SWAMP CREEK - EAST, F 1-1(29)45
LINCOLN COUNTY, MONTANA

REEVALUATED ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT

STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION

AND

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

Final Coordination

Project F 1-1(29)45
Swamp Creek - East

A reevaluated environmental assessment (REA) was approved for content and public availability by the Federal Highway Administration on 19 November 1993. The document was then distributed to local, state and federal agencies with jurisdiction or expertise related to the project and to interested members of the public.

A location and design public hearing was held on 01 February 1994 to discuss the REA and the location and design of the project.

Comments received as a result of distribution of the REA and as a result of holding the public hearing have been incorporated with the REA (see Appendices D and E of the REA). The REA has been revised, where needed, to address the comments. The completed document is attached.

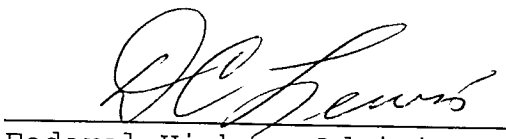
A Finding of No Significant Impact (FONSI) has been completed and approved by the Federal Highway Administration. The FONSI is also attached and follows this page.

FINDING OF NO SIGNIFICANT IMPACT

FOR

F 1-1(29)45
SWAMP CREEK - EAST

THE FEDERAL HIGHWAY ADMINISTRATION HAS DETERMINED THAT THIS PROJECT WILL NOT HAVE ANY SIGNIFICANT IMPACT ON THE HUMAN ENVIRONMENT. THIS FINDING OF NO SIGNIFICANT IMPACT IS BASED ON THE ATTACHED ENVIRONMENTAL ASSESSMENT AND INPUT FROM THE LOCATION AND DESIGN PUBLIC HEARING. THIS FINDING HAS BEEN INDEPENDENTLY EVALUATED BY THE FEDERAL HIGHWAY ADMINISTRATION AND DETERMINED TO ADEQUATELY AND ACCURATELY DISCUSS THE ENVIRONMENTAL ISSUES AND IMPACTS OF THE PROPOSED PROJECT AND PROVIDES SUFFICIENT EVIDENCE AND ANALYSIS FOR DETERMINING THAT AN ENVIRONMENTAL IMPACT STATEMENT IS NOT REQUIRED. THE FHWA TAKES FULL RESPONSIBILITY FOR THE ACCURACY, SCOPE AND CONTENT OF THE ATTACHED ENVIRONMENTAL ASSESSMENT.



Federal Highway Administration
for Division Administrator

5-31-94
Date

PROJECT NO. F 1-1(29)45

SWAMP CREEK - EAST
LINCOLN COUNTY, MONTANA

REEVALUATED
ENVIRONMENTAL ASSESSMENT
AND FINDING OF NO
SIGNIFICANT IMPACT

This document is prepared in conformance with MEPA requirements and contains the information required for an environmental assessment under the provisions of ARM 18.2.237(2) and 18.2.239. It is also prepared in conformance with NEPA requirements for an environmental assessment under 23 CFR 771.119 and 40 CFR 1500 to 1508.

Submitted pursuant to 42 U.S.C. 4332(2)(c) by:

U.S. Department of Transportation
Federal Highway Administration

and

State of Montana
Division of Highways
Department of Transportation

Approved:

5/6/94
Date

for Montana Department of Transportation

5-31-94
Date

for Federal Highway Administration

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1. DESCRIPTION OF THE PROPOSED ACTION

The proposed action consists of the reconstruction of a portion of U.S. Highway 2 (FAP 1) in Lincoln County, Montana to updated standards of design and safety. The proposed project, known as Swamp Creek - East, will begin approximately 12.3 miles southeast of Libby at Milepost 44.8 at the southeast end of Project BRF 1-1(23)45 (Libby Creek Bridge) and will extend southeasterly approximately 12.3 miles to Milepost 57.1 near the new Fisher River Bridge, Project BRF 1-1(27)57. The project location, vicinity and termini are shown on Figures 1-1 and 1-2.

It is proposed that the roadway be fully reconstructed in accordance with current standards for a 60 miles per hour (mph) design speed. A 40 foot wide paved top surface is proposed -- two 12 foot wide traffic lanes with eight foot shoulders as shown on the typical section on Figure 1-3. A truck climbing lane is proposed for west bound traffic between Mileposts 54.1 and 55.5.

The existing highway corridor runs through a rural area consisting of fairly flat bottom lands along Swamp Creek and Schrieber Creek. Outside the drainage bottoms, the terrain is steep and timber covered. The flat lands adjacent to the stream are used mainly for hay production and grazing. Timber production is an important commercial activity in the area. Scattered residences are located along the project.

Construction of an improved roadway in the narrow Swamp Creek Valley requires careful design and balancing of existing resources. Agricultural land is very limited in the valley and must be protected wherever practical. There is a growing number of private residences located adjacent to the existing roadway. Swamp Creek and other streams are fragile, valuable resources and must also be avoided by highway construction as much as possible. The valley is surrounded by steep mountain slopes -- any excavation in the toe of these slopes can extend hundreds of feet up before cut slopes intersect the natural ground again. The proposed project includes numerous adjustments of alignment, grade and cut/fill slopes to, wherever possible, avoid additional impacts on agricultural land, residences, the creeks and the steep mountain slopes. Where avoidance is not possible, careful analysis and design has been and will be conducted to determine the best balance and obtain the least impact on these resources. Public comment has been requested, received and relied upon and has proven invaluable for accomplishing this.

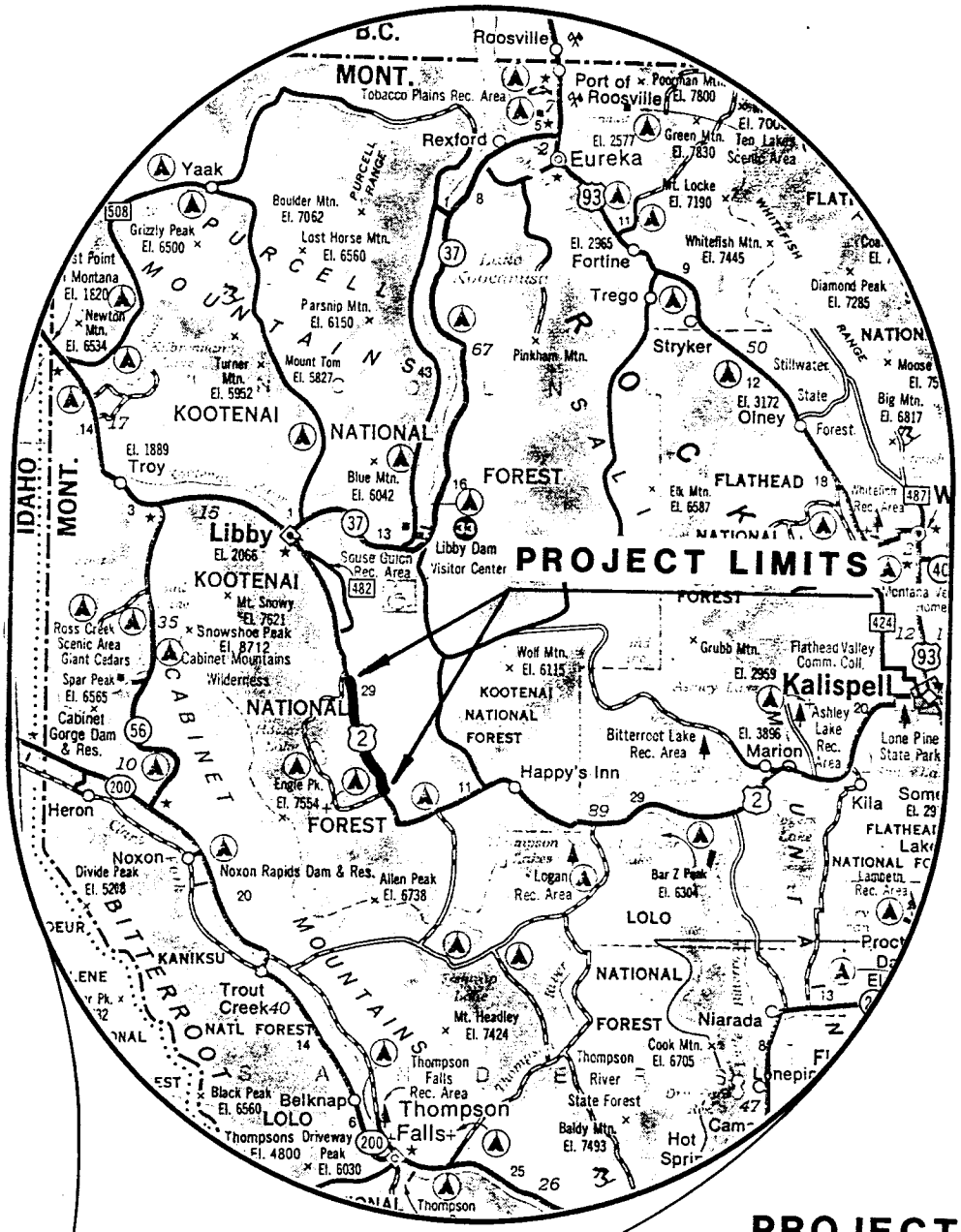
The proposed new alignment will generally follow the existing alignment while flattening substandard horizontal and vertical curves. Several alternative alignments for portions of the project have been proposed and are discussed in this document (See Section 3. ALTERNATIVES).

Proposed reconstruction will include widening, grading, drainage, surfacing, signing, pavement markings, guardrail, topsoiling, seeding and necessary utility relocation. The reconstructed roadway will include flatter inslopes and cut/fill slopes to meet current safety standards.

Trees will be removed to allow construction of the proposed roadway and to provide an appropriate clear zone (the zone adjacent to the roadway that must be kept clear of obstacles to provide adequate sight distance and safety). The clear zone will not be an area of consistent

U.S. HIGHWAY 2
SWAMP CREEK

F1 - 1 (29) 45



PROJECT LOCATION MAP

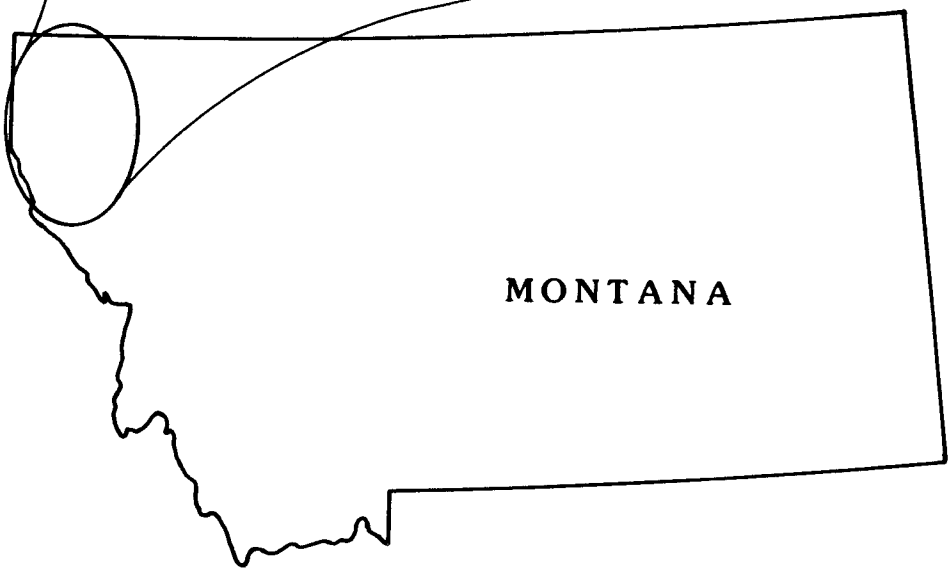
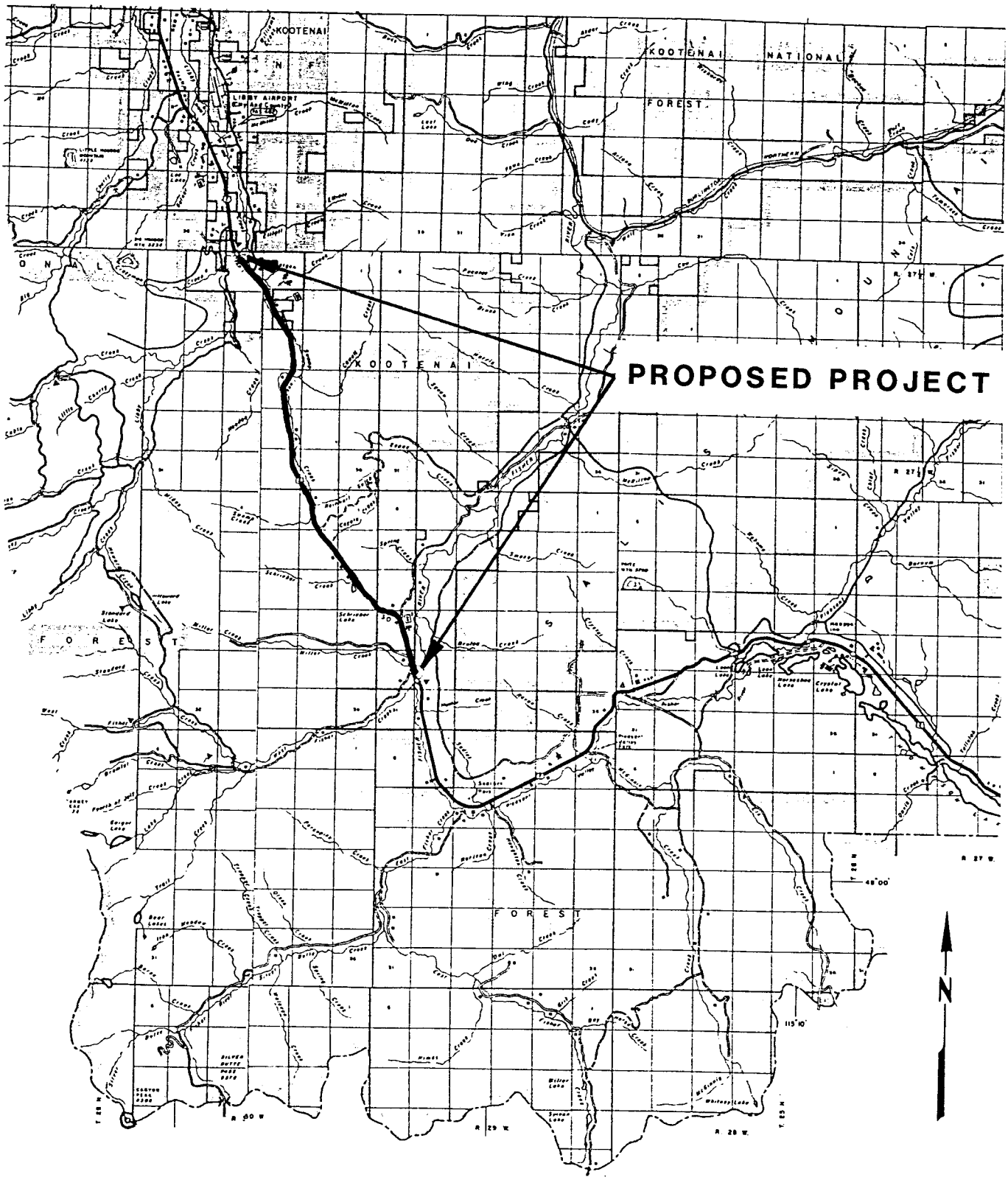


