

Helena

Construct Oversight/Construction Agreement with Contractor (required).
MDT Planning Division Project Document Review Process

**Unit**
Policy Analysis Section

**Contact**
Jean Riley, (406) 444-9456

**Program Purpose**
The Project Document Review Process defines the Planning Division’s method of providing comprehensive review and participation in MDT’s project development process. Through this process, submitted projects are assessed and directed to the appropriate Planning bureau or section for review and comments. Comments are then compiled and submitted as division comments to MDT’s project development managers. Reviews of these projects are considered high priority and are assigned comment deadlines.

**Program Eligibilities**
All MDT projects under development are reviewed under this process. Project development documents enter the process as they are distributed by MDT’s project development staff and offices.

**Statute**
None
MDT Planning Division Project Document Review Process

MDT Planning Department receives e-mail of report/documents for review.

Prepare draft review document.

Forward to appropriate MDT Rail, Transit and Planning staff for review.

Compile comments.

Complete review document.

Forward to Project Analysis Manager for signatures and distribution.
Project Analysis Section
Statewide Transportation Improvement Program

Unit
Project Analysis

Contact
Paul Johnson, (406) 444-7259

Program Purpose
Montana’s Statewide Transportation Improvement Program (STIP) process is developed under the provisions of 23 U.S.C. 135 and 23 C.F.R. 450.218. The STIP is based on the development of a five-year program that contains all the proposed multimodal transportation projects for the use of federal-aid and state funds. The program is developed through coordinated efforts of MDT, state and federal agencies, local and tribal governments, metropolitan planning organizations, public agencies, transportation providers, citizens, and other interested parties. The program identifies highway, rail, aeronautic, and transit improvements to preserve, renovate and enhance Montana’s transportation system.

The timeframe for the STIP process is as follows:

<table>
<thead>
<tr>
<th>Phase</th>
<th>Description</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase I</td>
<td>Funding Evaluation – includes Performance Programming Process (P3)</td>
<td>August – December</td>
</tr>
<tr>
<td>Phase II</td>
<td>Preliminary Project Selection and Review</td>
<td>January – May</td>
</tr>
<tr>
<td>Phase III</td>
<td>Public Review and Comment</td>
<td>March – April</td>
</tr>
<tr>
<td>Phase IV</td>
<td>STIP Approval</td>
<td>May – June</td>
</tr>
<tr>
<td>Phase V</td>
<td>Amendments to STIP (as required)</td>
<td>Yearlong</td>
</tr>
</tbody>
</table>

Statute
23 U.S.C. 135 (STIP)

Project Selection
Project proposals in the annual STIP are selected using the various processes noted within this document. Right-of-way and utility projects are incorporated based on scheduled activities in the Project Development Process. Reconstruction projects are also incorporated based on computing all the design, environmental and other related project development activities.
The Planning Division receives funding apportionment from FHWA.

MDT Planning Division develops future funding priorities using the Performance Programming Process (P3).

Recommended funding levels are developed for individual programs and transfers are made between highway and modal programs.

Montana Transportation Commission approval

Montana Transportation Commission informally reviews the updated long-range program.

Based on TranPlanMT management and P3, Planning Division decides on future program mix under P3.

Funding priorities based on:
- TranPlanMT objectives
- Management systems
- P3 analysis

Federal programs include:
- NHPP
- STP
- NHFP
- HSIP
- CMAQ

State programs are included if additional contributions for Fed-Aid project:
- SFC

NOTE: See individual program detail for more information.

At this point in the process no new projects are added to the program.

Update future long-range construction programs.

Go to Phase II
Statewide Transportation Improvement Plan
Phase II – Project Selection and Review

Nominations are based on:
- Management systems analysis
- Resources
- Previous year’s public involvement
- P3 analysis

Projects administered by
Districts (with funding determined via P3 process)

Programs include:
- IM
- STPP
- NHS

Nominations from the public, Transportation Commission, government agencies and others

Receive highway nominations from District Administrators

Planning Division compiles and provides a summary of previous year’s public involvement and request nominations.

Projects administered by Program Managers

Programs include:
- Bridge, STPI, STPS, CMAQ, HSIP, RRP, RIS, UPP, Rest Areas

Projects administered by Program Managers

Comments coming from previous year’s nomination phase of STIP Process (see Phase III)

MPOs submit planned project list with Conformity Determination

Projects administered by
Program Managers

Programs include:
- Bridge, STPI, STPS, CMAQ, HSIP, RRP, RIS, UPP, Rest Areas

Project nominations are compiled.

Conduct highway project field reviews with districts.

Finalize MDT draft highway projects list.

Review project list against TranPlanMT objectives and management systems and P3 analysis.

Request RW and IC phase information for all project types.

Request project lists from other modal units

Other modal units include:
- Rail
- Transit
- Aeronautics
- Motor Carrier Services

Request project lists from other government agencies.

Assemble draft STIP

Go to Phase III

Federal Lands & Tribal Transportation Programs
Direct mailing to the individuals on the TranPlanMT mailing list.

Public hearings conducted annually.

News releases distributed throughout the state.

STIP on Internet (MDT’s home page)

STIP process highlighted in MDT newsletter.

Accept comments from calls into MDT’s toll-free telephone #, through mail (postal) and e-mail.

Review and respond to public comments.

Finalize projects for STIP based on public comments, TranPlanMT objectives and P3 analysis.

Comments to be incorporated into next year’s nomination phase of STIP process (see Phase II)

Go to Phase IV
Statewide Transportation Improvement Plan
Phase IV – STIP Approval

Draft Final STIP

MDT Administrative approval

MDT Division:
• Planning
• Engineering
• Administration

Montana Transportation Commission approval

Federal Highway Administration approval

Federal Transit Administration approval

Final STIP distributed

Project programming

Go to Phase V (If necessary)
Statewide Transportation Improvement Plan
Phase V – Amendments to STIP

Project Analysis Section identifies projects needing inclusion in current year’s STIP.

MDT Administrative approval

Approved

Is public involvement needed?

Yes

Appropriate actions taken (see Phase III)

No

Disapproved

Montana Transportation Commission Approval

Approved

Projects are accumulated into a STIP amendment document and sent to the Feds for approval

MDT Divisions:
- Planning
- Engineering
- Administration

Disapproved

Federal Highway Administration approval

Disapproved

Federal Transit Administration approval

Disapproved

Yes

No

Approved

Project programming
National Highway Freight Program

Unit
Project Analysis

Contact
Paul Johnson, (406) 444-7259

Program Purpose
The National Highway Freight Program (NHFP) provides funding for activities that support the efficient movement of freight on the National Highway Freight Network (NHFN). Currently, Montana’s portion of the NHFN consists of two Interstate routes: I-15 and I-90.

Funding
NHFP funds are federally apportioned to Montana by formula. The federal share for this program will typically be 91.24% (since most work will be done on the Interstate System). The state share is funded through the Highway State Special Revenue Account.

Program Eligibilities
Activities eligible for NHFP funding include planning, environmental review, preliminary engineering, design work, construction, reconstruction, rehabilitation work and/or operational improvements that directly result in improved system performance – as well as interchange improvements, truck-only lanes, shoulder widening, traffic signal optimization, highway ramp metering and roadway capacity projects (that address freight bottlenecks).

Statute
23 U.S.C. 167 (National Highway Freight Program)

Project Selection
Project selection is determined by National Highway Freight Program eligibilities (described above). All NHFP projects must be deemed fundable – given anticipated NHFP apportionment and obligations. In general terms, Montana’s NHFP priorities reflect an emphasis on system reliability (bridge health, etc.) and operational issues (primarily in Urban areas) on Interstate 15 and Interstate 90.

All NHFP funded projects must appear in the STIP and are subject to public review before receiving Transportation Commission approval.
National Highway Freight Program

National Highway Freight Program (NHFP) funding is federally apportioned to Montana by formula.

Montana’s Freight Plan provides guidance for NHFP investment decisions.

NHFP projects nominated consistent with the Freight Plan and NHFP eligibilities.

Transportation Commission approves all projects and then projects are included in the STIP.

National Highway Freight Program.
National Highway Performance Program

Unit
Project Analysis

Contact
Paul Johnson, (406) 444-7259

Program Purpose
The National Highway Performance Program (NHPP) provides funding for the National Highway System, including the Interstate System and National Highway System bridges. The purpose of the National Highway System (NHS) is to provide an interconnected system of principal arterial routes which service major population centers, international border crossings, ports, airports, public transportation facilities, and other major travel destinations; meet national defense requirements; and service interstate and interregional travel. The National Highway System includes all Interstate routes, a large percentage of urban and rural principal arterials, the defense strategic highway network, and strategic highway connectors.

Funding
NHPP funds are federally apportioned to Montana and allocated based on system performance by the Montana Transportation Commission. The federal share for non-Interstate NHS projects is 86.58% and the state of Montana is responsible for the remaining 13.42%. For Interstate projects, the federal share is 91.24% and the state is responsible for the remaining 8.76%. The state share is funded through the Highway State Special Revenue Account.

It should be noted that projects on American Indian reservations are exempt from state share requirements and thus the federal share is 100%.

Program Eligibilities
Activities eligible for NHPP funding include construction, reconstruction, resurfacing, restoration and rehabilitation of segments of the NHS roadway; construction, replacement, rehabilitation, preservation and protection of the bridges on the National Highway System; and projects as part of a program supporting national goals for improving infrastructure condition, safety, mobility, or freight movements on the National Highway System. Operational improvements, as well as highway safety improvements, are also eligible.

Other miscellaneous activities that may qualify for NHPP funding include bikeways and pedestrian walkways, environmental mitigation, restoration and pollution control, infrastructure-based intelligent transportation system, traffic/traveler monitoring and control, and construction of intra- or intercity bus terminals serving the National Highway System.

Statute
23 U.S.C. 119 (National Highway Performance Program)

Project Selection
The Montana Transportation Commission approves NHPP apportionment to the statewide program. NHPP funds are distributed throughout the financial districts based solely on need.
and not by a financial district law. However, consideration is given to balancing needs against existing and future construction manpower then distributing the funds using the Performance Programming Process (P3).

All NHPP funded projects must appear in the STIP and are subject to public review before receiving Transportation Commission approval.

*National Highway Performance Program (NHPP)*

![Diagram of NHPP process]

- Districts are allotted funding based on the fund plan generated through the Performance Planning Process (P3)
- Funds are allocated to financial districts
- NHPP

93
Surface Transportation Block Grant Program

Unit
Project Analysis

Contact
Paul Johnson, (406) 444-7259

Program Purpose
The Surface Transportation Block Grant Program (STP) is a funding category under the FAST Act that may be used to preserve or improve conditions and performance on any federal-aid highway.

Funding
STP funds are federally apportioned to Montana and allocated by the Montana Transportation Commission to various programs including the Surface Transportation Program Primary (STPP), Surface Transportation Program Secondary (STPS), Surface Transportation Program Urban (STPU) and Surface Transportation Program Bridge (STPB).

The federal share for STP projects is 86.58% and the state is responsible for the remaining 13.42%. State share is funded through the Highway State Special Revenue Account. It should be noted that projects on American Indian reservations are exempt from state share requirements and thus the federal share is 100%.

The allocation of federally apportioned STP funds must be distributed according to federal and state law. The following describes the distribution rules for each category of STP funds:

- **STPP – Surface Transportation Program Primary** – The federal and state funds available under this program are used to finance transportation projects on the state-designated Primary Highway System. The Primary Highway System includes highways that have been functionally classified as either principal arterial or minor arterial and that have been selected by the Montana Transportation Commission to be placed on the Primary Highway System. The funds are primarily used to resurface, rehabilitate or reconstruct roads and bridges on the Primary System.

- **STPS – Surface Transportation Program Secondary** – The federal and state funds available under this program are used to finance transportation projects on the state-designated Secondary Highway System. The Secondary Highway System includes any highway that is not classified as a local route or rural minor collector and that has been selected by the Montana Transportation Commission to be placed on the Secondary Highway System. Funding is distributed by formula and is utilized to resurface, rehabilitate and reconstruct roadways and bridges on the Secondary System.

- **STPU – Surface Transportation Program Urban** – The federal and state funds available under this program are used to finance transportation projects on Montana’s Urban Highway System. STPU allocations are based on a per capita distribution and are recalculated each decade following the census. STPU funds are primarily used for
resurfacing, rehabilitation or reconstruction of existing facilities; operational improvements; bicycle facilities, pedestrian walkways and carpool projects.

- **STPB – Surface Transportation Program Bridge** – The federal and state funds available under this program are used to finance bridge projects for on-system and off-system routes in Montana. The FAST Act requires that a minimum amount (equal to 15% of Montana’s 2009 Federal Bridge Program apportionment) be set aside for off-system bridge projects. The remainder of the Bridge Program funding is established at the discretion of the state. Bridge Program funds are primarily used for bridge rehabilitation or reconstruction activities on Primary, Secondary, Urban or off-system routes.

**Statutes**
23 U.S.C. 133, Surface Transportation Program
MCA 60-3-205, Apportionment of State funds to Primary Highway System
MCA 60-3-206, Apportionment of State funds to Secondary Highway System
MCA 60-3-211, Apportionment of State funds to Urban Highway System
Surface Transportation Program – Primary Highways (STPP)

Unit
Project Analysis

Contact
Paul Johnson, (406) 444-7259

Program Purpose
The purpose of the STPP program is to provide federal assistance for reconstruction, rehabilitation, resurfacing, restoration and operational improvements for the state’s Primary Highway System.

Funding
STPP funding allocations are directed to financial districts by the Transportation Commission and are based on system performance. A financial district may not receive more than one-third of the total funds available for the Primary Highway System in any given biennium.

Program Eligibility
Projects selected for the STPP program must give consideration to sufficiency rating (as described in MCA 60-3-205) and federal eligibility requirements (established in the Surface Transportation Block Grant Program).

Statutes
23 U.S.C. 133 Surface Transportation Program
MCA 60-3-205, Apportionment of State Funds to Primary Highway System

Project Selection
The Montana Transportation Commission approves STPP apportionment to the state Primary System. STPP funds are disbursed through the financial districts in accordance with financial district laws. Projects programmed within urban areas with populations over 50,000 are undertaken cooperatively with the area’s Metropolitan Planning Organization. All STPP projects must appear in the STIP and are subject to public review and comment before receiving Transportation Commission approval.
Surface Transportation Program – Primary Highways (STPP)

- Sufficiency rating considered in P3 analysis.
- Districts are allotted funding based on the fund plan generated through the Performance Planning Process.
- Funds are allocated to financial districts.
- Financial district laws apply.
- STPP
Surface Transportation Program – Secondary Roads Program (STPS)

Unit
Project Analysis

Contact
Wayne Noem, (406) 444-6109

Program Purpose
The federal and state funds available under this program are used to finance transportation projects on the state-designated Secondary Highway System. The Secondary Highway System includes any highway that is not classified as a local route or rural minor collector and that has been selected by the Montana Transportation Commission to be placed on the Secondary Highway System. Funding is distributed by formula and is utilized to resurface, rehabilitate and reconstruct roadways and bridges on the Secondary System.

Funding
Surface Transportation Program funds are allocated to the Secondary System annually by the Transportation Commission. The federal share for these funds is 86.58% and the state is responsible for the remaining 13.42%. The state share is funded through the Highway State Special Revenue Account.

Funds are apportioned to each financial district according to state law.

Program Eligibilities
Eligible improvements include resurfacing, rehabilitation, and reconstruction of roadways and bridges as well as railroad crossing improvements and epoxy striping.

Statutes
23 U.S.C. 133, Surface Transportation Program
MCA 60-3-206, Apportionment of State Funds to Secondary Highway System

Project Selection
Selection of Capital Construction Projects will occur on a district-wide basis using “Choosing by Advantages” to rank and prioritize projects according to need. The first step involves MDT identifying a list of criteria to be used as a tool for measuring project need. Next, the counties agree upon the criteria and the level of importance of each element of the criteria. Counties submit to MDT their individual projects for evaluation and comparison to criteria. Using established data sources, MDT summarizes the attributes of each project and ranks accordingly.

The prioritized list of projects is submitted to the counties in each district for approval. Approved project lists are then submitted to the Transportation Commission for their approval. Proposed improvements receiving Transportation Commission approval are advanced (by Project Analysis) to the Fiscal Programming Section. Programming documents are then submitted to
the Federal Highway Administration, which commits federal participation through a letter of approval and/or authorization and federal-aid project agreement.
Surface Transportation Program – Secondary Roads Program (STPS)

Calculations are based on:
- 30% ratio of land area
- 35% ratio of rural population
- 30% ratio of rural road mileage
- 5% ratio of bridge square footage

Eligibilities:
Any activity that improves the structure of the road.