FIGURE 1-1

U.S. HIGHWAY 2 - SWAMP CREEK
F1 - 1 (29) 45

MP 44.8 To MP 57.0
12.2 MILES



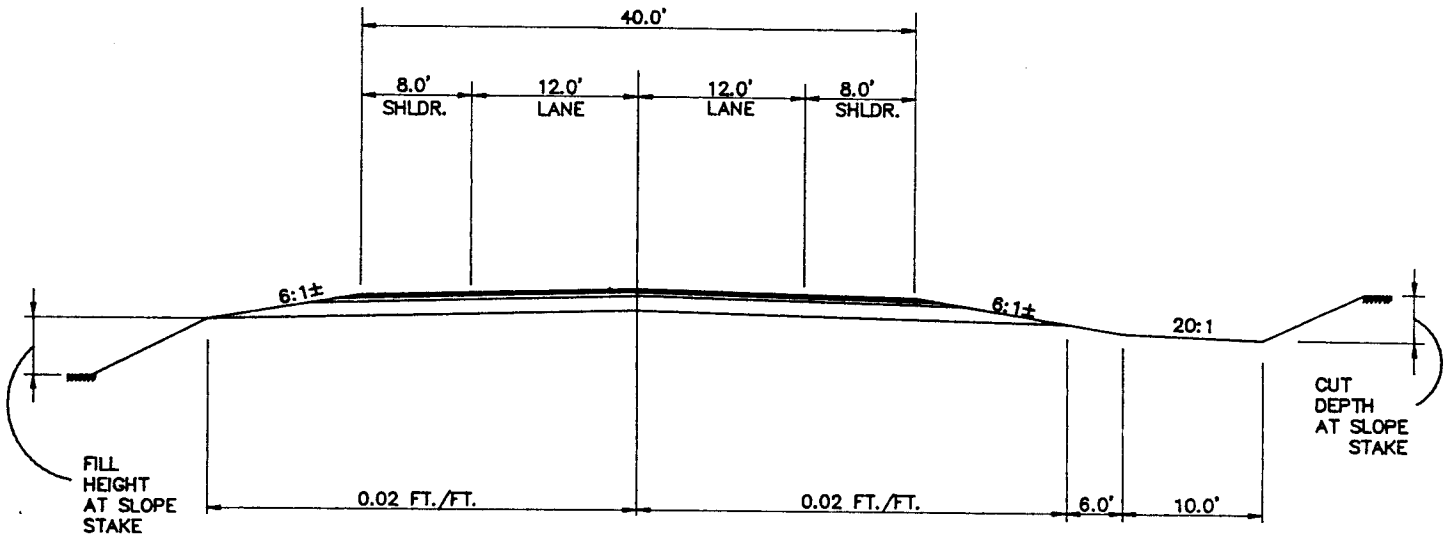
VICINITY MAP

FIGURE 1–2

U.S. HIGHWAY 2 - SWAMP CREEK

F1 - 1 (29) 45

M.P. 44.8 TO M.P. 57.0
12.2 MILES



TYPICAL SECTION

FIGURE 1-3

width. Its width will vary based on the AASHTO Roadside Design Guide[1]. The variable clear zone width will depend on excavation and embankment slope ratios, traffic volumes and degree of horizontal curvature of roadway. Clearing may be done in some areas where shading might occur during winter months to help reduce snow and ice accumulation on the roadway.

No access control is proposed along this project. Existing access will be perpetuated where necessary. Existing intersections and approaches will be improved to provide intersection angles near perpendicular with the highway. Grades of the approaches will also be improved. Mailbox turnouts will be constructed where appropriate.

[1]American Association of State Highway and Transportation Officials, Roadside Design Guide, 1989.

2. PURPOSE AND NEED

U.S. Highway 2 in the project area is part of an extensive system of rural arterial routes important to interstate, statewide and regional travel. This route is a vital element contrib-uting to the local and regional economy which is heavily oriented toward timber, agriculture and recreation activities. This route connects the communities of Libby and Kalispell.

As described in the following paragraphs, the proposed project will improve substandard horizontal curves, vertical curves, roadway widths and other design features to meet current design standards. These improvements will improve safety and will provide a facility that is capable of accommodating existing and projected future traffic volumes.

2.1. EXISTING ROADWAY COMPARED WITH PROPOSED ROADWAY

2.1.1. Existing Roadway Design

The highway was built as part of the Forest Highway Program under several different projects. Most of the existing road was built in 1935 and 1936 and was improved in 1939.

The existing roadway is generally a 20 foot wide, two lane facility -- two 10 foot driving lanes with no shoulders.

Table 2-1, Substandard Horizontal Curves

Approximate Milepost	Degree of Curvature	Radius of Curvature	Corresponding Design Speed
45.8	5° 00'	1150 ft.	58 mph
54.6	5° 00'	1150 ft.	58 mph
54.8	5° 00'	1150 ft.	58 mph
55.0	5° 00'	1150 ft.	58 mph

Table 2-1 lists horizontal curves that occur on the existing highway with a degree of curvature greater than the 4° 45' (1210 foot radius) allowable for a design speed[2] of 60 mph.

Table 2-2 lists sections of highway existing on the current roadway where vertical grades exceed the four percent allowable for a design speed of 60 mph[3].

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[2]The project will be designed to allow a vehicle traveling at the design speed to safely negotiate curves and to have adequate sight distance to safely avoid objects on the highway. It is anticipated that the speed limit will remain at the 55 mph limit set by Montana State Law.

[3]American Association of State Highway and Transportation Officials, A Policy on Geometric Design of Highways and Streets, 1990.

Table 2-2, Vertical Grades Steeper than Standard

Beginning Milepost	Ending Milepost	Approximate Grade
49.8	50.2	5.5%
54.6	55.2	5.8%

Table 2-3, Substandard Vertical Curves

Station	Type	Design Speed*
49.7	Sag	50
50.0	Crest	45
50.4	Sag	55
51.7	Crest	58
52.2	Crest	56
52.6	Sag	56
52.8	Crest	48
54.3	Sag	54
54.7	Crest	46

*Based on desirable stopping sight distance.

There are approximately nine vertical curves (curves in the vertical alignment designed to effect a gradual transition between two highway grades) on the existing roadway which provide sight distance of less than the absolute minimum sight distance (the distance required for a vehicle to stop before hitting an object on the roadway) required for a 60 mile per hour design, as summarized on Table 2-3.

Angle of intersection of side roads and driveways is poor (close to perpendicular is desirable) in some areas which reduces the ability of approaching vehicles to see on-coming traffic. In addition, various intersections have grades approaching the highway that are steeper than recommended maximum grades, making it difficult for vehicles to stop or accelerate when roads are covered with snow and ice.

There are four timber bridges crossing Swamp Creek on the existing highway. All were constructed in 1936 and have not been rehabilitated since. The bridges are summarized on Table 2-4.

As indicated on the table, none of the bridges are wide enough to accommodate the proposed 40 foot wide roadway. Guardrail on each bridge and on roadways approaching each bridge does not meet safety standards.

Table 2-4, Existing Bridges

Milepost	Roadway Width (ft)	Length (ft)	Sufficiency Rating
46.1	25	31	45
46.7	25	31	43
48.3	27	47	52
48.8	24	21	56

The sufficiency rating, used by MDT to evaluate bridges, develops a numeric value which is indicative of the bridge's sufficiency to stay in service. A sufficiency rating of 100% indicates an entirely sufficient bridge while a rating of 0% represents an entirely insufficient bridge. Bridges rated 0 to 50 are generally considered for replacement while bridges rated 50 to 80 are generally considered for rehabilitation.

2.1.2. Proposed Roadway Design

The proposed new 40 foot wide (two 12 foot driving lanes and two 8 foot paved shoulders) roadway will meet design standards for the existing and projected future traffic volumes. The proposed wider shoulders will provide additional width for (1) emergency stopping on the roadway, (2) farm equipment, wide loads or other equipment using the roadway, (3) pedestrians and bicyclists, (4) a recovery zone for errant or out-of-control vehicles and (5) snow removal and storage.

All horizontal curves on the proposed new roadway will have a degree of curvature less than 4° 45' (greater than 1206 foot radius) and will therefore have a design speed in excess of 60 mph.

All of the vertical curves on the proposed new roadway will provide sight distance equal to or in excess of the desirable minimum and, where practical and feasible, will provide the minimum passing sight distance (the sight distance required for a vehicle to safely pass another vehicle going in the same direction).

All of the vertical grades of the proposed new roadway will be less than four percent except between Mileposts 45.5 and 46.0 of Alternative B and between Mileposts 54.6 and 55.2 of Alternative P.

Between Mileposts 45.5 and 46.0 of Alternative B, the maximum grade will be 4.40%. The steeper grades are necessary with this alternative to raise the roadway above the existing valley floor to the natural bench without causing additional channel changes, and excavation and embankment. These grades will also allow better approaches to the existing roadway that must remain, if Alternative B is constructed, to serve local residents.

Between Mileposts 54.6 and 55.2 of Alternative P, the maximum grade will be 4.32%. Because of the existing steep terrain, construction of flatter grades would cause excessive excavation and embankment with related environmental impacts and construction costs. A truck climbing lane

for west bound traffic is planned in this area. The lane is justified in this area based on percent of grade (4.32%), length of grade and traffic volumes and percent of truck traffic as listed in 2.2 TRAFFIC and using AASHTO guidelines[4].

The four existing timber bridges will be replaced with new bridges or large culverts (at this time it is anticipated that large culverts will be the most suitable) that will adequately pass projected flood flows and will safely accommodate the proposed 40 foot wide roadway. Construction of new culverts or bridges will include new guardrail meeting current safety standards.

Turnouts for mailboxes will be included with proposed improvements. These turnouts will involve increasing the width of the 8 foot shoulder to 10 feet to allow mail delivery vehicles to stop safely at the side of the road without affecting through traffic.

Driveways and side road approaches will be improved to provide intersection angles near perpendicular and to provide approach grades flatter than three percent near the highway and ten percent away from the highway.

2.2. TRAFFIC

Existing and projected traffic volumes are summarized as follows:

1992 ADT	=	1,300 vpd
1994 ADT	=	1,350 vpd
2014 ADT	=	1,850 vpd
DHV	=	240 vph
Percent Trucks	=	11.3%

ADT = Average Daily Traffic
DHV = Design Hour Volume

An accident analysis has been completed for the section of U.S. Highway 2 in the area of the proposed project using accident records for the time period beginning 01 January 1981 and ending 31 December 1991. Table 2-5 lists accidents rates and severity indices (which indicate the comparative numbers of fatalities, injuries and property damage accidents) that were determined.

Table 2-5, Accident Rates and Severity Indices

	Accident Rates	Severity Indices
Statewide Average	1.60	1.54
This Project	2.13	1.47

[4]American Association of State Highway and Transportation Officials, A Policy on Geometric Design of Highways and Streets, 1990.

The above rates for the proposed project are not considered to be a significant variation from statewide averages.

Table 2-6, Accident Variations from Statewide Averages

	This Project	Statewide Average
Off Road Accidents	71%	42%
Overturning Accidents	36%	20%
Cut Slope Accidents	21%	10%
Accidents Occurring During A Rain Shower	16%	5%

Table 2-6 lists the substantial variations from statewide averages that were noted during the accident analysis.

The rates and severity of the types of accidents listed above can generally be reduced by providing a wider shoulder and flattening inslopes (the slope immediately away from the shoulder of the roadway) and cut/fill slopes.

There are areas on the existing roadway that are shaded by trees or steep terrain during all or most of the day during the winter. Melting of ice and snow on the roadway is consequently very slow in these areas and the surface is slick for extended periods. Construction of the proposed project will provide a wider roadway with trees further away from driving lanes and with flatter cut slopes. The length of time the road is shaded will be substantially reduced and safety will be improved.

2.3. PEDESTRIANS AND BICYCLISTS

Although current volumes are not high, a number of pedestrians and bicyclists use the existing roadway and volumes are expected to increase in the future. As indicated in 2.1.1. Existing Roadway Design, the existing roadway is narrow (generally 20 feet wide) with no paved shoulders. Pedestrians and bicyclists travelling the corridor are required to use the existing roadway and in many areas are required to travel in traffic lanes. Conflicts between vehicles and the slower moving pedestrians/bicyclists occur and, as a result, safety and level- of-service are reduced.

The proposed project will improve the safety and level-of-service of the roadway by providing a wider roadway with an eight foot paved shoulder which should improve safety and comfort for pedestrians and bicyclists.

Concern has been expressed for the safety of school children at school bus stops. The proposed new roadway, with the wider shoulders, will substantially improved sight distance and with properly designed intersections and approaches, should provide substantial safety improvements for school buses stopping to load and unload passengers along the highway.

2.4. RELATED PROJECTS

The proposed project is one of a series of highway improvements on U.S. Highway 2 between Libby and Kalispell, Montana that have been constructed or are planned to be constructed as part of an overall plan to improve the primary highway system in northwestern Montana. Other projects on U.S. Highway 2 in the immediate vicinity of the proposed action include:

- Project 1-1(19)38, Libby Southeast, from near Libby to Libby Creek near the northwest end of this project. The project was completed in 1988;

- Project BRF 1-1(23)45, replacement of the Libby Creek Bridge, located adjacent to the northwest end of this project, completed in 1988;

- Project BRF 1-1(23)45, replacement of the Miller Creek Bridge, located at approximate Milepost 56.7 (Station 662+00) and within the limits of this project, completed in 1988;

- Project BRF 1-1(27)57, replacement of the Fisher River Bridge, located adjacent to the southeast end of this project, completed in 1988; and,

- Project F 1-1( )57, Pleasant Valley, from the Fisher River Bridge Project mentioned above to the east, scheduled ready date is May 1995.

3. ALTERNATIVES UNDER CONSIDERATION

This section:

- Describes alternatives studied and evaluated in detail in this environmental assessment.
- Describes alternatives that are under consideration, but are not evaluated in detail in this document.
- Identifies and discusses the preferred alternative.

3.1. ALTERNATIVES EVALUATED IN DETAIL

Alternatives studied and analyzed in detail in this document were selected based on engineering and environmental studies completed to-date and on information received during the scoping process. Alternatives studied in detail are shown on Figure 4-2. (included inside the back cover of this document) and are described in the following sections.

3.1.1. The No-Action Alternative

This alternative is included, as required by Paragraph 1502.14(d) of the CEQ Regulations,[5] and will consist of leaving the existing roadway as-is with no changes or improvements.

3.1.2. Alternative P

This alternative is the same as the preliminary design discussed in the previous environmental assessment for this project (See Section 5. COMMENTS, COORDINATION AND ISSUES) and generally follows the existing alignment -- minor adjustments will be required to accommodate required grade and alignment changes and to minimize or avoid conflicts and impacts on streams, buildings, steep forested mountain slopes and wetlands.

3.1.3. Alternative A

Alternative A consists of an adjustment to Alternative P between Mileposts 44.8 (the beginning of the project) and 45.5. This adjustment would shift the roadway approximately 100 feet northeast of the existing roadway to allow Swamp Creek to be relocated back into its original channel rather than constructing a new channel along the new roadway as was done when the roadway was originally constructed.

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[5]Council on Environmental Quality, Executive Office of the President, Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, Reprint 40 CFR Parts 1500-1508 (as of July 01, 1986).

3.1.4. Alternative B

Alternative B consists of an adjustment to Alternative P, between Mileposts 45.5 and 46.8, that would place the new roadway up to 300 feet southwest of the existing roadway on a natural bench area. This would move the roadway away from a group of residences located on both sides of the existing roadway -- the existing highway would remain to provide access to these residences.

3.1.5. Alternative D

Alternative D consists of an adjustment to Alternative P between Mileposts 51.5 and 52.0 that would place the new roadway approximately 80 feet north of the existing roadway. Required relocation of Swamp Creek in this area would therefore be closer to its original, pre-highway construction channel.

3.2. ALTERNATIVES NOT EVALUATED IN DETAIL

Alternatives discussed in this section have been developed by MDT, the Federal Highway Administration (FHWA), other agencies and members of the public. These alternatives have been investigated and have been presented and discussed at public meetings. They are not evaluated in detail in this document for the reasons listed.

3.2.1. Alternative C

Alternative C consists of an adjustment to Alternative P between Mileposts 48.8 and 52.1. In this area, the roadway would be placed on the opposite side of the valley and up to 1000 feet east of the existing roadway and would generally follow Swamp Creek and an abandoned J. Neils Company logging railroad bed at the base of the mountains. This alternative is not evaluated in detail because:

- Several affected landowners are opposed to it.
- There has been very little public or agency support for it.
- This alignment would follow Swamp Creek for a greater distance and would require approximately one mile of additional channel change.
- A large amount of new right-of-way would be required. Much of this right-of-way would be farmland (hay).
- Extensive encroachment on wetlands would occur resulting in substantially greater potential impacts than with the other alternatives considered.
- A portion of the J. Neils Company logging railroad and ancillary features would be removed or covered by this alternative. It is likely that the railroad would be eligible for the National Register of Historic Places (NRHP).

- The Ransom Prout Homestead may require removal with this alternative. The cultural resource survey report[6] completed for this project recommended that this property be considered eligible for NRHP.

- This alternative would have the greatest negative impact on wildlife habitat.

3.2.2. Overlay the Existing Roadway

This alternative would include improving the existing roadway by providing an asphalt overlay instead of reconstructing the roadway. This alternative is not evaluated in detail because it will not meet the purpose and need of the proposed project, as described in Section 2. Specifically:

- It will not improve horizontal curvature to meet current design standards.

- It will do nothing to improve vertical curves to provide adequate stopping sight distance.

- It will provide no improvement to vertical grades.

- It will not provide the wider shoulder that is necessary to improve safety and driving comfort, provide for emergency stopping, provide width for farm and other wide equipment, provide space for bicyclists and pedestrians, provide a recovery zone for errant or out-of-control vehicles or provide area for snow removal and storage.

- It will not provide mailbox turnouts and improvements to approaches and turnouts.

- It will not improve safety at bridges by widening them and providing proper guardrail.

- It will not provide flatter slopes to help reduce accidents such as off-road accidents, overturning accidents and cut-slope accidents.

3.3. THE PREFERRED ALTERNATIVE

Based on public comment, environmental studies completed to-date and preliminary roadway designs, the preferred alternative is to construct Alternative P, which generally follows the existing alignment, with the following variations:

- Replace Alternative P with Alternative A, from Milepost 44.8 to 45.5.

- Replace Alternative P with Alternative B, from Milepost 45.5 to 46.8.

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[6]Historical Research Associates, Inc., Additional Cultural Resource Inventories for Swamp Creek Project, Montana Department of Transportation, Project F 1-1(29)45.

- Replace Alternative P with Alternative D, from Milepost 51.5 to 52.0.

The reasons are summarized below:

- The No-Action Alternative will not meet the purpose and need of the project because it will provide no improvement in existing substandard horizontal curves, vertical curves, roadway widths and other features. There will be no resulting improvement in safety, efficiency, level-of-service and convenience.

- Construction of the preferred alternative, as opposed to the No-Action Alternative, will result in a highway that meets current design standards (See Section 2.1.) and should thereby provide an improvement in safety, efficiency, level-of-service and convenience. Design standards that will be met, that currently are not, include:

  - The roadway width will be 40 feet (two 12 foot driving lanes and two 8 foot shoulders) as opposed to the existing 20 foot wide roadway (two 10 foot driving lanes and no paved shoulders).

  - All horizontal curves of the proposed roadway will meet current standards for 60 mph design. Four horizontal curves currently do not meet these standards.

  - All vertical curves will meet current 60 mph design standards. Twelve vertical curves currently do not.

  - All vertical grades will meet current standards except two segments that will be slightly over standard. There are currently two areas where grades are steeper than current standards. A truck climbing lane will be provided in one area to help avoid delays and improve safety related to slow-moving large trucks.

  - In the area of Alternative B, the number of approaches to the highway will be consolidated from a total of nine existing to a total of two.

  - In the area of Alternative B, the highway would be moved out of an existed canyon which is shaded throughout most of the day and moved to a higher, more open location which would allow more exposure to the sun and quicker melting of ice and snow.

- The preferred alternative is the least damaging practicable alternative with regard to wetlands and streams because:

  - Construction of Alternative A will require 1820 feet of Swamp Creek channel change as compared with 1320 feet with Alternative P, an increase of approximately 500 feet. However, included in the 1820 feet of channel change required for Alternative A will be approximately 900 feet where

the channel is placed back into its original (pre-1930's) channel. Placing the creek back into its natural channel will provide improvements over existing conditions (See Section 4.10.1.).

- Construction of Alternative B will reduce the amount of channel change required by approximately 1435 feet compared with corresponding areas of Alternative P (See Section 4.10.1.).

- Construction of Alternative D will place the Swamp Creek channel in a more suitable location closer to its pre-1930's location and in an area that is lower and therefore requires less excavation for channel construction (See Section 4.10.1.).

- Construction of Alternative A and B will place the new roadway farther away from the Swamp Creek Channel as opposed to immediately adjacent to the channel if Alternative P is constructed. Potential for erosion of the creek banks and stream sedimentation will be reduced (See Sections 4.10.1. and 4.10.3.).

- If Alternatives A and B are constructed, the area of wetland impacts will be reduced by 1.23 and 0.81 acres, respectively. In addition, Alternative B will move the roadway farther away from existing wetlands and thereby reduce the potential for erosion and sedimentation (See Section 4.11.).

- Alternative B will move the roadway from a developed residential area and place it in an area with no current residences. This will result in a decrease in noise levels and an improvement in safety. If Alternative P is constructed in the corresponding area, the wider roadway which already passes near several residences, will be even closer.

- No relocation of septic systems or wells will be required if Alternatives A, B and D are constructed. Complete removal of one well and septic system will occur where relocation of the related residence is required (See Section 4.10.4.).

- Alternatives A, B and D have received strong public support during the public scoping process (See Section 5.).

The following mitigation measures will be implemented if the preferred alternatives are constructed:

- Existing vehicle access approaches to the highway will be perpetuated as necessary.

- Where relocations are required, they will be done in accordance with MDT's Relocation Assistance Policy (See Section 4.7.).

- Appropriate measures will be taken, as outlined in Section 4.10.1., to ensure that required channel changes do not adversely impact Swamp Creek and, where feasible, enhance the condition of the stream over existing conditions.

- Where crossings of Swamp Creek and Schrieber Creek are required, culverts will be designed to adequately pass the 100-year flood flows without increasing historic flood levels (See Section 4.10.2.).

- MDT's Standard Erosion Control Work Plan will be used to ensure that erosion and sedimentation of streams does not occur as described in Section 4.10.3.

- Where relocation of irrigation facilities is required, timing and method of construction will be such that existing water rights and irrigation will not be affected (See Section 4.5.).

- Where wetland impacts cannot be avoided, on-site replacement will be completed as described in Section 4.11.

- Mitigation efforts to be undertaken for the two historic sites that will be adversely affected by this project are described in Section 4.14.

- Conservation measures, for the bald eagle, listed in Section 4.13. will be implemented including:

  - Quick removal of road-killed animals.

  - Reseeding of disturbed areas with species that will not attract animals.

  - Avoid unnecessary removal of trees and other vegetation.

  - Design required power line reconstruction to prevent electrocution of bald eagles and other raptors.

  - Avoid negative impacts on the Swamp Creek fishery.

- Where potential mineral licks are encountered in excavations, they will be covered with topsoil and revegetated (See Section 4.12.2.).

- Trees and other vegetation will be removed only as required for construction of the new roadway and for safety (See Section 4.12.3.).

- Additional surveys are being conducted to ascertain if sensitive plants exist in areas to be disturbed by construction. If found, mitigation measures will be considered such as minor adjustment to fill slopes or other avoidance measures, transplanting or collection and replanting seeds (See Section 4.12.3.).

- Noxious weed control measures, in accordance with the existing agreements between MDT and the Lincoln County Weed District and USFS and the Lincoln County Weed District will be implemented as described in Section 4.12.3.

- The following measures will be implemented, as described in Section 4.16., to mitigate adverse impacts resulting during construction of the project:

  - Dust will be controlled by watering or temporary surfacing.

  - Hours of operation will be restricted in some areas to avoid noise impacts during the night.

  - Potential erosion will be prevented as described in Section 4.10.1.

  - Traffic will be maintained through construction. Delays will be kept to a minimum. A traffic control plan will be developed to best maintain traffic during construction and ensure that safety standards are met.

  - Gravel and borrow sources will be reclaimed in accordance with rules and regulations of the Montana Open Cut Mining Act.

- To enhance visual quality: the roadway will be constructed with smooth, rounded excavation and embankment slopes and varied contours; where rock cuts are required, terracing, benching and other methods will be employed to provide a natural appearance; slopes will be topsoiled and reseeded; and erosion control measures will be implemented (See Section 4.12.).

- Two existing underground storage tank sites will be addressed as outlined in Section 4.15.

4. AFFECTED ENVIRONMENT AND IMPACTS

The following sections discuss, for Alternatives P, A, B and D and the No-Action Alternative (the alternatives that are evaluated in detail in this document as indicated in Section 3.1. ALTERNATIVES EVALUATED IN DETAIL), the following:

- existing conditions,
- potential impacts and, where appropriate,
- mitigation measures.

Alternative C is not evaluated in detail in this section as explained in Section 3.2.

4.1. SOCIAL AND ECONOMIC

The following is a summary of the population in the enumeration areas surrounding the project area by race and/or national origin, based on U.S. Census Data[7]:

White	838
Black	0
American Indian	5
Asian & Pacific Islander	8
Other	0
Spanish	0
Total	851

There are no known communities or concentrations of minorities in the project area.

The main trade activities in the project area are farming, logging and tourism. The route carries traffic from Kalispell to Libby and functions as a scenic drive through the area. There are no schools, churches or designated recreational sites along the project.

The improvements primarily involve upgrading the existing facility to provide a wider roadway and will be constructed near the existing alignment. Existing approaches and access will be perpetuated where needed. Existing traffic patterns will not be changed except in the area of Alternative B between Mileposts 45.5 and 46.8 where the new roadway would be moved away from the existing roadway and several existing residences. In this area, the existing highway will remain and will be maintained to provide access to the residences.

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[7]Census and Economic Information Center, Montana Department of Commerce, Census of Population and Housing, 1980--Summary Tape File 3A.

There will be some short term beneficial economic impacts to the local communities during the construction period including increased sales in supplies, construction materials, fuel, food, rentals, lodging, services and increased employment opportunities.

Construction of the proposed new highway will require conversion of farmland (mainly hay and grazing lands) to highway right-of-way with related loss in production and economic impacts (See Section 4.4. AGRICULTURAL LANDS).

As indicated in Section 4.6. RIGHT-OF-WAY, it is estimated that approximately 142 acres of new right-of-way will be required to constructed Alternative P and, if Alternatives A, B and D are constructed, approximately 153 acres will be required. It is estimated that this will result in a loss of $440 in property tax revenue to Lincoln County with Alternative P and $460 if Alternatives A, B and D are constructed.

Where additional right-of-way is required or where relocation of homes or businesses are necessary, appropriate compensation (including compensation for the value of existing timber) will be negotiated with owners and relocation assistance will be provided as indicted in Section 4.7. RELOCATIONS.

Table 4-1 lists residences along the project and indicates the distance from the existing roadway centerline and from the centerline of each of the alternatives for the proposed new roadway.

Overhead and underground power and telephone lines exist parallel with and crossing portions of the proposed project. These facilities will require relocation in some areas, generally from the edge of the existing right-of-way line to the edge of the new right-of-way line. The relocation will be conducted by the utility companies. Only brief interruptions in service are expected while connections are made to the relocated facilities.

No other social or economic impacts have been identified which relates to the construction of the proposed roadway.

The No-Action Alternative will have no social and economic impacts, but will off-set the positive and negative impacts associated with the other alternatives being considered. As apposed to Alternatives P, A, B and D, the No-Action Alternative will not require the conversion of valuable farmlands to highway right-of-way. On the other hand, leaving the highway in its unsafe and degrading condition could hurt the local economy by having a negative impact on trade activities and also impacting the number of tourists coming into the area. The No-Action Alternative would also eliminate the short-term economic benefits directly related to highway construction.

4.2. VISUAL

Since the construction of Alternatives P, A and D will generally involve widening and improving an existing roadway with only minor horizontal or vertical alignment changes, adverse effects on the visual environment are not expected to occur.

Table 4-1, Residences Near the Proposed Project

Milepost	Side	Distance to Roadway Centerline (Feet)		
		Existing Alignment	Alternative P	Alternatives P, A, B and D
46.1	Left	223	220	500 (B)
46.2	Left	153	160	450 (B)
46.5	Left	118	97	270 (B)
46.5	Right	148	168	R (B)
46.5	Right	60	80	R (B)
46.5	Left	180	160	310 (B)
46.5	Left	140	120	240 (B)
46.6	Left	196	184	270 (B)
46.7	Left	100	100	140 (B)
48.9	Right	190	204	204
49.3	Right	116	140	140
49.5	Right	120	144	144
50.0	Left	220	174	174
51.7	Left	255	225	190 (D)
52.1	Right	90	108	108
52.5	Right	85	95	95
53.5	Right	R	R	R
53.9	Right	R	R	R
54.0	Right	R	R	R
55.6	Left	157	145	145
55.7	Left	R	R	R
R Relocation Required (A) Alternative A (B) Alternative B (D) Alternative D				

The view of the roadway, with Alternatives P, A and D, will improve since the widened roadway will be constructed with clean lines and smooth and rounded cut and fill slopes. Slopes will be revegetated with native plants.

The construction of Alternative B will involve the construction of approximately 1.3 miles of new roadway on new alignment up to approximately 300 feet away from the existing roadway. This construction will include embankments up to 35 feet high and excavations up to 30 feet deep. The width at the base of the fills or top of the cuts will be up to 220 feet wide. The roadway will be constructed through a hay field, timbered areas and through an area that has recently been

logged by clear cutting. This construction will therefore create a substantial change in the visual environment.

The proposed new highway will be easier and more comfortable to drive which will increase and enhance the opportunity for drivers to view the landscape from the roadway.

Members of the public have indicated that the solid waste dumpsters near Milepost 47.1 present a negative view from the existing highway. As indicated in Section 4.15. HAZARDOUS WASTE, because of the additional width, if the proposed new highway is constructed the dumpsters will be relocated to a site away from the highway.

The four existing timber bridges are considered, by at least some area residents, to be visually pleasing. The bridges must be removed and replaced if the proposed new roadway is constructed because they do not meet current design and safety standards (See Section 2.1.1.). They were constructed in the 1930's, have exceeded their intended design life, have high maintenance requirements and have limited load capacity. They will be replaced by new culverts (the most likely) or bridges. Culverts will generally not be visible from the roadway to most viewers of the roadway. Bridges, if constructed, will likewise generally not be viewed except for required guardrails.

Adverse visual impacts that might result from the construction of Alternative B or any of the other alternatives can be avoided or mitigated by:

- Retention of trees and natural vegetation except where removal is required for construction, for sight distance restrictions or for other safety requirements.

- Construction of the roadway with smooth, rounded excavation and embankment slopes and varied contours to match and blend in with the adjacent natural terrain as much as possible.

- Where rock cuts are required, terracing, benching and other methods will be used to allow re-establishment of vegetation and to, as much as possible, give the rock faces a natural appearance. Where blasting is required, drill holes for explosives will be placed at staggered intervals to provide more natural looking, uneven rock cuts.

- Where excavation and embankment slopes are not high, they will be constructed as flat as possible to allow better re-establishment of natural vegetation.

- Topsoil will be placed on all new excavation and embankment slopes to facilitate re-establishment of natural vegetation. Slopes will be seeded with plant varieties native to the area. Wherever practical, and where noxious weeds do not occur, existing topsoil will be salvaged in areas of road construction and reused -- this topsoil will contain natural seeds and organic matter.

- Where steeper slopes are required, the newly seeded topsoil will be protected with mulch or protective mats or will be stepped or terraced.

- Erosion control measures will be constructed and maintained to prevent related negative visual impacts (See Section 4.10.4. Erosion and Water Quality).

- Noxious weeds will be controlled as discussed in 4.4 AGRICULTURAL LANDS.

- Design of horizontal and vertical alignments will follow and blend in with the existing terrain as much as possible while still meeting design standards.

Borrow sites used for highway construction will have temporary visual impacts. As described in Section 4.16. CONSTRUCTION, once construction is complete, the area will be reclaimed and returned to its former uses.

Litter along the highway has been mentioned during the public involvement process as a negative impact on the visual environment in the project area.

MDT is responsible for removal of litter, rubbish and debris from this highway and its right-of-way. Roadway and roadside cleanup operations are programmed to provide not only a safe facility, but also a clean and attractive appearance. Any litter or debris deposited on the roadway which is a traffic hazard is removed immediately upon observance or notification. Litter removal and pickup frequencies are increased or decreased to fit local conditions. Obnoxious litter such as old tires, scraps of tire tread, large boxes, bags of garbage, dead animals and automobile wreckage is removed promptly. Other litter is removed as soon as limited resources are available.