Eligible improvements include:
- Reconstruction work
- Overlays
- Bridge construction or rehabilitation
- Pipe replacement
- Railroad crossing surfaces
- Epoxy striping
- etc.

Funds distributed to MDT’s financial districts.

Prioritization list of project nominations submitted by County Commissioners.

Secondary Roads Engineer reviews projects for eligibility requirements.

Projects evaluated/prioritized by selection process.

Priority list voted on by counties and MDT.

Information on these proposed projects are sent to Environmental Services Office.

STPS
Federal Lands Access Program

Unit
Project Analysis

Contact
Wayne Noem, (406) 444-6109

Program Purpose
The objective of the Federal Lands Access Program is to improve access to federal lands and their resources via improvements to infrastructure elements (primarily roadways) that are outside the jurisdiction of the federal government (state highways, local routes, etc.).

Funding
Federal Lands Access funds are federally apportioned to Montana by formula. The federal share is 86.58% and the remaining 13.42% is the responsibility of the matching entity (state, local government).

Program Eligibilities
All public roadways are eligible under the following criteria:

- Roadway jurisdiction (or maintenance) is by a state government, local government or tribal government.
- The route provides direct access to or runs adjacent to federal lands.

Statutes
23 U.S.C. 201, 204 Federal Lands Access Program
FAST Act, Section 1120

Project Selection
Project nominations are evaluated by the Program Decisions Committee which includes representatives from the Western Federal Lands Highway Division (representing all federal land management agencies), the Montana Department of Transportation, and the Montana Association of County Officials. The Program Decisions Committee selects projects for advancement and prioritizes future work based on group consensus.
Federal Lands Access Program

Project nominations advanced to Program Decisions Committee for consideration.

The Program Decisions Committee reaches concurrence on new projects and program priorities.

Access Program projects included in the STIP.

Transportation Commission approves all on-system work.

Federal Lands Access Program
Performance Programming Process

Unit
Project Analysis

Contact
Paul Johnson, (406) 444-7259

Program Purpose
The Performance Programming Process (P3) provides a methodology for developing an optimal funding allocation and investment plan based on strategic highway system performance goals and the continual measurement of progress towards these goals.

Funding
P3 activities are primarily funded by the Statewide Planning and Research Program. However, some management system elements utilize NHPP, STP and/or HSIP funding.

P3 uses the outputs from the following management systems to develop an optimal funding plan that serves as the framework for MDT's Tentative Construction Program.

- Pavement Management System
- Congestion Management System
- Bridge Management System
- Safety Management System

Statute
None
Performance Programming Process (P3)

Are we measuring the right thing for our performance goals? What can we eliminate? What needs to be added?

POLICY DIRECTION
- MDT Mission
- TranPlanMT Goals and Actions/Continuous Public Involvement
- Commission Policies
- Federal/State Laws and Regulations
- Governor’s Priorities
- MPO Plans/Local and Tribal Government Goals
- Modal Plans

NEEDS ASSESSMENT (Management Systems)

PROGRAM PERFORMANCE OBJECTIVES
- by district
- by system
- by mode
- by funding program

PROGRAM DEVELOPMENT PROCESS
- Projects proposed by managers/DA’s/public (solicitation)/other
- Identify candidate projects
- Consideration for non-quantifiable policy objectives such as:
  - Economic development
  - Tourism
  - Freight
  - Environment and land use
  - Support for basic industries
  - Safety
- Program optimization against performance goals & policy objectives
- Priority setting and proposed program

PROGRAM IMPLEMENTATION AND MONITORING
- Expenditure of funds
- Program delivery
- Performance monitoring

NEEDS ASSESSMENT

PROGRAM PERFORMANCE OBJECTIVES

RESOURCE CONSTRAINTS (funding, staff, other)

OUTCOME-ORIENTED, NEGOTIATED, REALISTIC

PUBLICATION

STIP

BUDGET
Commission approval and final funding allocation to programs and projects

What is the best approach to get the most effective public involvement?

Are we measuring the right thing for our performance goals? What can we eliminate? What needs to be added?

Need to monitor “delivery performance” Example: In year one we said we would deliver x at y cost. What did we really deliver and at what cost?

PERFORMANCE MEASUREMENT

PROGRAM DEVELOPMENT PROCESS

PUBLIC INVOLVEMENT

PUBLIC

What is the best approach to get the most effective public involvement?
Emergency Relief Program

**Unit**
Project Analysis

**Contact**
Paul Johnson, (406) 444-7259

**Program Purpose**
The purpose of the Emergency Relief (ER) Program is to repair federal-aid highways that have suffered serious damage as a result of (1) natural disasters, or (2) catastrophic failures from an external cause.

**Funding**
FHWA will fully reimburse emergency repair costs (such as material, labor and equipment) at eligible disaster sites. Additionally, FHWA allows for permanent restoration work that will be reimbursed at Montana’s standard federal rate (varies by system). The state will be responsible for matching funds – which will originate from the Highway State Special Revenue Account.

**Program Eligibilities**
In order to be eligible for ER funds, the damage from any single natural disaster or catastrophic event must exceed $700,000. Additionally, each repair site (that is a part of the larger event) must exceed $5,000 to be eligible for ER reimbursement.

**Project Selection**
Project selection is determined by the Emergency Relief Program eligibilities (described above). Typical ER repairs include all elements of a highway that have suffered direct damage as a result of an eligible disaster. Other project elements may be eligible for ER reimbursement (as determined by FHWA). The list of additional items includes such things as preliminary engineering work, right-of-way, detours, slide repairs and/or any other items identified within FHWA’s Emergency Relief Manual.

**Statute**
23 U.S.C. 125
Environmental Services Bureau

Environmental
Environmental Document Process

Unit
Engineering Section, Environmental Services Bureau

Contact
Tom Gocksch, (406) 444-9412
Tom Martin, (406) 444-0879

Program Purpose
The purpose of the Environmental Document Review process for MDT is to ensure that all MDT projects fully comply with the National and Montana Environmental Policy Acts (NEPA and MEPA) as outlined in the Statutes section of this process.

Statutes
MCA Title 75, Chapter 1 (Montana Environmental Policy Act)
ARM 18.2.235 – 261 (MDT Implementing Rules)
42 U.S.C. 4321-4347 (National Environmental Policy Act)
23 U.S.C. 139 (Efficient Environmental Reviews for Project Decision Making)
40 C.F.R. 1500-1508 (Council on Environmental Quality Regulations)
23 C.F.R. 771 (Environmental Impact and Related Procedures)
FHWA Technical Advisory T6640.8A (Guidance for Environmental Section 4(f) Documents)

Process Eligibilities and Scope
The MDT Environmental Document Process for a proposed project is administered by the Project Development Engineer (PDE) in the Engineering Section of the MDT Environmental Services Bureau (ESB), in coordination with the Design Team in the MDT Preconstruction Program and the Program Development Team in the Federal Highway Administration (FHWA). In administering the Environmental Document Process, the PDE also seeks input from the Resources and Hazard Waste Sections within ESB; interested and affected federal, state and local agencies and organizations; representatives of interested or affected Native American tribes; and the public. For projects assigned to consultants, the consultant is responsible for development of the environmental document and the PDE provides oversight, coordination and review. The process begins with the Preliminary Field Review and is completed once project implementation is carried out in accordance with the environmental classification/decision document ultimately approved for the project for purposes of compliance with the Montana Environmental Policy Act, National Environmental Policy Act and associated implementing regulations.
Environmental Impact Statement or 23 USC 139
Environmental Assessment

- Notify FHWA Beginning NEPA Process (PDE, DT)
- Notice of Intent (PDE, FHWA)
- Conduct Scoping Process (PDE, DT)
- Submit Formal Request to Agencies (PDE, DT)
  
  - Develop Coordination Plan (PDE, DT, FHWA)
  - Define Purpose and Need (PDE, DT)
  - Determine Alternatives (DT, PDE)
    
    - Determine Environmental Analytical Methodology and Level of Detail
    - Gather Information (PDE, DT)
    - Gather and Review Technical Reports (PDE, DT)
  
  - Prepare Preliminary Draft (PDE, DT)
  - Provide Administrative Draft for Review (PDE)
  - Prepare Draft EIS (PDE, DT, FHWA)
  - Complete Public Review of Draft EIS (PDE, DT)
  
  - Prepare Final EIS (PDE, DT, FHWA)
  - Complete Public Review of Final EIS (PDE, DT)
  - Prepare ROD (PDE, DT, FHWA)
  - Finalize ROD (PDE, DT, FHWA)
  
  - Scope of Work (DT)
  - Reevaluation Documentation (PDE)
  
  Project Complete

Legend
DB = District Biologist
DT = Design Team
FHWA = Federal Highway Administration
PDE = Project Development Engineer
Section 4(f) Process

Unit
Engineering Section, Environmental Services Bureau

Contact
Tom Gocksch, (406) 444-9412
Tom Martin, (406) 444-0879

Program Purpose
The Section 4(f) process ensures MDT projects involving funding or approvals from the FHWA comply with the requirements of Section 4(f) of the Department of Transportation Act of 1966 (23 U.S.C 138 and 49 U.S.C. 3030) and associated implementing regulations of 23 C.F.R. Part 774.