To assist with litter removal, improve the appearance of Montana's highways and encourage public involvement and concern, MDT has recently implemented the "Adopt-A-Highway Program". This program encourages businesses, employee groups, civic groups, schools, clubs, religious organizations and other organizations to accept responsibility for litter removal on two-miles, or longer, sections of the state's highways. This provides the groups with a high visibility opportunity for public service -- signs are placed on the roadway indicating that the groups have "adopted" the section of highway and the groups are recognized through state provided achievement ads in local news media. The groups also receive recognition certificates. This program has proven successful and has resulted in cleaner, safer and more visually pleasing highways in many areas. Implementation of this program is encouraged in the area of the proposed project.

No visible impacts, either beneficial or negative, will occur with the No-Action Alternative.

4.3. LAND USE

Land use along the existing highway and proposed alternative alignments is summarized in Table 4-2.

Table 4-2, Land Use Along the Existing Highway

	Approximate Percent	
	Alternative P	Alternatives P, A, B & D
Agriculture, Hay, Grazing	32.6	30.3
Residential	3.4	2.8
Timber Covered	40.5	44.3
Streams, Wetlands & Riparian	23.5	22.6

The amount of timber lands affected by each of the proposed alternatives for the proposed project is summarized in Section 4.12.3.

Effects of the alternatives for the proposed project on residential areas are discussed and summarized in Section 4.7.

Effects of the alternatives for the proposed project on streams, wetlands and riparian habitat are summarized in Sections 4.10.1, 4.11. and 4.12.

The amount of agricultural land affected by each of the proposed alternatives is summarized in Section 4.4.

4.4. AGRICULTURAL LANDS

The project has been coordinated with the Soil Conservation Service. There are no prime or unique farm lands in Lincoln County.

Agricultural activities in the project area include hay production, grazing and timber production.

Due to the narrow width of the Swamp Creek Valley, hay production and grazing land area is relatively limited -- approximately 410 acres currently exist between the beginning and ending points of the proposed project. Table 4-3 summarizes the portions of these lands that will be converted to highway right-of-way with each of the proposed alternatives.

As indicated above, if Alternative A is constructed, approximately 2.5 more acres (5.0 minus 2.5) will be converted to highway right-of-way than if Alternative P is constructed in the same area. If Alternative B or D is constructed, there will only minor change (approximately 0.1 acre) in the amount of hay/grazing land converted to highway right-of-way as compared with Alternative P. Using the numbers presented above, it is estimated that six to seven percent of the hay and grazing land in the Swamp Creek Valley in the project area will be converted to highway right-of-way if the proposed project is constructed.

Table 4-3, Hay/Grazing Land Converted to Right-of-Way

From Milepost	To Milepost	Area of Hay/Grazing Land Converted to R/W (Acres)	
		Alt. P	Alt. P, A, B & D
44.8	45.5	2.5	5.0 (A)
45.5	46.7	2.8	2.7 (B)
48.4	51.2	20.2	20.2
51.5	51.9	0.7	0.8 (D)
53.1	54.1	6.6	6.6
Total		32.8	35.3
(A) Alternative A	(B) Alternative B	(D) Alternative D	

Concern has been expressed by land owners and residents in the project area for the potential losses in hay production. They have indicated that there are limited hay growing areas in Lincoln County and in the project area. It is estimated that land in the project area produces approximately three tons of hay per year per acre with a value of approximately $75 per ton. The estimated annual production losses and values resulting from conversion of the agricultural land to highway right-of-way is summarized on Table 4-4.

It is estimated that, in Lincoln County, there is a total of approximately 5200 acres resulting in annual production of 12,500 tons of hay per year.

Table 4-4, Annual Hay Production Losses and Values

	Alternative P	Alternatives P, A, B & D
Total Acres	32.8	35.3
Tons Per Year	82	88
Value Per Year	$6,200	$6,600

Potential effects of the project on irrigation/drainage ditches are discussed in Section 4.5. IRRIGATION of this document.

Before highway construction begins, the proposed new right-of-way will be fenced, where appropriate, to continue to confine livestock on adjacent properties. Some temporary fencing will be required.

The Montana Department of Natural Resources and Conservation has indicated that "...care should be taken so that the time and method of construction do not interfere with the exercise of existing water rights, and any water rights facilities that are involved should be maintained or replaced[8]."

The No-Action Alternative will not affect agricultural land in the project area. No new right-of-way will be required.

4.5. IRRIGATION

No major irrigation systems are involved with this project but several small irrigation/drain ditches do run parallel to the existing highway in the Swamp Creek valley. These ditches are important in making the land productive for agriculture and will be perpetuated. The drain ditches are used by land owners to regulate water elevations to make farming possible in former swamp areas. Some adjustments will be required to move the ditches 60 to 120 feet from the edge of the existing right-of-way to the edge of the proposed new right-of-way, but no hydraulic problems are expected. The following is a summary of expected ditch relocations:

Location	Length
Milepost 49.1 (260+50 to 302+20 Left)	4170 feet
Milepost 50.5 (333+85 to 367+00 Left)	3315 feet
Total	7485 feet

As requested by the Montana Department of Natural Resources and Conservation[9], provisions will be included with project design and specifications to require that the timing and method of construction do not interfere with the exercise of existing water rights and that any water rights facilities that are involved will be maintained or replaced.

The No-Action Alternative will have no impact on irrigation in the project area.

4.6. RIGHT-OF-WAY

Existing right-of-way widths vary throughout the project. There is a 1.1 mile section with a 400 foot width (200 feet each side), two sections totaling 1.8 miles with 132 foot width (66 feet each side), a 0.7 mile section with 120 foot width (60 feet each side) and two sections totaling 1.1 miles with 100 foot width (50 feet each side). The remaining approximately 7.5 miles is a minimum of 80 feet wide (40 feet each side) with short sections where the right-of-way is wider.

Current highway design standards require a right-of-way width of at least 160 feet and more will be required in many areas to accommodate cut and fill slopes. Where restrictions exist and it is

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[8]Massman, Carole I., Administrative Officer, Montana Department of Natural Resources and Conservation, Letter dated 09 July 1987.

[9]Massman, Carole I., Administrative Officer, Montana Department of Natural Resources and Conservation, Letter dated 09 July 1987.

not practical and feasible to obtain this width, a slightly reduced width can be considered as long as an appropriate clear zone can still be maintained for safety. It has been suggested that retaining walls be used in some areas to reduce the width of right-of-way required. This is being considered in areas where extreme restrictions exist but it is generally not desirable because it creates a hazard for errant or out-of-control vehicles that leave the roadway and it is very expensive.

It is anticipated that, except in the 1.1 mile section with a 400 foot width, new right-of-way will be required on at least one side and often both sides of the existing right-of-way.

As indicated in Section 1., removal of all trees within the right-of-way will not necessarily be required. Tree removal will occur only where necessary to construct the roadway and to provide an adequate clear zone for sight distance and safety.

It may also be desirable to discuss, during negotiations with land owners, the possibility of purchasing an easement for some cut and fill slopes, instead of purchasing title to land. This would allow construction and maintenance of the slopes by MDT while still allowing the land owner to use it for agriculture.

Table 4-5, Additional Right-of-Way Required

From Milepost	To Milepost	Right-of-Way Areas (Acres)	
		Alt. P	Alt. P, A, B & D
44.8	45.5	7.5	7.9 (A)
45.5	46.8	14.5	25.3 (B)
46.8	47.9	4.8	4.8
47.9	51.5	35.8	35.8
51.5	52.0	5.2	5.4 (D)
52.0	57.1	73.7	73.7
Total		141.5	152.9
(A) Alternative A	(B) Alternative B	(D) Alternative D	

Table 4-5 summarizes the additional right-of-way required for each of the proposed alternatives.

As indicated above, Alternatives A and D will require only slightly more new right-of-way than Alternative P in corresponding areas. Alternative B will require approximately 10.8 acres (25.3 minus 14.5) more new right-of-way than Alternative P. Approximately 11.4 acres will be required if Alternative A, B and D are all constructed to replace corresponding areas of Alternative P.

Table 4-6 is a summary of approximate existing and proposed right-of-way areas on U.S. Forest Service lands if Alternative P and B are constructed.

Table 4-6, Right-of-Way Required on Forest Service Lands

a.	63.8 Acres[P]	Total existing highway right-of-way area on U.S. Forest Service lands.
b.	29.9 Acres[P] 34.9 Acres[B]	New right-of-way area required on U.S. Forest Service lands.
c.	12.7 Acres[P] 12.6 Acres[B]	Existing highway right-of-way area on U.S. Forest Service lands that will be no longer needed and will be abandoned.
d.	81.0 Acres[P] 86.1 Acres[B]	Total proposed highway right-of-way on U.S. Forest Service lands (a + b - c).
e.	17.2 Acres[P] 22.3 Acres[B]	Net proposed increase of highway right-of-way on U.S. Forest Service lands (d - a).
[P] Indicates right-of-way areas if Alternative P is constructed. [B] Indicates right-of-way areas if Alternative B is constructed. Alternatives A and D will not affect U.S. Forest Service Lands.		

Next to the Forest Service, Champion International Corporation is the largest land owner affected by this project. If Alternative P is constructed throughout the length of the proposed project, approximately 28.8 acres of right-of-way will be acquired from Champion International. If Alternative B is constructed, an additional 10.1 acres will be required (total for the project will be 38.9 acres). Alternative A and D do not affect Champion International Corporation lands.

The remainder of the land required for right-of-way will come from approximately 50 different private land owners. Fourteen of the ownerships from which right-of-way will be required currently include five acres or less with an average size of approximately 2.5 acres.

Some parcels may be created, during right-of-way acquisition, that are irregular shaped or are too small and are not useable or have reduced utility. The value of these remainders may be reduced. Where the value of land or improvements are reduced as a result of needed right-of-way purchases by MDT, as determined by qualified real estate appraisers, compensation will be made to the land owner and may include: (1) monetary compensation, (2) purchase of the entire remainder by MDT or (3) land trades with adjacent land owners or MDT.

Construction of the proposed project may improve the value of lands and improvements near the highway because of the substantial improvements in safety, access and driving convenience.

Where the existing roadway is abandoned, asphalt pavement will be removed and will be placed in higher roadway embankments, substantially above the water table or it will be placed in an approved landfill. Remaining portions of the roadway embankment will be shaped and smoothed to blend in with surrounding terrain and will be re-topsoiled and reseeded.

No new right-of-way will be required with the No-Action Alternative.

4.7. RELOCATIONS

The following structures will require relocation:

Alternative P

- Shed left of Milepost 46.4 (Station 119+50)
- Shed left of Milepost 46.5 (Station 125+75)
- Small barn left of Milepost 46.6 (Station 129+75)
- Greenhouse left of Milepost 46.6 (Station 130+50)
- Garage and commercial building left of Milepost 46.7 (Station 132+00 - 133+00)
- Garage left of Milepost 53.5 (Station 491+30)
- Barn left of Milepost 53.5 (Station 492+00)
- Residence right of Milepost 53.5 (Station 493+60)
- Trailer house and garage right of Milepost 53.9 (Station 512+50 - 514+00)
- Log residence (former community hall) right of Milepost 54.0 (Station 515+50)
- Residence left of Milepost 55.7 (Station 611+00)

Alternative A

- Telephone building left of Milepost 45.1 (Station 48+50)

Alternative B

- Carport, shed and two houses left and right of Milepost 47.5 (Station 122+00 - 125+00)
- Garage and commercial building left of Milepost 47.7 (Station 132+00 - 135+00)

Alternative D

- Corral left of Milepost 51.7 (Station 400+00)

These relocations have been discussed with the affected property owners. No special problems with relocation or replacement have been identified.

MDT has a relocation assistance program whereby supplemental housing payments, moving costs, advisory assistance and other services are offered to individuals displaced by the highway construction project. The payments for relocation are offered in addition to the amount of just compensation for the right-of-way requirements. The disposition of the buildings to be relocated will be negotiated with the owners -- they may be moved and reused, demolished and disposed of, sold to other parties or remain the property of the owners to do with as they see fit.

Adequate replacement housing is available in the project area.

4.8. NOISE

As defined by 23 CFR, Part 772, noise impacts occur when:

1. The Noise Abatement Criteria (NAC) threshold level is approached (within one A-weighted decibels [dBA]) or exceeded. The exterior noise abatement threshold for NAC Category B is hourly equivalent sound level (Leq(h)) = 67 dBA. Category B includes picnic areas, residences, schools, churches and public meeting facilities and generally applies to this proposed project.

2. The noise levels resulting from a proposed project substantially exceeds (by 10 dBA or greater) the existing noise levels.

Existing noise levels at residences along the project are well below the 67 dBA threshold except at the residence right of Milepost 53.5 where the existing noise level is estimated to be 65 dBA. Noise impacts will not occur at this location since, as indicated in Section 4.7. RELOCATION, this residence will require relocation if the proposed project is constructed.

Noise levels may increase slightly in some areas if the proposed project is constructed. These increases will be less than 2 dBA and therefore are not considered substantial by the criteria listed above. Noise levels will not approach or exceed the 67 dBA threshold listed above.

Noise levels may decrease at some receptors as a result of the proposed project due to:

- The proposed roadway moving farther away. Noise levels decrease as the roadway is moved farther away from the receptor. Noise level reductions are expected at the existing homes between Mileposts 47 and 48, if Alternative B is constructed, because it will place the new roadway and its traffic several hundred feet farther away.

- Improved horizontal alignment. Noise levels are higher on highways where vehicles are required to accelerate and decelerate. All of the proposed new roadway construction alternatives will improve horizontal alignment. As a result, vehicles will be required to accelerate and decelerate less to negotiate the curves which will help to reduce noise levels.

- Improved grades. Where vehicles, particularly trucks, are required to negotiate steeper grades, noise levels are greater. The proposed alternatives will generally provide flatter grades and noise levels will therefore be less.

Since no adverse noise impacts are expected, no mitigation measures were considered or are required.

It is recognized that existing timber stands play an important role in attenuating noise levels along the highway. As indicated in Section 1., trees will be removed only where necessary for construction of the proposed roadway and to provide adequate clearance for safety. In response to concern expressed by residents along portions of the highway, alignment adjustments have been made to better preserve existing trees.

With the No-Action Alternative, noise levels will increase as traffic volumes and traffic congestion increase.

4.9. AIR QUALITY

The State Air Quality Bureau has been consulted[10] about potential air quality impacts resulting from the reconstruction of U.S. Highway 2. They have indicated that:

> *"In general, any project which will smooth out the traffic flow, and reduce stopping and idling time will also reduce the amount of air pollution emissions from transportation sources. From this standpoint the Air Quality Bureau would like to support your efforts to upgrade the Montana highway system. Asphalt plants and gravel crushers are the primary emission sources for highway construction, and they must obtain an air quality permit from our office to operate in the state."*

This proposed project is located in an "unclassifiable"/attainment area of Montana for air quality under 40 CFR 81.327, as amended. As such, this proposed project is not covered under the U.S. Environmental Protection Agency's **Final Rule** of November 24, 1993 on Air Quality conformity. Therefore, this proposed project complies with Section 176(c) of the *Clean Air Act* as amended (**42 U.S.C. 7521(a)**).

Requirements of the Montana Department of Highways, Standard Specifications[11] will be followed to help mitigate dust and other air pollution during construction. These specifications require adherence to all federal, state and local air quality regulations and permit requirements

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[10]Norton, Warren, Environmental Specialist, Air Quality Bureau, Montana Department of Health and Environmental Sciences, Letter dated 06 July 1987.

[11]Montana Department of Highways, Standard Specifications for Road and Bridge Construction, 1987 Edition.

and set forth guidelines for asphalt plants, earthwork operations and other construction activities to help minimize air quality impacts.

With the No-Action Alternative, there will be no short-term air quality impacts from asphalt plants and gravel crushers associated with the highway construction. However, air pollution emissions from transportation sources will not be reduced as is the case with the other alternatives being considered.

4.10. WATER QUALITY

The following sections describe channel modifications, floodplains, wells/septic systems and erosion/water quality impacts and mitigation measures on streams in the project area.

The proposed project will have insignificant effects on Libby Creek which is approximately 160 feet from the nearest area of proposed construction. Using construction procedures and mitigation measures outlined in Sections 4.10.1. Channel Modifications and 4.10.4. Erosion/Water Quality, the proposed project should have no impact on Libby Creek.