Statutes
23 U.S.C. 138
49 U.S.C. 303
23 C.F.R. Part 774

Process Eligibilities and Scope
The MDT process for Section 4(f) compliance is administered by the Project Development Engineers (PDE) within the MDT Environmental Services Bureau, in cooperation with the Design Team (DT), MDT Historian and MDT Archaeologist, the MDT Legal Services Unit (LSU) and FHWA. For consultant projects, the PDE is involved in facilitating coordination with the consultant and the DT, the Historian and Archeologist, LSU and FHWA. The process begins with the Preliminary Field Review and is completed with the implementation of all measures to minimize harm to Section 4(f) resources as documented in the approved Section 4(f) Evaluation and Scope of Work Report.

For significant historic sites that are subject to Section 4(f), compliance is also required with Section 106 of the National Historic Preservation Act and associated implementing regulations in 36 C.F.R. 800. Analysis of alternatives and measures to minimize harm under Section 4(f) is coordinated with the evaluation of effects and measures to avoid and minimize adverse effects on the site(s) pursuant to Section 106 to ensure project decisions that satisfy both requirements. See the Cultural Resource Process Map for information on MDT procedures for compliance with Section 106 requirements.
**Section 4(f) Process**

1. **Preliminary Field Review (DT)**
   - Conduct Desk Review/Request Information (PDE, H, A)
   - Prepare Preliminary Plans (DT)

2. **Potentially 4(f) Use? (PDE)**
   - Yes → 3
   - No → 12

3. **Document Determination (PDE)**
   - No → 40
   - Yes → 5

4. **Coordinate with DT (PDE)**
   - No → 40
   - Yes → 6

5. **Evaluate Avoidance Alternatives (PDE, DT, PD)**
   - No → 40
   - Yes → 7

6. **Potential 4(f) Use Avoided? (PDE)**
   - Yes → 40
   - No → 40

7. **Document Determination (PDE)**
   - No → 40
   - Yes → 14

8. **De Minimis**
   - Yes → 19
   - No → 40

9. **Determine Significance/NRHP Eligibility of Site (PDE, H, A)**
   - Yes → 10
   - No → 12

10. **Site is Significant or Eligible for NRHP? (PDE)**
    - Yes → 11
    - No → 12

11. **Document Determination (PDE)**
    - No → 40
    - Yes → 17

12. **Programmatic Evaluation**
    - Yes → 19
    - No → 40

13. **Evaluate Avoidance Minimization and Mitigation Alternatives (PDE, DT, PD)**
    - No → 14
    - Yes → 15

14. **Conduct Alignment and Grade Review (DT)**
    - No → 14
    - Yes → 15

15. **Evaluate and Quantify 4(f) Uses (PDE, FHWA)**
    - No → 16
    - Yes → 16

16. **Level of 4(f) Documentation?**
    - Yes → 15
    - No → 17

17. **Document Basis for De Minimis 4(f) Finding (PDE, FHWA)**
    - No → 18
    - Yes → 18

18. **Coordinate with Officials having Jurisdiction (PDE, FHWA)**
    - No → 20
    - Yes → 21

19. **Written Concurrence Received? (PDE)**
    - Yes → 24
    - No → 24

20. **Coordinate with Officials having Jurisdiction (PDE)**
    - No → 21
    - Yes → 25

    - No → 24
    - Yes → 22

22. **Submit Documentation to FHWA (PDE)**
    - No → 24
    - Yes → 27

23. **Prepare Draft Full 4(f) Evaluation (PDE)**
    - No → 24
    - Yes → 24

24. **Prepare Draft Full 4(f) Evaluation (PDE, FHWA, DT, LSU)**
    - No → 24
    - Yes → 27

25. **Programmatic Evaluation**
    - Yes → 22
    - No → 24

26. **Submit Documentation to FHWA (PDE)**
    - No → 27
    - Yes → 27

27. **Document Basis for De Minimis Finding (PDE, FHWA)**
    - No → 24
    - Yes → 24

28. **Written Concurrence Received? (PDE)**
    - Yes → 24
    - No → 24

Legend:
- A = Archaeologist
- DT = Design Team
- FHWA = Federal Highway Administration
- H = Historian
- LSU = Legal Services Unit
- PDE = Project Development Engineer
Section 6(f) Process

Unit
Engineering Section, Environmental Services Bureau

Contact
Tom Gocksch, (406) 444-9412
Tom Martin, (406) 444-0879

Program Purpose
The 6(f) process ensures that MDT project development activities include appropriate identification of recreational properties acquired or improved with funding assistance under the Land and Water Conservation Fund Act (16 U.S.C. 4601-4 et seq.) and where projects may affect such properties that appropriate steps are taken to comply with the requirements of 16 U.S.C. 4601-8(f)(3), commonly known as Section 6(f), and associated implementing regulations of 36 C.F.R. 59, “Land and Water Conservation Fund Program of Assistance to States; Post Completion Compliance Responsibilities.”

Section 6(f) provides the following:

... No property acquired or developed with assistance under this section shall, without the approval of the Secretary [of the Interior], be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive Statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

Statutes
16 U.S.C. 4601-4 et seq. (Land and Water Conservation Fund Act)
16 U.S.C. 4601-8(f)(3) Land and Water Conservation Fund Program of Assistance to States
26 C.F.R. 59 (Post Completion Compliance Responsibilities)

Process Eligibilities and Scope
The process for identifying properties subject to Section 6(f) and for complying with Section 6(f) conversion requirements is administered by the Project Development Engineers of the MDT Environmental Services Bureau, in coordination with the MDT Preconstruction Project Managers, Design Team, MDT Right-of-Way Bureau, Montana Department of Fish, Wildlife and Parks and other entities that own and/or manage properties subject to Section 6(f).

The process begins with the Preliminary Field Review and is completed either with avoidance or any conversion of land from properties subject to Section 6(f) or with any proposed conversion of Section 6(f) property and substitution of replacement land accurately described in the construction plan documents at the Plan-in-Hand Review. Approval of any conversion or substitute Section 6(f) property is obtained from the National Park Service. Coordination of NEPA/Section 6(f)/Section 4(f) processes is continual throughout the completion of project environmental documentation.
Section 6(f) Process

1. Preliminary Field Review (DT, PDE)
2. Conduct Desk Review/Request Information from FWP (PDE)
3. Potential Section 6(f) Conversion? (PDE)
4. Coordinate with DT (PDE)
5. Evaluate Avoidance Alternatives (PDE)
6. Document Determination (PDE)

7. Conduct Alignment and Grade Review (PDE)
8. Avoid 6(f) Conversion? (PDE, DT)
   - NO: Informally Consult with FWP and 6(f) Landowner
   - YES: Document Avoidance (PDE)
     - Conduct Plan-in-Hand Review (DT, PDE)
9. Determine Fair Market Value of Conversion Area (PDE, RW)
10. Find Equivalent Replacement Property (PDE, RW)
11. Consult with FWP and 6(f) Landowner (EESS, PDE)
12. Conduct Appraisal for Replacement Property (PDE, RW)
13. Prepare Conversion Request Documentation (PDE)
14. Submit Documentation to FWP (PDE, EESS, ESBC)
15. Support FWP Submission of Documentation to National Park Service (FWP, PDE)
16. Submit Conversion Approval to MDT (FWP)

Legend:
- DT = Design Team
- EESS = Environmental Engineering Section Supervisor
- ESBC = Environmental Services Bureau Chief
- FWP = Department of Fish, Wildlife and Parks
- PDE = Project Development Engineer
- PFR = Preliminary Field Review
- RW = Right of Way Bureau

114
404/401/ALPO/ALCO Preconstruction Process

Unit
Engineering Section, Environmental Services Bureau

Contact
Tom Gocksch, (406) 444-9412
Tom Martin, (406) 444-0879

Program Purpose
The purpose of the 404/401/ALPO/ALCO Preconstruction Process for MDT is to ensure that all MDT projects fully comply with Section 404 and Section 401 of the Clean Water Act (CWA) as well as the Blackfeet Tribe Aquatic Lands Protection Ordinance 90-A (ALPO) and Confederated Salish and Kootenai Tribes Aquatic Lands Conservation Ordinance 87-A (ALCO).