The proposed project will have insignificant effects on Miller Creek. As indicated in Section 2.4., the Miller Creek Bridge was recently reconstructed including new approach roadways on either side of it. Construction of the proposed project will connect with each approach to the Miller Creek Bridge -- approximately 100 feet from Miller Creek on each end. Procedures outlined in Section 4.10.4. Erosion/Water Quality will be important and will be followed to ensure that the river is not affected adversely.

The proposed project will have insignificant effects on the Fisher River. As indicated in Section 2.4., the Fisher River Bridge was recently reconstructed including new approach roadways on either side of it. Construction of the proposed project will end approximately 50 feet from the new Fisher River Bridge. For approximately 1200 feet in this area, the proposed new roadway will be roughly parallel with and adjacent to the existing river channel. The roadway will not encroach on the river. Procedures outlined in Section 4.10.4. Erosion/Water Quality will be important and will be followed to ensure that the river is not affected adversely.

The Swamp Creek channel will require relocation in several areas as described in the following section.

4.10.1. Channel Modifications

Much of the existing roadway parallels and encroaches on the Swamp Creek floodplain. The roadway crosses the Swamp Creek channel five times and Schrieber Creek once. The roadway embankment at many locations also serves as the stream bank of Swamp Creek. Past roadway construction (in the 1930's) made extensive channel relocations. These encroachments were made due to the narrow valley, steep slopes and restricted space available for construction.

Table 4-7, Lengths of Channel Change

From Milepost	To Milepost	Length of Channel Change (Feet)	
		Alternative P	Alternative P, A, B & D
44.8	45.5	1320 (1200)	1820 (A) (1610)
45.5	46.8	2575 (940)	1140 (B) (300)
46.8	47.9	960 (270)	960 (270)
47.9	51.5	3955 (1250)	3955 (1250)
51.5	52.0	1050 (800)	1220 (D) (800)
52.0	57.1	0	0
TOTAL		9860 (4460)	9095 (4230)

(A) Alternative A; (B) Alternative B; (D) Alternative D; (000) Indicates length of channel that has been previously relocated and is not in its original channel.

The upgrading and widening for the highway will require additional modifications to the Swamp Creek channel -- the approximate locations and lengths of channel modifications required, based on preliminary design completed to-date, are listed on Table 4-7.

As indicated on the table, construction of Alternative A will increase the length of Swamp Creek channel change required as compared with corresponding areas of Alternative P by approximately 500 feet. However, included in the 1820 feet of channel change listed above for Alternative A are approximately 900 feet where the creek will be moved from its existing location to its pre-1930's, pre-highway construction channel. Only 920 feet of new channel will be constructed in the area of Alternative A.

Of the 3955 feet of channel relocation required between Mileposts 47.9 and 51.5, 2200 feet will include placement of the channel in an old natural channel and the remaining 1755 feet will include new channel construction.

Also as indicated above, if Alternative B is constructed, the length of channel change required will be approximately 1435 feet less than if the corresponding length of Alternative P is constructed. If Alternative D is constructed, the length of channel change will increase, but the new channel will be placed nearer to its pre-1930's location which is considered more desirable.

Though placement of the channel back into its pre-1930's channel is considered preferable to constructing a completely new channel, some cleaning, reshaping and other mitigation measures will still be needed.

Construction of Alternative A and B will place the new roadway farther away from the Swamp Creek channel as opposed to immediately adjacent to the channel if Alternative P is constructed. Potential for erosion of the creek banks and stream sedimentation will be reduced.

Relocated channels will generally be located only short distances away from the existing channel and will be constructed at approximately the same gradients and elevation. Channel relocations should have no effect on existing ground water elevations.

A study of the existing Swamp Creek channel, the potential effects of construction of the proposed roadway and mitigation measures that are desirable and practical has been completed[12]. Sketches of the proposed channel change and mitigation measures are included on Figure 4-1.

Mitigation measures will include:

- Sediment Traps. There are three sediment traps (ponds) proposed for the lower section of Swamp Creek. These traps are located immediately below the three largest channel change areas and are intended to trap sediment before it enters unaltered streams, including Libby Creek. At least one land owner has expressed opposition to selling or granting an easement for sediment ponds because of a resulting loss of productive hayland. Some adjustment or relocation of these proposed sites may be necessary to meet the design objective and prevent sediment from entering the streams.

- An erosion control plan will be developed and implemented, as described in Section 4.10.4., to control sediment introduction into the stream. With the implementation of this plan, sediment introduction into streams will be insignificant.

- Grade Control Structures or "hardpoints" will be constructed to control erosion and head cutting and to provide pools for fish habitat. These structures will consist of logs, rocks or other solid materials placed on the bottom of the channel to control the elevation of the channel and create steps and pools in the stream.

- Use of the Original Swamp Creek Channel. Revisions of the highway alignment between Mileposts 44.8 and 45.5 will allow placement of 900 feet of Swamp Creek back into its original channel where it existed prior to the 1930's when the highway was originally constructed and channel changes were made.

- Channel stabilization using rip rap or other measures will be employed at some culvert and bridge ends.

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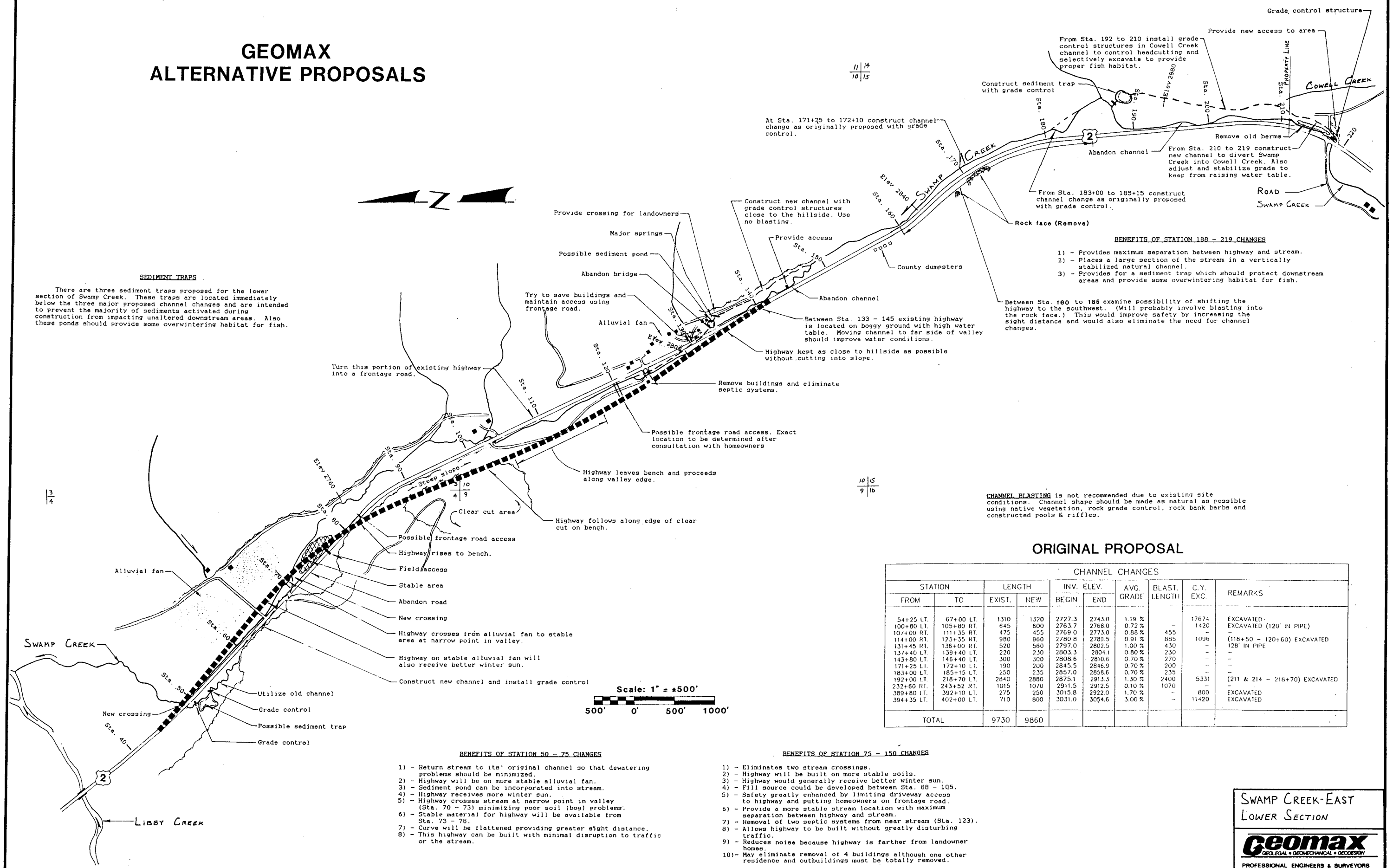
[12]Reichmuth, Dr. Donald R., Geomax, Inc., Field Work Summary - Swamp Creek East, 08 June 1992. A copy of this report is included in Appendix B of this document.

GEOMAX
ALTERNATIVE PROPOSALS



Between Sta. 160 to 186 examine possibility of shifting the highway to the southwest. (Will probably involve blasting into the rock face.) This would improve safety by increasing the sight distance and would also eliminate the need for channel changes.

BENEFITS OF STATION 188 - 219 CHANGES

1) - Provides maximum separation between highway and stream.
2) - Places a large section of the stream in a vertically stabilized natural channel.
3) - Provides for a sediment trap which should protect downstream areas and provide some overwintering habitat for fish.

SEDIMENT TRAPS

There are three sediment traps proposed for the lower section of Swamp Creek. These traps are located immediately below the three major proposed channel changes and are intended to prevent the majority of sediments activated during construction from impacting unaltered downstream areas. Also these ponds should provide some overwintering habitat for fish.

CHANNEL BLASTING is not recommended due to existing site conditions. Channel shape should be made as natural as possible using native vegetation, rock grade control, rock bank barbs and constructed pools & riffles.

ORIGINAL PROPOSAL

CHANNEL CHANGES

STATION FROM	STATION TO	LENGTH EXIST.	LENGTH NEW	INV. ELEV. BEGIN	INV. ELEV. END	AVG. GRADE	BLAST. LENGTH	C.Y. EXC.	REMARKS
54+25 L.T.	67+00 L.T.	1310	1320	2727.3	2743.0	1.19 %		17674	EXCAVATED
100+80 L.T.	105+80 R.T.	645	600	2763.7	2768.0	0.72 %	-	1420	EXCAVATED (120' IN PIPE)
107+00 R.T.	111+35 R.T.	475	455	2769.0	2773.0	0.88 %	455	-	-
114+00 R.T.	123+35 R.T.	980	960	2780.8	2788.5	0.91 %	885	1096	(118+50 - 120+60) EXCAVATED
131+45 R.T.	136+00 R.T.	520	560	2797.0	2802.5	1.00 %	430	-	128' IN PIPE
137+40 L.T.	139+40 L.T.	220	230	2803.3	2804.1	0.80 %	230	-	-
143+80 L.T.	146+40 L.T.	300	300	2808.6	2810.6	0.70 %	270	-	-
171+25 L.T.	172+10 L.T.	190	200	2845.5	2846.9	0.70 %	200	-	-
183+00 L.T.	185+15 L.T.	250	235	2857.0	2858.6	0.70 %	235	-	-
192+00 L.T.	218+70 L.T.	2840	2880	2875.1	2913.3	1.30 %	2400	5331	(211 & 214 - 218+70) EXCAVATED
232+60 R.T.	243+52 R.T.	1015	1070	2911.5	2912.5	0.10 %	1070	-	-
389+80 L.T.	392+10 L.T.	275	250	3015.8	2922.0	1.70 %	-	800	EXCAVATED
394+35 L.T.	402+00 L.T.	710	800	3031.0	3054.6	3.00 %	-	11420	EXCAVATED
TOTAL		9730	9860						

BENEFITS OF STATION 50 - 75 CHANGES

1) - Return stream to its' original channel so that dewatering problems should be minimized.
2) - Highway will be on more stable alluvial fan.
3) - Sediment pond can be incorporated into stream.
4) - Highway receives more winter sun.
5) - Highway crosses stream at narrow point in valley (Sta. 70 - 73) minimizing poor soil (bog) problems.
6) - Stable material for highway will be available from Sta. 73 - 78.
7) - Curve will be flattened providing greater sight distance.
8) - This highway can be built with minimal disruption to traffic or the stream.

BENEFITS OF STATION 75 - 150 CHANGES

1) - Eliminates two stream crossings.
2) - Highway will be built on more stable soils.
3) - Highway would generally receive better winter sun.
4) - Fill source could be developed between Sta. 88 - 105.
5) - Safety greatly enhanced by limiting driveway access to highway and putting homeowners on frontage road.
6) - Provide a more stable stream location with maximum separation between highway and stream.
7) - Removal of two septic systems from near stream (Sta. 123).
8) - Allows highway to be built without greatly disturbing traffic.
9) - Reduces noise because highway is farther from landowner homes.
10) - May eliminate removal of 4 buildings although one other residence and outbuildings must be totally removed.

SWAMP CREEK-EAST
LOWER SECTION

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DESIGNED D.R.R. | DRAWN: J.B.M | CHECKED: D.R.R.
DATE: 3/9/92 | SHEET 1 OF 2

FIGURE 4-1

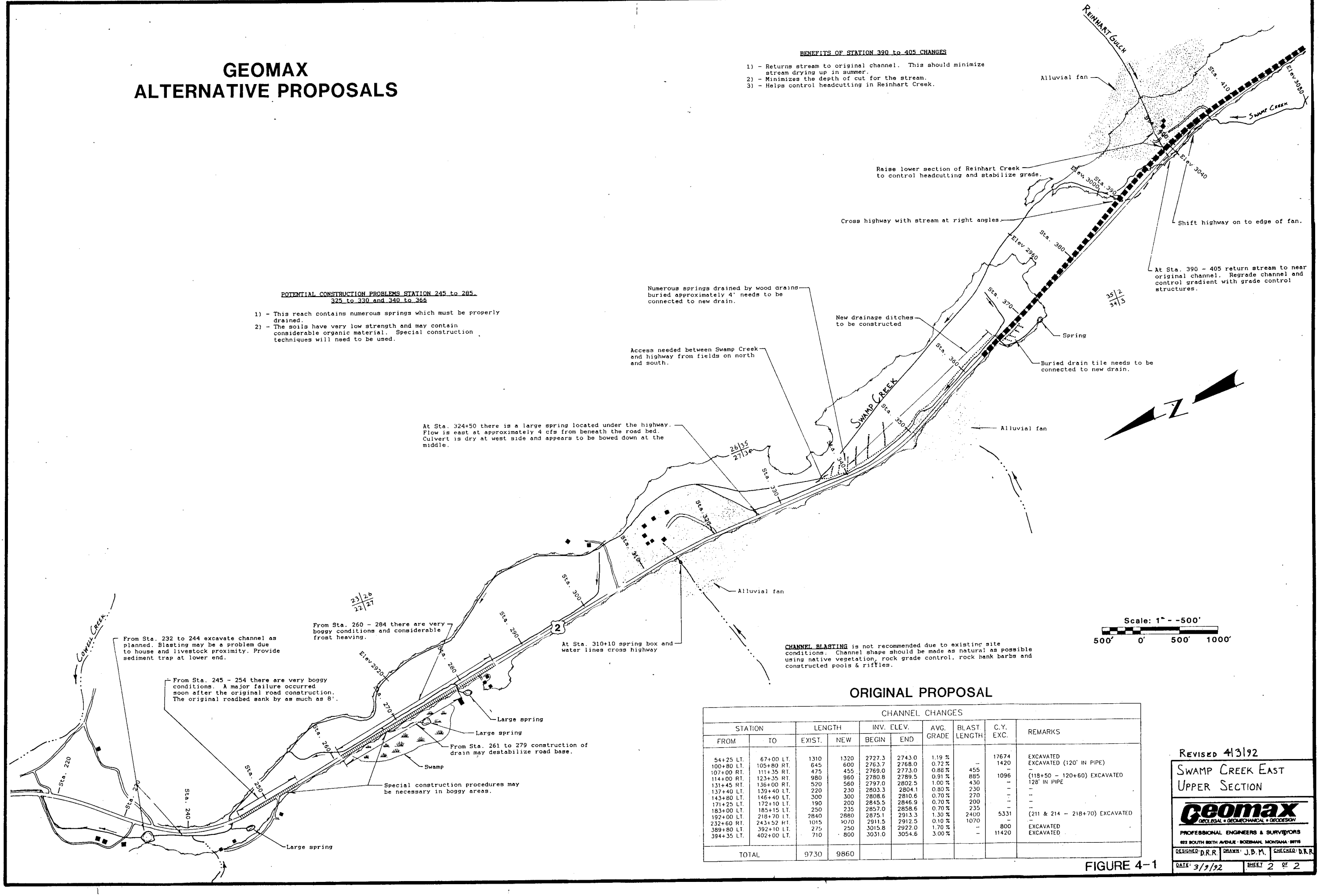
GEOMAX
ALTERNATIVE PROPOSALS

POTENTIAL CONSTRUCTION PROBLEMS STATION 245 to 285, 325 to 330 and 340 to 366

1) - This reach contains numerous springs which must be properly drained.
2) - The soils have very low strength and may contain considerable organic material. Special construction techniques will need to be used.

BENEFITS OF STATION 390 to 405 CHANGES

1) - Returns stream to original channel. This should minimize stream drying up in summer.
2) - Minimizes the depth of cut for the stream.
3) - Helps control headcutting in Reinhart Creek.



CHANNEL BLASTING is not recommended due to existing site conditions. Channel shape should be made as natural as possible using native vegetation, rock grade control, rock bank barbs and constructed pools & riffles.

ORIGINAL PROPOSAL

CHANNEL CHANGES

STATION FROM	STATION TO	LENGTH EXIST.	LENGTH NEW	INV. ELEV. BEGIN	INV. ELEV. END	AVG. GRADE	BLAST LENGTH	C.Y. EXC.	REMARKS
54+25 LT.	67+00 LT.	1310	1320	2727.3	2743.0	1.19 %	–	17674	EXCAVATED
100+80 LT.	105+80 RT.	645	600	2763.7	2768.0	0.72 %	–	1420	EXCAVATED (120' IN PIPE)
107+00 RT.	111+35 RT.	475	455	2769.0	2773.0	0.88 %	455	–	–
114+00 RT.	123+35 RT.	980	960	2780.8	2789.5	0.91 %	885	1096	(118+50 – 120+60) EXCAVATED
131+45 RT.	136+00 RT.	520	560	2797.0	2802.5	1.00 %	430	–	128' IN PIPE
137+40 LT.	139+40 LT.	220	230	2803.3	2804.1	0.80 %	230	–	–
143+80 LT.	146+40 LT.	300	300	2808.6	2810.6	0.70 %	270	–	–
171+25 LT.	172+10 LT.	190	200	2845.5	2846.9	0.70 %	200	–	–
183+00 LT.	185+15 LT.	250	235	2857.0	2858.6	0.70 %	235	–	–
192+00 LT.	218+70 LT.	2840	2880	2875.1	2913.3	1.30 %	2400	5331	(211 & 214 – 218+70) EXCAVATED
232+60 RT.	243+52 RT.	1015	1070	2911.5	2912.5	0.10 %	1070	–	–
389+80 LT.	392+10 LT.	275	250	3015.8	2922.0	1.70 %	–	800	EXCAVATED
394+35 LT.	402+00 LT.	710	800	3031.0	3054.6	3.00 %	–	11420	EXCAVATED
TOTAL		9730	9860						

FIGURE 4-1

REVISED 4/3/92

SWAMP CREEK EAST
UPPER SECTION

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623 SOUTH 8TH AVENUE · BOZEMAN, MONTANA · 59715

DESIGNED: D.R.R. | DRAWN: J.B.M. | CHECKED: D.R.R.
DATE: 3/9/92 | SHEET 2 OF 2

- Final design of channel changes will be completed under the direction of a qualified stream biologist familiar with requirements of stream and fisheries protection and enhancement and a registered professional engineer familiar with stream hydraulics and construction requirements. Design will include drop structures, shade and cover features, revegetation and pool development and enhancement.

- Coordination and direction of channel change construction, in the field, will be conducted using the final design plans described above and by a qualified stream biologist to ensure that final channel location is appropriate, that recommended design measures are properly constructed, that disturbance is kept to a minimum and that design objectives are satisfied. The final channel location will be coordinated in the field with affected land owners, representatives of the Montana Department of Fish, Wildlife and Parks and the USFS.

- Existing riparian vegetation will be avoided during construction where removal is not necessary. The roadway and channel change will be designed to avoid riparian vegetation where practical. Rapid reestablishment of vegetation will be implemented to replace necessary removal and along new channel banks.

- All Swamp Creek crossings of the highway will be designed to not impede fish passage by using bridges or, more likely, culverts of adequate size and by using baffles, rocks and sand placement to break up the water flow and provide small resting pools within the culvert. Fish passage will be provided for the entire length of Swamp Creek in the project area. Fisheries biologists generally consider culverts constructed in this way to be a good alternative to the construction of bridges, which are much more expensive to construct and maintain.

- Channel work will be conducted at least one year before highway construction to allow time for riparian vegetation to establish. This will enable the channel to stabilize before connecting it to the existing stream. In areas where the new channel will be placed in the same location as the existing roadway, this may not be feasible because the flow of motor vehicle traffic would be interrupted for over one year.

As indicated above, most of the Swamp Creek channel that will require relocation was previously relocated by highway construction or irrigation/drainage systems and is currently located adjacent to the existing highway. As a result, fish habitat in these areas is not as good as in natural reaches of the stream. These channels are essentially straight ditches paralleling the present highway. Much of these areas are riffle habitat with some short glides and very few pools. In one area, a large headgate has been installed which is a likely barrier to migrating trout. Channel instability is evident in some areas with instances of collapsing stream banks. In some areas, the channel passes through hay meadows, is impounded by debris and beaver dams and the channel bottom is covered with one to two feet of sand, silt and fine organic matter.

Where channel relocations are constructed and the above recommended mitigation measures are implemented, a channel in substantially better condition will result providing better fish habitat than currently exists.

With channel changes constructed as described above, it is expected that the length of the channels will not be reduced. In areas where existing long, straight channels adjacent to the roadway are replaced by new, meandering channels away from the roadway or by placing the stream back into its natural channel, the length of the Swamp Creek may increase.

Reinhart Creek was affected by a prior relocation of Swamp Creek -- the relocation created steeper grades on Reinhart Creek as it enters Swamp Creek. As a result, erosion and head cutting has occurred. Relocation and reconstruction of the Swamp Creek channel in this area will provide the opportunity to improve the Reinhart Creek channel and eliminate this problem.

Modifications of the Schrieber Creek channel will be minor and will be required only at the proposed new pipe culvert as necessary to match it.

The No-Action Alternative will have no adverse impact on Swamp Creek or other streams in the project area. The potential beneficial impacts related to improving the portions of Swamp Creek and other streams that were previously impacted will also not occur.

4.10.2. Floodplains

The Swamp Creek and Schrieber Creek floodplains have been delineated by approximate methods by the Flood Insurance Program. Lincoln County is administering floodplain regulations and a floodplain management permit will be required for encroachments below the 100-year flood level.

Flood hazard assessments have been completed for encroachments in accordance with FHWA criteria. The design of highway/stream crossings and other drainage features will be such that water surface elevations will not be raised over one foot. All highway/stream crossings will be designed to pass 100 year flood flows and will include special features to not impede fish passage, as discussed in Section 4.10.1. The elevation of the existing channel bottom will not be changed significantly at any of these crossings. Only minor channel changes (less than 50 feet in length) will be required to match the proposed new crossings, other than the channel changes described above which are necessary for other reasons. At all highway/stream crossings, the new culverts or bridges will be designed to more closely match the alignment of the existing channel -- existing sharp bends in the channel at bridge and culvert ends will be improved. Class II riprap will be used for short distances to protect the channel at ends of the culverts/bridges. Class II consists of stones of a diameter of 2 feet with smaller stones uniformly distributed throughout placed in a layer approximately 3 feet thick.

For most of the length of the project along Swamp Creek, the stream encroachments are at points that are considered to be below the headwaters, as defined by the U.S. Corp of Engineers, so a Section 404 Permit will be required for work below the ordinary high water mark. The other small streams involved on this project are all considered to be above the headwaters and they will be addressed under the Nationwide Permit -- individual permits will not be required.

The No-Action Alternative will have no impact on floodplains in the project area.

4.10.3. Wells/Septic Systems

The following items will be affected by the proposed project if Alternative P is constructed:

Milepost 46.2, Left; A portion of a drainfield will require abandonment and relocation if Alternative P is constructed. There appears to be sufficient area for the required relocation. Relocation, if required, will be in accordance with MDT's relocation assistance program.

Milepost 46.5, Left; Drainfield will require abandonment and relocation if Alternative P is constructed. Relocation of this drainfield will be difficult because of very limited area suitable for drainfields in proximity to the related residence. Relocation will be in accordance with MDT's relocation assistance program.

Milepost 50.0; Water line for spring-fed water system crosses the highway. Will require lowering below the proposed new roadway and subgrade.

Milepost 53.5, Right; Well, septic tank and drainfield will require abandonment along with removal of the existing residence (See Section 4.7. RELOCATION).

Milepost 53.9, Right; Drainfield will be abandoned along with removal of the existing residence (See Section 4.7. RELOCATION).

Milepost 54.0, Right; well and drainfield will be abandoned along with removal of the existing residence (See Section 4.7. RELOCATION).

Milepost 55.7, Left; well will be abandoned along with removal of the existing residence (See Section 4.7. RELOCATION).

Relocation requirements for wells and septic systems, if Alternative A and D are constructed, will be the same as those required for Alternative P.

Relocation requirements if Alternative B is constructed will also be the same as Alternative P except that two drainfields, as described above, left of Milepost 46.2 and 46.5, will not be disturbed. Instead, two drainfields at Milepost 46.5 will be abandoned along with removal of the existing residence and related buildings.

It is recognized that new residences are being built each year along this project and other wells or septic systems may exist in the future that are not listed above and may be affected by the proposed highway construction.

Drainfields to be abandoned will require no special treatment. Septic tanks to be abandoned will be pumped, filled with sand or gravel and covered with topsoil.

Construction of replacement sewage treatment systems will be in accordance with the regulations of and receive approval from Lincoln County and the Montana Department of Health and Environmental Sciences.

Wells to be abandoned will be filled with the appropriate material and the well casing will be removed to below ground level, in accordance with state law and applicable regulations of the Water Quality Bureau of the Montana Department of Health and Environmental Sciences.

The No-Action Alternative will have no impact on wells and septic systems in the project area.

4.10.4. Erosion and Water Quality

The Montana Department of Natural Resources and Conservation has indicated that the construction contractor will be required to obtain a "Beneficial Water Use Permit" before water from any surface water source may be used[13].

The Montana Pollutant Discharge Elimination System (MPDES) regulations (ARM 16.20.1314) require a storm water discharge permit for construction activity in which clearing, grading and excavating will result in the disturbance of greater than five acres total or the disturbance of greater than one acre if located within 100 feet of a surface water body (stream, river or lake). A Storm Water Erosion Control Plan must be designed and approved by the Water Quality Bureau of the Montana Department of Health and Environmental Sciences (MDHES/WQB) prior to construction taking place. The objective of the plan is to minimize erosion of disturbed areas during the construction and post construction phase of a project.

The Storm Water Erosion Control Plan is the means for controlling pollutants in storm water discharges. Careful planning and proper implementation of the plan will lessen the likelihood of pollutants reaching state waters.

A plan for control for hazardous materials at construction sites is also necessary. A plan for proper placement and containment of hazardous materials will be coordinated with the Environmental and Hazardous Waste Bureau at MDT.

MDT Standard Erosion Control Work Plan[14] will be used as a guide to develop a specific work plan for this project. This standard plan incorporates best management practices (BMP's) including seven major principles of soil erosion and sedimentation control. These principles will be used to develop the erosion control work plan for the proposed project and include:

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[13]Massman, Carole I., Administrative Officer, Montana Department of Natural Resources and Conservation, Letter dated 09 July 1987.

[14]Pioneer Technical Services, Inc. for Montana Department of Transportation, Highway Construction Standard Erosion Control Work Plan, 30 September 1992.

Plan the Development to Fit the Site

Detailed designing has been and will be employed to assure that roadways, structures and other permanent features of the proposed project conform to the natural characteristics of the site. Areas with steep slopes, erodible soils, and soils with sever limitations will have planned erosion controls to overcome those limitations. For instance, long steep slopes can be broken by benching, terracing, or constructing diversion structures. (The USFS has indicated that benching and terracing may not be effective in this area.)

Minimize Extent of Disturbed Areas and Duration of Exposure

When earth moving activities require the removal of vegetation, the area and the duration of the exposure will be kept to a minimum. Phases or stages of development will be planned so that only the areas which are actively being developed are exposed. Grading will be completed as soon as possible after it is started. When construction is complete, permanent vegetative cover will be established in the area. As cut slopes are made and as fill slopes are brought up to grade, these areas will be revegetated as the work progresses. Timing for installation of erosion control measures will be carefully planned.

Stabilize and Protect Disturbed Areas as Soon as Possible

Disturbed areas will be stabilized as soon as possible using methods appropriate at each site including dikes and swales; roughening, stair stepping and terracing of slopes; mulching; seeding; sodding; erosion control blankets; retaining walls; slope drains; vegetative buffer strips; straw bale barriers; gravel filter berms; silt fences; dugout ditch basins; settling basins; sediment traps and stream bank protection.

Keep Runoff Velocities Low

The removal of existing vegetative cover and the resulting increase in impermeable surface area during construction will increase both the volume and velocity of runoff. These increases will be taken into account when providing for erosion control. Slope changes will be designed to keep slope length and gradient to a minimum. Short slopes, low gradients, and the preservation of natural vegetative cover will keep runoff velocities low. This will limit erosion hazards and reduce costs associated with erosion control.

Protect Disturbed Areas from Runoff

Measures to prevent off-site water from entering and running over the disturbed areas will be implemented. Slope and disturbed ground protection measures are favorable over trying to remove sediment from runoff waters after erosion has occurred.

Retain Sediment within the Corridor Area

Sediment will be retained by two methods: (1) by filtering runoff as it flows and (2) by detaining sediment-laden runoff for a period of time so that soil particles settle out. The best way to control sediment, however, is to prevent erosion.

Implement a Thorough Maintenance and Follow-up Program

The plan will include a thorough maintenance and monitoring plan to ensure that erosion control measures are functioning properly and, where needed, adjustments or improvements are made.

The erosion control work plan will also apply to and be developed for all borrow sites required to construct this project.

The No-Action Alternative will have no impact on erosion and water quality in the project area.

4.11. WETLANDS

Wetland surveys[15,16] have been conducted. As requested by the U.S. Environmental Protection Agency[17], the draft wetland evaluation process developed by the Montana Interagency Wetlands Group (IWG) has been used for this project.

The proposed highway, including each of the proposed alternatives, is being designed to avoid and minimize disturbance and impacts to identified wetlands as much as possible. The proposed project follows an existing highway that splits and impinges on existing wetlands -- complete avoidance is not possible.

The following alternatives, in addition to the No-Action Alternative, are under consideration to help avoid wetland impacts as much as possible:

1. Minor alignment shifts. As indicated previously, the proposed project lies in a relatively narrow valley with steep mountain slopes on each side. The proposed project is being designed to as much as possible shift away from wetlands so that the wider highway can be constructed without additional impacts on wetlands. A substantial amount of alignment adjustment and balancing is being done to avoid wetlands as much as possible while still avoiding massive excavation on the steep mountain slopes and still providing a safe highway facility meeting current design standards. These minor shifts and adjustments to the existing highway centerline have substantially reduced the impacts that might occur on wetlands.

2. Alignment Alternatives. As indicated in Section 3. ALTERNATIVES UNDER CONSIDERATION, several alternative alignments are under consideration for this project.

   As indicated on the following table, if Alternative A, B and D are constructed, approximately 1.31 acres (9.13 - 7.82) less wetlands will be affected than with Alternative P in the corresponding area.