Section 404 of the Clean Water Act
Requires permit coverage from the U.S. Army Corps of Engineers (COE) for discharge of dredged or fill material into “waters of the United States,” including jurisdictional wetlands and special aquatic sites. The term “waters of the United States” is defined in 33 C.F.R. 328. The term “special aquatic sites” is defined in 40 C.F.R. 230.3 (q-1). A CWA 404 permit can be either a nationwide permit or an individual permit (IP). An IP requires alternative analysis (outlined in the Section 404(b)(1) guidelines, 40 C.F.R. 230) and permitting of the Least Environmentally Damaging Practicable Alternative. The COE is required to demonstrate National Environmental Policy Act (NEPA) compliance with issuance of their permits and generally relies upon the MDT/FHWA NEPA process for this compliance.

Section 401 of the Clean Water Act
Requires certification of compliance with applicable effluent limitations and water quality standards for waters of the U.S. Depending on the location of the water, 401 certification authority will lie with the Montana Department of Environmental Quality, U.S. Environmental Protection Agency, Blackfeet Nation, Confederated Salish and Kootenai Tribes (CSKT), Fork Peck Tribes, or the Northern Cheyenne Tribe.

Blackfeet Tribe Aquatic Lands Protection Ordinance 90-A (ALPO)
Requires permit coverage from the Blackfeet Nation Environmental Office for all construction or fill projects that occur in waters, aquatic lands, riparian areas and streams on the Blackfeet Indian Reservation. For purposes of ALPO, “aquatic lands” means all Reservation waters below the mean annual high-water mark or within a wetland. “Reservation waters” means all naturally occurring bodies of water within the exterior boundaries of the reservation regardless of alteration by man, including, but not limited to, lakes, rivers, streams (including intermittent streams), mudflats, wetlands, springs, sloughs, potholes and ponds, and any bodies of water classifiable as waters of the U.S. under federal law. Tributaries and wetlands are also Reservation waters.

CSKT Aquatic Lands Conservation Ordinance 87-A (ALCO)
Requires permit coverage from the Shoreline Protection Program Office of the CSKT for any proposed work in, over or near any stream, river, lake or wetland on the Flathead Reservation.
For purposes of ALCO, “aquatic lands” means all land below the mean annual high-water mark of reservation water body. “Reservation waters” means all naturally occurring bodies of water within the exterior boundaries of the reservation regardless of alternation by man, including, but not limited to, lakes, rivers, streams (including intermittent streams), mudflats, wetlands, sloughs, potholes and ponds from which fish and wildlife are or could be taken, but does not include wholly man-made water bodies. Tributaries to waters identified above are Reservation waters. Adjacent wetlands are also Reservation waters.

**Statutes**
33 C.F.R. 328  
40 C.F.R. 230.3 (q-1)  
40 C.F.R. 230

**Process Eligibilities and Scope**
The MDT 404/401/ALPO/ALCO Preconstruction Permitting Process is administered by the Project Development Engineers (PDE) in the Engineering Section within the MDT Environmental Services Bureau in cooperation with the Design Team. The process begins with the Preliminary Field Review and continues through the design and construction processes. The PDE ensures that the permit(s) applications are reviewed with the District Biologist and the permits themselves are reviewed.

**Preconstruction Process**
Design Team looks for appropriateness that the special and general conditions of the permit(s) are ultimately incorporated into the contract plans as special provisions. Those special and general conditions of the permit(s) are ultimately incorporated into the design and construction of the project. For 404 permits, the conclusion of the process is the signing of the 404 compliance certification after construction is complete and on-site mitigation (if part of the project) is established.
**404/401/ALPO/ALCO Preconstruction Process**

- **Gather Information** (PDE, DB)
- **Prepare Environmental Documentation** (PDE)
- **Submit Conceptual Design to Agencies** (PDE)
- **Coordinate with DT and Agencies** (PDE, DB)
- **Conduct Plan-in-Hand Review** (DT)

**Preliminary Field Review** (DT)

- **Gather Information** (PDE, DB)
- **Minimize Impacts** (DT, PDE, DB)
- **Review Scope of Work Report** (PDE)

**Prepare Environmental Documentation** (PDE)

- **Minimize Impacts** (DT, PDE, DB)
- **Submit Conceptual Design to Agencies** (PDE)

**Final Decision on Permits Required** (PDE)

- **YES**
  - **Prepare and Submit 404, ALPO and/or ALCO Permits** (PDE)
  - **Receive 404/ALCO/ALPO and Solicit Review and Comment** (PDE)
- **NO**
  - **404, ALPO and/or ALCO Permits, Not Required** (PDE)

**Determine Final Construction Limits** (DT)

- **Wetland Findings Report** (DB)

**Write Special Provisions** (PDE)

- **Coordinate with Construction** (PDE, DEES, DB)

**Follow On-Site Wetland Mitigation Process, If Applicable** (DEES)

**Compliance Certification** (DEES)

**Legend**
- DB = District Biologist
- DEES = District Environmental Engineering Specialist
- DT = Design Team
- ERSS = Environmental Resource Section Supervisor
- PDE = Project Development Engineer
404/401/ALPO/ALCO Process for Core Drilling

Unit
Engineering Section, Environmental Services Bureau

Contact
Tom Gocksch, (406) 444-9412
Tom Martin, (406) 444-0879

Program Purpose
The purpose of the 404/401/ALPO/ALCO Process for Core Drilling describes the process for ensuring core drill activities that affect surface water resources are in full compliance with the requirements of the following directives:

Section 404 of the Clean Water Act
Requires permit coverage from the U.S. Army Corps of Engineers (COE) for discharge of dredged or fill material into “waters of the United States,” including jurisdictional wetlands and special aquatic sites. The term “waters of the United States” is defined in 33 C.F.R. 328. The term “special aquatic sites” is defined in 40 C.F.R. 230.3 (q-1). A CWA 404 permit can be either a nationwide permit or an individual permit (IP). An IP requires alternative analysis (outlined in the Section 404(b)(1) guidelines, 40 C.F.R. 230) and permitting of the Least Environmentally Damaging Practicable Alternative. The COE is required to demonstrate National Environmental Policy Act (NEPA) compliance with issuance of their permits and generally relies upon the MDT/FHWA NEPA process for this compliance.

Section 401 of the Clean Water Act
Requires certification of compliance with applicable effluent limitations and water quality standards for waters of the U.S. Depending on the location of the water, 401 certification authority will lie with the Montana Department of Environmental Quality, U.S. Environmental Protection Agency, Blackfeet Nation, Confederated Salish and Kootenai Tribes (CSKT), Fork Peck Tribes, or the Northern Cheyenne Tribe.

Blackfeet Tribe Aquatic Lands Protection Ordinance 90-A (ALPO)
Requires permit coverage from the Blackfeet Nation Environmental Office for all construction or fill projects that occur in waters, aquatic lands, riparian areas and streams on the Blackfeet Indian Reservation. For purposes of ALPO, “aquatic lands” means all Reservation waters below the mean annual high-water mark or within a wetland. “Reservation waters” means all naturally occurring bodies of water within the exterior boundaries of the reservation regardless of alteration by man, including but not limited to, lakes, rivers, streams (including intermittent streams), mudflats, wetlands, springs, sloughs, potholes and ponds, and any bodies of water classifiable as waters of the U.S. under federal law. Tributaries and wetlands are also Reservation waters.

CSKT Aquatic Lands Conservation Ordinance 87-A (ALCO)
Requires permit coverage from the Shoreline Protection Program Office of the CSKT for any proposed work in, over or near any stream, river, lake or wetland on the Flathead Reservation. For purposes of ALCO, “aquatic lands” means all land below the mean annual high-water mark.
of reservation water body. “Reservation waters” means all naturally occurring bodies of water within the exterior boundaries of the reservation regardless of alternation by man, including, but not limited to, lakes, rivers, streams (including intermittent streams), mudflats, wetlands, sloughs, potholes and ponds from which fish and wildlife are or could be taken, but does not include wholly man-made water bodies. Tributaries to waters identified above are Reservation waters. Adjacent wetlands are also Reservation waters.