   In addition to reducing the area directly impacted by highway construction, Alternative B will move the highway a substantial distance away from existing wetlands which may provide a long-term benefit. Wildlife use (especially

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[15]Econ, Inc., Wetland Evaluation Forms for F1-1(29)45, Libby Creek - West Fisher River, 07 August, 1987.
[16]OEA Research, Inc., Wetlands Evaluation, Swamp Creek -- East, MDT Project F1-1(29)45, September 1992.
[17]Potts, Stephen M., P.E., Environmental Engineer, U.S. Environmental Protection Agency, Letter dated 13 July 1987.

waterfowl and raptors, including eagles) may increase since noise and other disturbances would be reduced.

Table 4-8, Wetlands Affected by the Proposed Project

Site	Mileposts	Within 1000' Wide Corridor (Acres)	Overall Site Function and Value Rating*	Directly Affected By Construction (Acres)	
				Alt. P	Alt. P, A, B, D
1	44.7 - 44.9	23.6	14.5	0.41	0.41 (A)
2	45.1 - 48.3	3.5	11.8	0.73	0.19 (A)(B)
3	45.1 - 45.3	3.3	10.8	0.68	0.12 (A)
4	45.7 - 45.9	3.1	9.8	0.21	0.00 (B)
5	46.7 - 47.2	3.4	9.3	0.15	0.15
6	47.7 - 47.8	3.4	13.8	0.05	0.05
7	48.6 - 49.8	44.7	11.8	4.74	4.74
8	49.8 - 50.0	7.6	7.3	0.08	0.08
9	49.7 - 51.9	1.8	10.3	0.44	0.44 (D)
10	51.9 - 52.6	14.9	10.8	1.03	1.03
11	53.2 - 54.2	47.2	14.0	0.52	0.52
12	54.9 - 55.6	2.5	11.1	0.03	0.03
13	56.7 - 57.0	5.5	14.0	0.06	0.06
Total		164.5		9.13	7.82

*Of a possible 24 points.
(A) Alternative A (B) Alternative B (D) Alternative D

Table 4-8 is a summary of wetland areas that will be directly affected by the construction of each of the proposed alternatives.

The approximate locations of these wetland areas are identified on Figure 4-2, inside the back cover.

Cumulative wetland impacts in Northwest Wetland Region 1 involving recently constructed or planned future highway projects are summarized on Table 4-8a.

The No-Action Alternative will have no impact on wetlands in the project area.

Table 4-8a, Cumulative Wetland Impacts

YEAR	PROJECT	PAST, CURRENT OR FUTURE IMPACTS (Acres)	MITIGATION COMPLETED (Acres)
97	F 1-1(35)45 SWAMP CREEK - EAST (This Project)	7.82	
91	F 5-4(4)68 FORTINE - NORTH	4.60	4.22
93	F 5-4(2)173 EUREKA - SOUTH	3.59	
95	F 5-4(11)178 EUREKA URBAN RTF	0.34	
93	F 56-2(2)17 BULL LAKE - NORTH	3.62	
93	S-RS 508-1(2)12 MEADOW CREEK - SOUTH	0.18	
TOTALS		20.15	4.22
DIFFERENCE (Total current and future mitigation requirement)		15.93	

When complete avoidance of wetland impacts is not possible, the following types of mitigation must be considered:

Priority 1. On-site replacement or enhancement is the preferred type of mitigation.

Priority 2. When on-site mitigation is not practical off-site replacement or enhancement will be considered.

Priority 3. When the above are not practical, "wetland banking" will be considered which allows the highway agency to develop wetland complexes in the general project area and then, as wetland losses occur, the acreage will be subtracted. The overall goal will be no net loss in wetland area or functions and values in the area.

It is anticipated that the mitigation of the unavoidable wetland losses resulting from the construction of the proposed project can be accomplished using on-site mitigation as described below. These mitigation sites are identified approximately on Figure 4-2, inside the back cover:

Site	Description

M1 - This channel realignment is associated with Alternative A and is locat-ed between Mileposts 45.1 and 45.4. Swamp Creek would be moved back into the original channel on the west side of the highway. A sedi-ment pond will likely be built at the north end which could be designed and planted to provide a wetland area after construction is completed. At the south end of this area, there is currently a pond which receives water via a small diversion on the active Swamp Creek channel. This could be maintained with channel realignment as well. Taken together, this would result in about 1.5 acres of replacement wetland.

M2 - This channel realignment is associated with Alternative P between Mileposts 45.2 and 45.5. The channel would be shifted east away from the roadway. Assuming a narrow riparian wetland would reestablish itself, about 0.3 acres would be replaced.

M3 - This channel realignment is associated with Alternative P between Mileposts 46.0 and 46.7. The channel would be shifted away from the roadway in several spots. Assuming a narrow riparian wetland would reestablish itself, about 0.6 acres would be replaced.

M4 - This channel realignment is associated with Alternative B between Mileposts 46.5 and 46.7. The channel would be shifted away from the current roadway to accommodate the approach of the south end of Alternative B with Alternative P. Assuming a narrow riparian wetland would reestablish itself, about 0.3 acres would be replaced.

M5 - This channel realignment, associated with Alternative P between Mileposts 46.7 and 47.2, was suggested by adjacent landowners and D. Reichmuth (1992). The channel would be relocated to the east side of the valley and follow along the base of the slope. The constructed pond located here could be included in this realignment and enhanced to provide a wetland with greater habitat diversity. This option would result in about 0.5 acres of replaced wetland.

M6 - This channel realignment is associated with Alternative P between Mileposts 47.8 and 48.4. The channel would be diverted into lower Cowell Creek. This would provide for maximum separation between the highway and the stream and use of a vertically stable natural stream channel. The north end of this area would likely have a sediment pond during construction. This site would be very favorable to develop into a wetland with good habitat diversity. This option would result in about 1.2 acres of replaced wetland.

M7 - This channel realignment is associated with Alternative P between Mileposts 48.5 and 48.7. The channel would be moved westward away from the roadway and would result in about 0.1 acres of replaced wetland.

M8 - This channel realignment is associated with Alternative P between Mileposts 49.1 and 51.1. Irrigation and drainage ditches parallel to the roadway would be relocated outside the new right-of-way. Assuming a narrow riparian wetland would reestablish itself, about 1.4 acres would be replaced.

M9 - This channel realignment is associated with Alternative P between Mileposts 51.6 and 51.9 and would result in a shift to the east away from the roadway.

M10 - This channel realignment is associated with Alternative D between Mileposts 51.6 and 51.9 and would return the stream to its original channel. It would reduce the depth of cut required for the channel and would also help control headcutting in Reinhart Creek. Assuming a narrow riparian wetland would reestablish itself, about 0.1 acres would be replaced.

M11 - The Forest Service has developed plans to improve the wet meadow above the Schrieber Lake Area (north end of wetland site 11 between Mileposts 53.1 and 53.3) on National Forest lands. Multiple potholes would be excavated over a 16 acre area, filled and planted with cattails or other 'semi-aquatic' plants (Bratkovich 1992). If it is decided to pursue the development of this site, MDT will participate in development by providing design assistance, funding and construction administration assistance to the degree required to complete the obligated wetland mitigation resulting from past or future highway projects. Additional information is currently being gathered regarding soil types, water tables and surface flows in existing channels bisecting the area. A separate environmental document will be prepared for this site.

M12 - The Forest Service has proposed to install a headgate device at the outlet of a dry sedge/rush meadow at the headwaters of Spring Creek to seasonally flood the meadow. The potential exists to re-establish 5 acres of marsh/wet meadow habitat which is progressing towards a dry meadow habitat component. A separate environmental document will be prepared for this site.

M13 - The forest service has proposed to install a headgate device at the outlet of a dry sedge/rush meadow (known as Lafoe Lake) to seasonally flood the area. The potential exists to reestablish 10 acres of marsh/wet meadow habitat which is progressing towards a dry meadow habitat component. Ducks Unlimited has agreed to design the project and provide 50% of the funding to complete the work. If it is decided to pursue the development of this site, MDT will participate in development by providing design assistance, funding and construction administration assistance to the degree required to complete the obligated wetland mitigation resulting from past or future highway projects. A separate environmental document will be prepared for this site.

M14 - Approximately 5 to 8 acres of wetlands can be improved by impounding two small bodies of water along Hensley Creek using earth embankments. If it is decided to pursue the development of this site, MDT will participate in development by

providing design assistance, funding and construction administration assistance to the degree required to complete the obligated wetland mitigation resulting from past or future highway projects. A separate environmental document will be prepared for this site.

M15 - The opportunity exists to create a shallow lake and restore adjacent wetlands along Twin Meadows Creek. Wetlands were originally created by an old beaver dam which has since washed out. The creation of a small dam would be needed to create up to 30 acres of wetland habitat. If it is decided to pursue the development of this site, MDT will participate in development by providing design assistance, funding and construction administration assistance to the degree required to complete the obligated wetland mitigation resulting from past or future highway projects. A separate environmental document will be prepared for this site.

As indicated above, the adequate opportunity exists to replace wetlands impacted by the proposed project, either at the project site or off-site. Adequate opportunities also exist to replace other wetlands impacted by other past or planned future highway projects in the area. MDT and Forest Service biologists are currently evaluating these sites to determine the most appropriate and beneficial mitigation and replacement sites. Once the determination has been made, the mitigation will be completed.

4.12. FISH, WILDLIFE AND PLANTS

This section discusses wildlife, fisheries, vegetation and rare or sensitive species in the area of the proposed project. Threatened or endangered species are not discussed in this section but are discussed in Section 4.13. THREATENED AND ENDANGERED SPECIES.

A biological and sensitive species report[18] has been completed.

4.12.1. Fisheries

Existing Environment

Swamp Creek is a low gradient trout stream with a drainage area of 26.6 square miles and an average annual discharge rate of 16.8 cubic feet per second (Marotz et al. 1988). Swamp Creek is a tributary of Libby Creek and enters this stream approximately 15 miles above the latter's confluence with the Kootenai River.

Trout species known to occur in Swamp Creek include brook trout, rainbow trout, and rainbow/cutthroat hybrids. Four species of sensitive fish, as listed by the U.S. Forest Service

[18]OEA Research Ecological Services, Biological & Sensitive Species Reports, Swamp Creek - East, MDT Project F 1-1(29)45, July 1992.

(1991) are confirmed, or believed to be present in lower Swamp Creek. These species include bull trout, redband trout, westslope cutthroat trout, and torrent sculpin.

The most significant resident trout fishery within the project area is in the lower section of Swamp Creek below the confluence of Cowell Creek, from Milepost 45.1 to 48.3. The ripar-ian community along roughly two-thirds of this lower section of the stream is very dense and diverse. Fish habitat along this section of Swamp Creek has been negatively affected by past highway construction. The existing stream channel has been appreciably shortened and straightened, resulting in less available fish habitat in the form of pools and undercut banks.

On the upper section of Swamp Creek within the project area, from Milepost 48.3 to 51.8, spawning and rearing habitat is less suitable than in lower reaches of Swamp Creek, and stream discharge rates are lower. The channel gradient on this upper section is about 12 feet/mile compared with approximately 60 feet/mile on the lower section described above. Very little riparian vegetation or stream channel habitat is present along much of upper Swamp Creek, since the watercourse is basically maintained to enhance irrigation water delivery, not trout.

Suitable trout habitat is present in Schrieber Creek, but its small size and lack of deep pools likely restricts year-round habitation by trout. The riparian community along this stream is similar to that along lower Swamp Creek, but the floodplain is much narrower.

Several other drainages within the vicinity of this project contain trout fisheries including Cowell Creek, Libby Creek, Miller Creek, West Fisher Creek and the Fisher River. The proposed action is not expected to impact any of these drainages.

Impacts

Alternatives P, A, B and D will directly or indirectly affect portions of the Swamp Creek channel and fish habitat from Milepost 45.1 to Milepost 51.8. Schrieber Creek from Milepost 55.3 to Milepost 55.5 would also be affected. The affected area of Swamp Creek will offer minimal fishing opportunities during and shortly after project construction. Recovery of the fish population could take up to ten years. Eventually, the fish population should be more abundant and should offer more recreational potential than it currently does due to the habitat rehabilitation measures proposed in Section 4.10.1.

The fish species discussed in Section 4.12.1. Fisheries, including the four sensitive species (bull trout, redband trout, westslope cutthroat trout, and torrent sculpin), are sensitive to the impacts of sediment pollution. Increased sedimentation often leads to a loss in spawning and rearing habitat as cobble and gravel, ideal for spawning, is surrounded or covered by sand and fine sediment.

Sedimentation introduction into the streams from the following sources is of concern:

- Construction activities may potentially destabilize the channel.

- The new stream alignment may continue to affect floodplain geomorphology and the long-term stream adjustment process.

- Direct runoff from construction activities may enter the creeks or ditches.

- Culvert installations have the potential to introduce sediment to the streams.

- The proposed Swamp Creek channel realignments will result in sediment discharges which will be controlled by mitigation measures such as sediment ponds and will be insignificant.

- Road sanding during winter may continue to be a sediment source where the new roadway parallels or crosses the streams.

Removal of riparian vegetation may result in loss of stream bank stability, fish hiding and feeding cover, change in stream temperature, woody debris recruitment and reduction of food chain support.

Where the roadway is located near the stream, toxic or hazardous materials originating from accidents, leaks or spills on the highway may enter Swamp Creek.

Cumulative impacts to fishery resources in the project area may potentially result from future timber sales, rural home development, mining, and agricultural practices. None of these activities are planned at this time.

The No-Action Alternative should have no impacts on fisheries in the project area.

Mitigation

Impacts to fisheries will be minimized during and after construction by adhering to the measures outlined in Section 4.10. WATER QUALITY. Also outlined in Section 4.10. are plans and mitigation measures for realigning portions of Swamp Creek. The goal of these plans is to increase channel stability, reduce potential sedimentation from highway reconstruction and maintenance, and to enhance fishery habitat. This coupled with best construction practices and avoidance of impacts as much as possible will result in limited impacts with a long term improvement to fish habitat and population numbers.

4.12.2. Wildlife

Existing Environment

During field reconnaissance, the following wildlife species (or their sign) were seen on or adjacent to the project area:

elk
moose
beaver
mallard duck
green-winged teal
sandhill crane
hairy and downy woodpeckers
Clark's nutcracker
brown creeper
white-tailed deer
coyote
ruffed grouse
blue-winged teal
great blue heron
Canada geese
yellow-bellied sapsucker
osprey
bank swallow
variety of other passerine species

Other big game species known to occur, or possibly occurring (based on availability of habitat) within a 20-mile radius of the proposed project include mule deer, mountain goats, big-horn sheep, black and grizzly bear and mountain lion.

Critical habitat areas for big game species probably do not exist adjacent to the proposed project. However, the steep, south and west-facing slopes along the highway provide winter range for deer and elk, and the riparian areas along Swamp Creek and Schrieber Creek provide winter range for white-tailed deer and moose. The Schrieber Creek-Spring Creek area has been identified as an important seasonal use area. A summer to winter range of travel corridor for big game has been identified between Mileposts 54 and 55 and a game crossing is located near Milepost 52[19]. In addition to wildlife crossings, there are a number of roadcuts with exposed soils that are used by ungulates as mineral licks. Other game birds found in the area include spruce and blue grouse.

Schrieber Lake, Swamp Creek and its adjacent riparian meadows that usually flood annually provide resting and escape areas for several migratory species including mallard, green-winged, blue-winged, and cinnamon teal, American Wigeon, common Goldeneye, ringnecked duck, common merganser, coot, sora rail, snipe, Virginia rail, Canada geese, belted kingfisher, killdeer, great blue heron, and sandhill crane.

Waterfowl surveys conducted by the U.S. Forest Service Libby Ranger District in 1990-92 have recorded broods of mallards on Schrieber Lake indicative of nesting. Fall surveys have also recorded hundreds of ducks (mostly mallards and buffleheads), Canada geese and tundra swans using Schrieber Lake as a stop-over area during fall migration.

Other furbearers occurring or potentially occurring in the area include mink, otter, muskrat, fisher, marten, lynx and bobcat, raccoon and red fox.

Wolves have been sighted in the area although the sightings are probably of roaming individual animals not associated with a pack.