**Statutes**
33 C.F.R. 328
40 C.F.R. 230.3 (q-1)
40 C.F.R. 230

**Process Eligibilities and Scope**
The Project Development Engineers within the MDT Environmental Services Bureau (ESB) administer the 404/401/ALPO/ALCO process for core drilling actions in cooperation with the District Biologist within the ESB and the Geotechnical Section within the MDT Materials Bureau. The process begins when the Geotechnical Section prepares a drill request for core drilling that affects a surface water resource. The process is completed with the implementation of permit conditions and/or Section 401 water quality certification conditions associated with the core drill activity.

**404/401/ALPO/ALCO Process for Core Drilling**

- **Drill Request Prepared (PGS)**
- **Receive Drill Request (PDE)**
- **Coordinate with Geotechnical Section (PDE)**
- **Prepare and Submit 404, ALPO, and/or ALCO Application(s)/Notification/Memo to File, As Necessary (PDE)**
- **Receive and Distribute Permits, as Necessary (PDE, DB)**
- **Compliance Certification (EES/PGS)**

**Legend**
- DB = District Biologist
- DEES = District Environmental Engineering Specialist
- EPM = Engineering Project Manager
- PDE = Project Development Engineer
- PGS = Project Geotechnical Specialist
404/401/ALPO/ALCO Process for Temporary Facilities

Unit
Engineering Section, Environmental Services Bureau

Contact
Tom Gocksch, (406) 444-9412
Tom Martin, (406) 444-0879

Program Purpose
The purpose of the 404/401/ALPO/ALCO Process for Temporary Facilities ensures that temporary facilities associated with construction projects are in full compliance with the requirements of the following directives:

Section 404 of the Clean Water Act
Requires permit coverage from the U.S. Army Corps of Engineers (COE) for discharge of dredged or fill material into “waters of the United States,” including jurisdictional wetlands and special aquatic sites. The term “waters of the United States” is defined in 33 C.F.R. 328. The term “special aquatic sites” is defined in 40 C.F.R. 230.3 (q-1). A CWA 404 permit can be either a nationwide permit or an individual permit (IP). An IP requires alternative analysis (outlined in the Section 404(b)(1) guidelines, 40 C.F.R. 230) and permitting of the Least Environmentally Damaging Practicable Alternative. The COE is required to demonstrate National Environmental Policy Act (NEPA) compliance with issuance of their permits and generally relies upon the MDT/FHWA NEPA process for this compliance.

Section 401 of the Clean Water Act
Requires certification of compliance with applicable effluent limitations and water quality standards for waters of the U.S. Depending on the location of the water, 401 certification authority will lie with the Montana Department of Environmental Quality (DEQ), U.S. Environmental Protection Agency, Blackfeet Nation, Confederated Salish and Kootenai Tribes (CSKT), Fork Peck Tribes, or the Northern Cheyenne Tribe.

Blackfeet Tribe Aquatic Lands Protection Ordinance 90-A (ALPO)
Requires permit coverage from the Blackfeet Nation Environmental Office for all construction or fill projects that occur in waters, aquatic lands, riparian areas and streams on the Blackfeet Indian Reservation. For purposes of ALPO, "aquatic lands" means all Reservation waters below the mean annual high-water mark or within a wetland. “Reservation waters” means all naturally occurring bodies of water within the exterior boundaries of the reservation regardless of alteration by man, including, but not limited to, lakes, rivers, streams (including intermittent streams), mudflats, wetlands, springs, sloughs, potholes and ponds, and any bodies of water classifiable as waters of the U.S. under federal law. Tributaries and wetlands are also Reservation waters.

CSKT Aquatic Lands Conservation Ordinance 87-A (ALCO)
Requires permit coverage from the Shoreline Protection Program Office of the CSKT for any proposed work in, over or near any stream, river, lake or wetland on the Flathead Reservation. For purposes of ALCO, “aquatic lands” means all land below the mean annual high-water mark
of reservation water body. “Reservation waters” means all naturally occurring bodies of water within the exterior boundaries of the reservation regardless of alternation by man, including, but not limited to, lakes, rivers, streams (including intermittent streams), mudflats, wetlands, sloughs, potholes and ponds from which fish and wildlife are or could be taken, but does not include wholly man-made water bodies. Tributaries to waters identified above are Reservation waters. Adjacent wetlands are also Reservation waters.

MCA 8705-502 (Montana Stream Protection Act – SPA124 Notification)
Requires that state agencies in Montana must provide notice to the Montana Department of Fish, Wildlife and Parks before initiating any construction projects that will affect any Montana stream or its banks or tributaries.

**Statutes**
33 C.F.R. 328
40 C.F.R. 230.3 (q-1)
40 C.F.R. 230
MCA 87-5-502 (Montana Stream Protection Act)

**Process Eligibilities and Scope**
The contractor is the permittee on temporary fills and facilities/construction permits. As an owner of land involved with the temporary facilities/construction, MDT is generally a signatory on the permit applications. To facilitate timely responses by permitting agencies and to appropriately manage interagency relationships, MDT assists the contractor in the permitting process. The contractor prepares the permit applications and the District Environmental Engineering Specialist (DEES) reviews the applications with the support of the Field Services Engineer and the Engineering Section Supervisor, as applicable. The process begins when the Engineering Project Manager or the contractor contacts the DEES to provide information on proposed temporary construction fills and facilities and construction methodologies that will affect surface water resources. The process is completed with the implementation of permit conditions and/or Section 401 water quality certification conditions associated with the temporary facilities.

**404/401/ALPO/ALCO Process for Temporary Facilities**

![Diagram of process for temporary facilities]

**Legend**
DCE = District Construction Engineer
DEES = District Environmental Engineering Specialist
EPM = Engineering Project Manager
FSE = Field Services Engineer

121
404/401/ALPO/ALCO Process for Maintenance

Unit
Engineering Section, Environmental Services Bureau

Contact
Tom Gocksch, (406) 444-9412
Tom Martin, (406) 444-0879

Program Purpose
The purpose of the 404/401/ALPO/ALCO Process for Maintenance ensures that any maintenance projects are in full compliance with the requirements of the following directives:

Section 404 of the Clean Water Act
Requires permit coverage from the U.S. Army Corps of Engineers (COE) for discharge of dredged or fill material into “waters of the United States,” including jurisdictional wetlands and special aquatic sites. The term “waters of the United States” is defined in 33 C.F.R. 328. The term “special aquatic sites” is defined in 40 C.F.R. 230.3 (q-1). A CWA 404 permit can be either a nationwide permit or an individual permit (IP). An IP requires alternative analysis (outlined in the Section 404(b)(1) guidelines, 40 C.F.R. 230) and permitting of the Least Environmentally Damaging Practicable Alternative. The COE is required to demonstrate National Environmental Policy Act (NEPA) compliance with issuance of their permits and generally relies upon the MDT/FHWA NEPA process for this compliance.

Section 401 of the Clean Water Act (CWA)
Requires certification of compliance with applicable effluent limitations and water quality standards for waters of the U.S. Depending on the location of the water, 401 certification authority will lie with the Montana Department of Environmental Quality (DEQ), U.S. Environmental Protection Agency, Blackfeet Nation, Confederated Salish and Kootenai Tribes (CSKT), Fork Peck Tribes, or the Northern Cheyenne Tribe.

Blackfeet Tribe Aquatic Lands Protection Ordinance 90-A (ALPO)
Requires permit coverage from the Blackfeet Nation Environmental Office for all construction or fill projects that occur in waters, aquatic lands, riparian areas and streams on the Blackfeet Indian Reservation. For purposes of ALPO, “aquatic lands” means all Reservation waters below the mean annual high-water mark or within a wetland. “Reservation waters” means all naturally occurring bodies of water within the exterior boundaries of the reservation regardless of alteration by man, including, but not limited to, lakes, rivers, streams (including intermittent streams), mudflats, wetlands, springs, sloughs, potholes and ponds, and any bodies of water classifiable as waters of the U.S. under federal law. Tributaries and wetlands are also Reservation waters.

CSKT Aquatic Lands Conservation Ordinance 87-A (ALCO)
Requires permit coverage from the Shoreline Protection Program Office of the CSKT for any proposed work in, over or near any stream, river, lake or wetland on the Flathead Reservation. For purposes of ALCO, “aquatic lands” means all land below the mean annual high-water mark of reservation water body. “Reservation waters” means all naturally occurring bodies of water.
within the exterior boundaries of the reservation regardless of alternation by man, including, but not limited to, lakes, rivers, streams (including intermittent streams), mudflats, wetlands, sloughs, potholes and ponds from which fish and wildlife are or could be taken, but does not include wholly man-made water bodies. Tributaries to waters identified above are Reservation waters. Adjacent wetlands are also Reservation waters.

**Statutes**
33 C.F.R. 328
40 C.F.R. 230.3 (q-1)
40 C.F.R. 230

**Process Eligibilities and Scope**
The District Environmental Engineering Specialists (DEES) administer the 404/401/ALPO/ALCO process for maintenance actions, with the support of the Field Services Engineer (FSE), the District Biologist for SPA 124 permitting, and the Project Development Engineer (PDE) for CWA and tribal permitting, as applicable. The process begins when the Maintenance Division contacts the DEES to provide information on a proposed maintenance project that will affect surface water resources. The process is completed with the implementation of permit conditions and/or Section 401 water quality certification conditions associated with the maintenance project.

**404/401/ALPO/ALCO Process for Maintenance**

Legend
DB = District Biologist
DEES = District Environmental Engineering Specialist
M = Maintenance
PDE = Project Development Engineer
SPA 124 Process for Preconstruction

**Unit**
Resources Section, Environmental Services Bureau

**Contact**
Bill Semmens, (406) 444-7227
Tom Martin, (406) 444-0879

**Program Purpose**
SPA 124 is the process for ensuring that Preconstruction activities on projects that may affect any streams or tributaries in Montana are in full compliance with the requirements of the Montana Stream Protection Act 124 (SPA 134).

**Statutes**
SPA 124 (Montana Stream Protection Act) – notification
MCA 87-5-502

**Process Eligibilities and Scope**
The District Biologists (DB) within the MDT Environmental Services Bureau administers the SPA 124 process for Preconstruction in cooperation with the Design Team. The process begins with the Preliminary Field Review for a proposed project and is completed with the implementation of any special provisions incorporating SPA 124 permit conditions prepared by the DB for inclusion in the construction contract plan documents.
**SPA 124 Process for Preconstruction**

- Gather Information (DB)
- Prepare Biological Resources Report (DB)
- Submit Conceptual Design to Agencies/Tribes (DB)
- Receive Comments on Conceptual Design (DB)
- Coordinate with DT and Resource Agencies/Tribes (DB)
- Conduct Alignment and Grade Review (DT, DB)
- Conduct Plan-in-Hand Review (DT)
- Determine Final Construction Limits (DT)
- Prepare and Submit SPA 124 Notification (DB)
- Receive and Distribute SPA 124 (DB, DT)
- Write Special Provisions (DB)
- Coordinate with Construction (DB)
- Process Complete

**Legend**

- BRR = Biologist Resource Report
- DB = District Biologist
- DT = Design Team
- PD = Project Designer (i.e., Road, Bridge, Traffic)
- PDE = Project Development Engineer
- SPA 124 = (Montana) Stream Protection Act, Section 124
**SPA 124 Process for Geotechnical Field Investigations**

**Unit**
Resources Section, Environmental Services Bureau

**Contact**
Bill Semmens, (406) 444-7227  
Tom Martin, (406) 444-0879

**Program Purpose**
SPA 124 is the process for ensuring that Geotechnical Field Investigation activities on projects that may affect any streams or tributaries in Montana are in full compliance with the requirements of the Montana Stream Protection Act 124 (SPA 124).

**Statutes**
SPA 124 (Montana Stream Protection Act)  
MCA 87-5-502

**Process Eligibilities and Scope**
The District Biologists within the MDT Environmental Services Bureau administer the SPA 124 process for Geotechnical Field Investigation actions in cooperation with the Geotechnical Section within the MDT Materials Bureau. The process begins when the Geotechnical Section prepares a drill request for a field investigation that affects streams or tributaries. The process is complete with the implementation of the SPA 124 conditions in the core drill activity.

**SPA 124 Process for Geotechnical Field Investigations**

1. **Receive Drill Request (PGS)**
2. **Gather Information (DB)**
3. **Prepare and Submit SPA 124 Notification (DB)**
4. **Receive and Distribute SPA 124 (DB)**
5. **Coordinate with Geotech (DB)**
6. **Process Complete (DB)**

**Legend**
- DB = District Biologist  
- PGS = Project Geotechnical Specialist  
- SPA 124 = (Montana) Stream Protection Act, Section 124
SPA 124 Process for Maintenance

**Unit**
Resources Section, Environmental Services Bureau

**Contact**
Bill Semmens, (406) 444-7227
Tom Martin, (406) 444-0879

**Program Purpose**
SPA 124 is the process for ensuring that any Maintenance activities on projects that may affect any streams or tributaries in Montana are in full compliance with the requirements of the Montana Stream Protection Act 124 (SPA 124).

**Statutes**
SPA 124 (Montana Stream Protection Act)
MCA 87-5-502

**Process Eligibilities and Scope**
The District Environmental Engineering Specialists in coordination with the District Biologists within the MDT Environmental Services Bureau administer the SPA 124 process for maintenance actions in cooperation with the Geotechnical Section within the MDT Materials Bureau. The process begins when the MDT Maintenance Division notifies the Environmental Services Bureau of a proposed maintenance action that may affect streams or tributaries. The process is complete with the implementation of the SPA 124 conditions in the maintenance project.

**SPA 124 Process for Maintenance**

**Legend**
DEES = District Environmental Engineering Specialist
DB = District Biologist
M = Maintenance
SPA 124 = (Montana) Stream Protection Act, Section 124
MDT Historic, Archaeological and Cultural Analysis and Preservation Process

Unit
Resources Section, Environmental Services Bureau

Contact
Jon Axline, (406) 444-6258
Bill Semmens, (406) 444-7227
Tom Martin, (406) 444-0879

Program Purpose
This process ensures that historic properties and sites, archaeological finds of significance, paleontological sites and human skeletal remains are identified and addressed according to state and federal requirements.

Process Eligibilities and Scope
The Historic, Archaeological and Cultural Analysis and Preservation process is administered by the Environmental Resources Section of the MDT Environmental Services Bureau. The process begins with evaluation of the Preliminary Field Review Report for a project and is complete when compliance has been established with all applicable requirements for any significant historic, archaeological and cultural resources the project may affect.

Statutes
16 U.S.C. 470 et seq. Public Law 96-95
42 U.S.C. 1996
49 U.S.C. 303
54 U.S.C. 300101 et seq.
54 U.S.C. 306108 Public Law 101-601
23 C.F.R. 774
36 C.F.R. 800
MCA 22-3-414 thru 442
MCA 22-3-902
Biological Resource Report/Preliminary Biological Assessment Process

Unit
Resources Section, Environmental Services Bureau

Contact
Bill Semmens, (406) 444-7227
Tom Martin, (406) 444-0879

Program Purpose
The Biological Resource Report/Preliminary Biological Assessment Process ensures that MDT highway projects identify and address project effects on biological resources and comply with all federal and state requirements applicable to those resources. Examples include effects on threatened and endangered species and their critical habitat; migratory birds, their nests and eggs; Bald and Golden Eagles; Montana Species of Concern and Montana Sensitive Species; general wildlife; streams, rivers and riparian corridors; aquatic species; wetlands; habitat connectivity; natural plant communities; invasive species and noxious weeds.

Process Eligibilities and Scope
The District Biologists (DB) within the MDT Environmental Services Bureau administers the biological resource analysis process for MDT highway projects, in cooperation with the Design Team. The process begins with the Preliminary Field Review and is completed with the implementation of any Special Provisions prepared by the DB for inclusion in the construction contract plan documents and subsequent coordination with construction personnel to address biological resource issues.

Statutes
33 U.S.C. 1251, et seq.
MCA 87-5-502
MCA 2-15-1514
MCT Title 87 Chap 5
Executive Order 12-2015
On-Site Aquatic Resource Mitigation Process

Unit
Resources Section, Environmental Services Bureau

Contact
Bill Semmens, (406) 444-7227
Tom Martin, (406) 444-0879

Program Purpose
The On-Site Aquatic Resource Mitigation Process describes the process for providing on-site mitigation for unavoidable wetland impacts resulting from MDT highway projects (i.e., mitigation on or adjacent to the right-of-way of the project, which resulted in unavoidable wetland impacts).

Process Eligibilities and Scope
The on-site wetland mitigation process is only used when mitigation bank or in-lieu fee mitigation credits are not available within the watershed in which the MDT project will occur. The process for on-site wetland mitigation is administered by the Aquatic Mitigation Unit (AMU) in coordination with the District Biologists within the MDT Environmental Services Bureau, in cooperation with the project Design Team. The process begins with the Preliminary Field Review and is completed when the AMU confirms that the on-site mitigation is successful and meets the performance criteria as described in the approved mitigation plan.

Statute
33 U.S.C. 1251 et seq.
Off-Site Aquatic Resource Mitigation Process

Unit
Resources Section, Environmental Services Bureau

Contact
Bill Semmens, (406) 444-7227
Tom Martin, (406) 444-0879

Program Purpose
The Off-Site Aquatic Mitigation Process describes the process for providing off-site mitigation for unavoidable wetland and stream impacts resulting from MDT highway projects (i.e., stand-alone mitigation projects not associated with the highway project).

Process Eligibilities and Scope
The process for off-site aquatic mitigation is administered by the Aquatic Mitigation Engineer (AME) and Wetland Specialist (WS) within the MDT Environmental Services Bureau, in cooperation with other MDT Bureaus and Sections as applicable. The process begins with identification of a need for off-site aquatic mitigation and is completed when the AME and WS determine the off-site mitigation meets applicable performance criteria, goals, objectives and regulatory requirements and can be switched from active monitoring to inactive monitoring.

On consultant-designed projects, the MDT Project Manager will be the liaison for any coordination required between the consultant and WE/WS.

Statute
33 U.S.C. 1251 et seq.
Off-Site Aquatic Resource Mitigation Process – Crediting

Identify Need (AME, WS)

Identify Leads (AME, WS)

Refine Options (AME, WS)

Conduct Field Review (AME, WS)

Make Selections (AME, WS, ERSS)

Determine Approach (AME, WS, ERSS)

Review Credit Proposal (AME, WS, ERSS)

Acceptable? (AME, WS, ERSS)

Nominate Project (WS, ERSS)

Finalize Wetland Credit Purchase Agreement (LS, ERSS)

Prepare Environmental Documentation (PDE, WS)

Does the bank have COE Approval? (WS, ERSS)

Make Payment (WS, ERSS)

Conduct Post Construction Review (AME, WS)

Make Payment (WS, ERSS)

Conduct Active Monitoring (C, WS, ERSS)

Successful? (AME, WS)

Conduct Inactive Monitoring (AME, WS)

Fix Required? (AME, WS, ERSS)

Implement Project Modifications (AME, WS)

Legend
AME = Aquatic Mitigation Engineer
C = Consultant
CB = Construction Bureau
CSB = Consultant Selection Board
ERSS = Environmental Resource Section Supervisor
ESBC = Environmental Services Bureau Chief
LS = Legal Services
PDE = Project Development Engineer
PM = Project Manager
RW = Right-of-Way Bureau
WS = Wetland Specialist

Wetland Credit
Off-Site Aquatic Mitigation Resource Process – In-House Design

Legend
AME = Aquatic Mitigation Engineer
C = Consultant
CB = Construction Bureau
CSB = Consultant Selection Board
ERSS = Environmental Resource Section Supervisor
ESBC = Environmental Services Bureau Chief
LS = Legal Services
PDE = Project Development Engineer
PM = Project Manager
RW = Right-of-Way Bureau
WS = Wetland Specialist
Biological Noise Analysis and Abatement Process

**Unit**
Remediation & Assessment Section, Environmental Services Bureau

**Contact**
Joe Radonich (406) 444-9204
Tom Martin, (406) 444-0879

**Program Purpose**

**Statutes**
23 C.F.R. 772
42 U.S.C. 4901-4918

**Process Eligibilities and Scope**
The noise analysis and abatement process for proposed MDT highway projects is administered by the Solid/Hazardous Waste Specialists (S/HWS) within the MDT Environmental Services Bureau in cooperation with the design team and project development engineer. The noise analysis and abatement process begin with the Preliminary Field Review and ends with one of the following determinations by the S/HWS:

- Further investigations for potential noise impacts are not warranted;
- Based on the results of a preliminary noise analysis, the project will not cause noise impacts;
- Based on the results of a detailed noise analysis, the project will cause a noise impact, but there are no reasonable and feasible abatement measures for addressing the noise impacts;
- There are reasonable and feasible abatement measures for addressing the project’s noise impacts, but, based on public input, the abatement measures are not considered acceptable for implementation; or
- Reasonable and feasible abatement measures are implemented for highway traffic noise impacts and construction noise impacts associated with the project.
Noise Analysis and Abatement Process

1. Conduct Preliminary Field Review (S/HWS, DT)
2. Evaluate noise (S/HWS)
3. Complete ISA form (S/HWS)
4. Further analysis needed? (S/HWS)
   - YES: Conduct Preliminary Noise Analysis (S/HWS)
   - NO:
     - YES: Document to file and send to DT (if appropriate) (S/HWS)
     - NO: Conduct detailed noise analysis (S/HWS)

5. Noise impacts? (S/HWS)
   - YES: Conduct detailed noise analysis (S/HWS)
   - NO:
     - YES: Document to file and send to DT (if appropriate) (S/HWS)
     - NO: Write special provisions (S/HWS, DT)

6. Write special provisions (S/HWS, DT)
7. Submit plans to Contract Plans Bureau (S/HWS, PDE, DT)
8. Monitor construction (S/HWS)
9. Obtain public input (S/HWS, PDE, DT)
10. Complete Noise Abatement Checklist (S/HWS)
11. Provide noise abatement? (S/HWS)
    - YES: Review Scope of Work (DT, S/HWS, PDE)
    - NO: Write special provisions (S/HWS, DT)
12. Review plans (S/HWS, DT)
13. Submit plans to Contract Plans Bureau (S/HWS, PDE, DT)
14. Monitor construction (S/HWS)

Legend
PDE = Project Development Engineer
S/HWS = Solid/Hazardous Waste Specialist
DT = Design Team
Initial Site Assessment Process

Unit
Remediation & Assessment Section, Environmental Services Bureau

Contact
Joe Radonich, (406) 444-9204
Tom Martin, (406) 444-0879

Program Purpose
The Initial Site Assessment is the process for evaluating hazardous contamination sites along proposed MDT highway projects and ensuring that their potential involvement is identified and assessed early in project development.

This process provides for appropriate measures to either avoid and/or minimize the involvement and/or cleanup/monitoring of these sites if that cannot be avoided. The process involves coordinating with appropriate regulatory agencies, incorporating special provisions in project plan documents, and implementation oversight prior to or during project construction.

Process Eligibilities and Scope
The MDT Initial Site Assessment Process is administered by the Solid/Hazardous Waste Specialist (S/HWS) within the MDT Environmental Services Bureau. As necessary, the S/HWS coordinates with term consultants, staff from other MDT sections, and appropriate regulatory agencies. The initial site assessment process begins with the Preliminary Field Review and ends either with the determination that the project does involve contaminated sites or that cleanup goals have been met for contaminated sites involving the project.

Statute
None
**Initial Site Assessment Process**

1. **Conduct Preliminary Field Review**
   
   - Evaluate hazardous materials/substances (S/HWS, PM)
   
   - Complete ISA form (S/HWS, TC)
   
   - Document need for Lead-Based Paint Special Provisions (if applicable)

2. **Further investigation needed? (S/HWS)**
   
   - YES: Conduct Preliminary Site Investigation (S/HWS, TC)
   
   - NO: Document to file and send to DT (S/HWS)

3. **Contamination impacts? (S/HWS, TC)**
   
   - YES: Regulatory agency involvement (S/HWS)
   
   - NO: Document to file and send to DT (S/HWS)

4. **Site eligible for Petro Fund reimbursement? (S/HWS)**
   
   - YES: Develop work plan (S/HWS, TC)
   
   - NO: Develop work plan and obtain approval (as necessary) (S/HWS, TC)

5. **Preconstruction cleanup? (S/HWS, TC)**
   
   - YES: Conduct cleanup prior to construction (S/HWS, TC)
   
   - NO: Write special provisions (S/HWS, TC)

6. **Conduct post-construction monitoring (if necessary) (S/HWS, TC)**

7. **Obtain site closure approval (S/HWS)**

---

**Legend**

- ISA = Initial Site Assessment
- DT = Design Team
- S/HWS = Solid/Hazardous Waste Specialist
- TC = Term Consultant