The following species are listed as sensitive species known to occur on the Kootenai Forest: boreal owl, flammulated owl, fisher, lynx, common loon, harlequin duck, Columbian sharp-tailed

[19]Brundin, L., USFS Libby District Wildlife Biologist, Personal Communication.

grouse, black-backed woodpecker, woodland caribou, northern bog lemming, Townsend's big-eared bat and Coeur d'Alene salamander. Based on elevation, disturbance level, security and habitat, most of these species probably do not exist within or immediately adjacent to the project area, however, it is possible that black-backed woodpeckers, Townsend's big-eared bats and Coeur d'Alene salamanders could occur. Potential habitat exists on roadside cliffs near Milepost 47 for the Coeur d'Alene salamander but, during field searches, no evidence of existing populations were found.

Impacts

Small amounts of existing wildlife habitat will be eliminated with any of the proposed alternatives, as compared with the No-Action Alternative.

The proposed project should not affect wildlife crossings of the roadway nor increase wildlife-vehicle collisions. Following the completion of the project, traffic speeds may increase slightly as motorists become more comfortable with the safer roadway. This in turn may increase wildlife-vehicle collisions. It is also felt that animals may become confused when trying to cross wider roadways with wider clear zones, again resulting in potentially higher collision rates. On the other hand, driver sight distance will improve with the wider roadway and clear zone, thus allowing motorists to better identify and avoid potential collisions. Fencing locations, types and heights will be similar to existing conditions except that the fence will be located farther from the roadway. Historically, collision rates have not deviated from existing levels after construction. Guardrail lengths will be less than existing which will decrease the possibility that smaller animals will be trapped on the roadway against the guardrail.

There may be limited loss of individuals of some species due to construction-related contacts during habitat removal. These losses should not have long-term effects on local populations and within a short time the affected populations should re-establish to pre-construction levels.

No negative impacts on sensitive wildlife species have been identified except for possibly the Coeur d'Alene salamander. In the area of Milepost 47, where potential habitat exists, road-way design has been adjusted to, as much as possible, avoid excavation in steep slopes and cliffs while avoiding excessive impacts on Swamp Creek on the opposite side of the road. Some excavation, however, will be required which could negatively impact potential habitat.

The No-Action Alternative should have no impact on wildlife in the project area.

Mitigation

The following measures will be completed to mitigate potential adverse impacts to wildlife:

- Damage to vegetation will be limited to areas necessary for placement of the new highway and for safety clearances.

- Revegetation of areas disturbed by construction will begin immediately after construction and will, as closely as possible, restore habitats to pre-construction conditions or better.

- Plant species used for revegetation of the highway right-of-way will be species that are not highly palatable to ungulates and do not encourage them to feed near the roadway.

- Where potential mineral licks are encountered in roadway excavation areas, they will be covered with topsoil and revegetated.

- Road-killed animals will, as quickly as practical, be removed from the roadway by MDT maintenance crews.

- Powerline relocation will be constructed and raptor-proofed in accordance with Raptor Research Report No. 4[20] to prevent possible electrocution.

4.12.3. Vegetation

Existing Environment

The existing highway corridor predominantly skirts the toeslope of a long west-facing series of steep hills. Meadow/pasture complexes intermittently occur throughout the length of the present corridor. As is typical of most intermontane valleys in western Montana, continental and alpine glaciers have scoured much of the valley floors and lower slopes. Bedrock and glacial debris were irregularly displaced and redeposited throughout the length of the valley. Glacial lakes formed as glaciers receded and reformed. With the melting of glaciers, distinct drainage channels formed to carry materials from the steeper slopes down to the lower valleys where they settled out. In recent geologic times, surface waters have redistributed much of the finer sediments into distinct zones of texture classes.

Vegetation reflects the geologic history of a site, topographic position, and past management. A descriptive survey was conducted for an area 1000 feet on either side of the proposed centerline, along the entire length of the project area (OEA, 1992). Seven major vegetation types were identified.

1. Open Ponderosa pine/Douglas fir
2. Douglas fir
3. Grand fir
4. Cedar-Hemlock
5. Riparian

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[20]Olendorff, R., A. Miller and R. Lehman, Raptor Research Report #4 - Suggested Practices for Raptor Protection on Powerlines - the State of the Art in 1981, 1981.

6. Wetland
7. Tame pasture/Hayland

The four coniferous community types are associated with slope positions on either side of the corridor. The warmer, drier south and west-facing slopes are most often dominated by Ponderosa pine and Douglas fir. South and west aspects are typically drier, with a greater percentage of overstory fragmentation. These canopy openings often contain a greater mix of shrubby and herbaceous species than found under closed canopy conditions. Snowberry and spirea, along with pinegrass and elk sedge were the most common shrub and grass species observed as understory dominants.

The grand fir and cedar-hemlock types frequently occur on the cooler, moist slopes and terraces immediately surrounding the highway corridor. These types are representative of multi-canopied tree, shrub and herbaceous communities. Other conifers recorded as co-dominants within the general type description were grand fir, Douglas fir, larch and western white pine. Such factors as past logging and minor variations in topographic position influence the presence or absence of a particular tree species. Twinflower, queen cup beadlily and several pyrola species were commonly observed forb species. Shrubs such as serviceberry, snowberry and Rocky Mountain maple are frequent components of the drier sites within this type.

Vegetation in the riparian and wetland areas are described in detail in the Wetlands Evaluation completed for this project[21].

The tame pasture/hayland type includes those vegetation communities cleared, plowed and reseeded for grazing and hay production. The type also includes native meadows principally composed of palatable graminoids. Management of these areas may include seasonal grazing and mechanical removal of vegetation. Many of these areas are subirrigated and/or are inundated during spring thaw. A limited number of fields are irrigated.

A considerable amount of land area within the study corridor encompasses previously disturbed ground between the highway and right-of-way boundary. This area is composed of species recolonized from adjacent property.

Plant Species of Special Concern

The Montana Natural Heritage Program and USDA-Kootenai National Forest were con-sulted (OEA, 1992) to generate a list of Plant Species of Special Concern known, suspected or likely to exist within the general project area. Plants are so-designated to represent those species of limited distribution, or indicative of unique habitats worthy of special protection. While inclusion on this list does not carry any legal protection, informal consideration of their importance is granted by most resource entities.

[21]OEA Research, Inc., Wetlands Evaluation, Swamp Creek -- East, MDT Project F1-1(29)45, September 1992.

A full list of species included under the Region 1 Kootenai National Forest Sensitive Species List for Lincoln County is provided below (OEA 1992). Of the 41 species on this list, 23 are known to occur or are likely to occur in the project vicinity, based upon known observations in the general vicinity or existence of habitat associated with the specie's growth requirements[22].

Endangered:
- Botrychium crenulatum
- Carex synchnocephala

Threatened:
- Allium fibrillum
- Cypripedium fasiculatum
- Epipactis gigantea
- Gentianopsis simplex
- Howellia aquatilis
- Silene spaldingii
- Thelypteris phegopteris
- Vaccinium myrtilloides

Sensitive:
- Asplenium trichomanes
- Botrychium minganense
- Carex livida
- Chrysosplenium tetrandum
- Cirsium subniveum
- Clarkia rhomboidea
- Cypripedium calceolus var. parviflorum
- Cypripedium passerinum
- Drosera linearis
- Dryopteris cristata
- Eriophorum viridicarinatum
- Eupatorium occidentale
- Halenia deflexa
- Lilium columbianum
- Lomatium geyeri
- Lycopodium alpinum
- Lycopodium inundatum
- Madia minima
- Orchis rotundifolia
- Ribes cognatum
- Scirpus cyperinus
- Scirpus nevadensis
- Scirpus subterminalis
- Spiraea X Pyramidata
- Viola renifolia

[22]Pam Hackley, Personal Communication 1993

Watch:

Drosera anglica
Gaultheria ovatifolia
Geocaulon lividum
Grindelia howellii
Panicum occidentale

No State Rank:

Betula pumila

A general reconnaissance survey was conducted was conducted in 1992, when conditions were dry and less than ideal for plant growth and identification, which failed to locate or substantiate the presence of any of the listed species. A complete, detailed survey was conducted in July 1993[23], a wet, cooler period when conditions for plant growth and identification were considered nearly ideal, and no listed plants were found in the proposed right-of-way for any of the alternatives.

Impacts

A summary of pasture/haylands affected by the project is included in Section 4.14. AGRICULTURAL LANDS. A summary of wetland and riparian areas affected by the project is included in Section 4.11. WETLANDS.

There are large areas of timber lands on the mountain slopes adjacent to the Swamp Creek Valley, throughout the project area and throughout Lincoln County. The following table is a summary of acres of these lands that will be converted to highway right-of-way with each alternative.

As indicated on Table 4-9, if Alternative B is constructed, approximately 16.8 acres (20.5 minus 3.7) more timberlands will be converted to highway right-of-way than if Alternative P is constructed. Approximately nine acres of the 16.8 acres were recently logged and therefore, have no present timber value. Use of these acres for highway right-of-way will preclude future timber production.

One of the more serious concerns associated with the highway reconstruction entails the creation of habitat suitable for noxious weed colonization. Approximately 170 acres of land will require reseeding based on an average disturbance of 60 feet on either side of the final paved surface. Exposed soils, particularly adjacent to highways, are extremely vulnerable to weed establishment. Off site movement from highway corridors onto adjacent land can result in serious land devaluation and productivity, added operational costs and the potential for environmental degradation through improper herbicide use. The presence of flowing water in the immediate vicinity lends an additional risk to downstream landowners concerned over noxious weed

[23]Rangehands, Inc., Swamp Creek - East Project, Rare and Sensitive Plant Survey, 23 July 1993.

Table 4-9, Timber Land Converted to Highway Right-of-Way

From Milepost	To Milepost	Acres of Timberland Converted to ROW	
		Alt. P	Alt. P, A, B & D
44.8	45.5	0	0 (A)
45.5	46.7	3.7 (0.5)	20.5 (5.1) (B)
46.7	51.2	5.0 (1.9)	5.0 (1.9)
51.5	52.0	0	0 (D)
52.0	53.9	11.7 (6.8)	11.7 (6.8)
53.9	55.5	28.9 (15.5)	28.9 (15.5)
55.5	57.1	6.5	6.5
TOTAL		55.8 (24.7)	72.6 (29.3)

(0.0) Portion of the total acres that are USFS lands.
(A) Alternative A; (B) Alternative B; (D) Alternative D

invasion. Seeds and plant fragments can travel great distances in water before resettling in a germinable position.

Since no sensitive plants have been identified within the right-of-way of any of the proposed alternatives, no impacts on sensitive plants are anticipated.

The No-Action Alternative should have no impact on vegetation in the project area.

Mitigation

Land clearing and disturbance will be kept to a minimum. Tree removal will be confined to provide an appropriate clear zone (the zone adjacent to the roadway that must be kept clear of obstacles to provide adequate sight distance and safety). The clear zone will not be an area of consistent width; depending on excavation and embankment slope ratios, traffic volumes and degree of horizontal curvature of the roadway. Guidelines for clear zone width will follow the AASHTO Roadside Design Guide[24]. Additional clearing may be done is some areas where shading might occur during winter months to help reduce snow and ice accumulation on the roadway.

All areas disturbed by construction will be reseeded as soon as practical after construction and no later than the same season the soil is exposed. A seed mixture consisting of natural grasses suitable for the area will be used. On U.S. Forest Service lands, the seeding mixture recommended by the Kootenai National Forest will be used[25]. The newly seeded areas will be

[24]American Association of State Highway and Transportation Officials, Roadside Design Guide, 1989.
[25]Schrenk, Robert L., Forest Supervisor, Kootenai National Forest, letter dated 13 July 1992.

closely monitored until the vegetation has been reestablished. Where repairs or improvements are needed, they will be completed in a timely manner.

Weed control associated with construction activities of this nature will be approached in two phases; temporary (construction) and permanent (post-construction). A predisturbance survey and/or review of weed district records will indicate the presence or prior occurrence of weeds in the disturbance corridor. The assumption can be made that a sizable seedbank of weed seeds exists on site if either of the above conditions are met. It is imperative that noxious weeds be prevented from going to seed on exposed soils in light of the potential of one spotted knapweed plant to produce upwards of two thousand seeds in one season.

Seeds or plant fragments attached to construction equipment or vehicles and placement of contaminated fill or erosion control material are common means of weed seed introduction. Judicious cleaning of equipment and selection of weed seed free materials will be employed.

Temporary weed control will entail careful monitoring of newly exposed soils and immediate removal of plants. Handpulling or hoeing will be employed for scattered plants. Grubbed plants will be collected and disposed of if any flowers have opened. Spot spraying will be utilized if excessive numbers of weeds establish on site. Herbicide applications will be made by a knowledgeable, licensed applicator. Spraying will be timed to achieve maximum efficacy. Spraying is not recommended on topsoil stockpiles or in highly erosive areas. Short residual herbicides will be used to prevent possible phytotoxicity to newly emerged grass seedlings once seeding is conducted. In no case, shall soil sterilants be used.

Permanent weed control will be approached through preventive measures. Proper grading, topsoil treatment, seedmix selection and seeding operations will be employed to establish a vigorous cover of competitive, desirable species. Monitoring and removal of even small numbers of individual weeds for two to three years following disturbance will greatly enhance grass stand development.

MDT currently maintains an agreement with the Lincoln County Weed Control District to control weeds along the existing right-of-way. This agreement assigns responsibility for noxious weed control to the weed district on an as-needed basis. Site monitoring and selection of control method is accomplished on the local level by weed district personnel. The agreement further stipulates that herbicide applications follow and abide by all applicable statutes pertaining to pesticide use. Employees of the weed district must maintain certification through the Montana Department of Agriculture, or receive training by, and act under the direct guidance of the weed district supervisor.

The U.S. Forest Service also maintains an agreement with the Lincoln County Weed Control District. Where construction occurs on forest lands, this agreement will be adhered to.

4.13. THREATENED OR ENDANGERED SPECIES

The Fish and Wildlife Service (USFWS) has determined that the endangered species which may occur in the project area are the bald eagle (*Haliaeetus leucocephalus*) and peregrine falcon (*Falco peregrinus*). USFWS also indicates that if impacts to large trees in riparian habitats and to fisheries are avoided, no adverse impacts to these listed species are expected[26].

A biological assessment was completed for this project in 1987[27], and reevaluated, including evaluation of new alignment alternatives in 1992[28]. The 1992 biological assessment was consulted for the purpose of this reevaluated environmental assessment (REA).

The bald eagle is listed in Montana as an endangered species by the USFWS. The Kootenai River (from Libby Dam to Kootenai Falls) is an important wintering area for bald eagles attracted to fish killed or stunned by the Libby Dam turbines. At its nearest point, the Kootenai River is approximately 12 miles from the proposed project. Bald eagles in the immediate vicinity of the project are frequently observed during fall, winter, and spring along Swamp Creek and feeding on roadside carrion. A pair of bald eagles has been observed foraging along Swamp Creek during the past two years during nesting season. There is a high probability that there is a nest on Libby Creek downstream from the confluence of Swamp Creek, although extensive field surveys have not confirmed this suspicion.

The biological assessment indicates that the proposed project is not likely to adversely affect bald eagles or their critical habitat if proper conservation measures are implemented during construction and reclamation.

The following conservation measures will be implemented, as recommended by the assessments and USFWS:

- Quick removal of road-killed animals to avoid attracting bald eagles to feed along the highway and the resulting possibility that the eagles will be killed or injured on the highway. Carcasses will be disposed of at County landfills or other disposal sites away from the highway.

- Disturbed areas near the roadway will be reseeded with species that will not attract big game animals to help avoid road kills and resulting attraction of eagles to the highway.

- Avoid unnecessary removal of vegetation, particularly the removal of large trees in riparian habitats. Eagles may use these trees as perching sites while feeding along Swamp Creek. As indicated in 4.12 FISH, WILDLIFE AND PLANTS,

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[26]Wood, John G., Acting State Supervisor, Ecological Services, U.S. Fish and Wildlife Service, U.S. Department of the Interior, Letter dated 08 July 1987.

[27]Econ, Inc., Biological Assessment for F-1-1(29)45, Libby Creek - West Fisher River, 07 August 1987.

[28]OEA Research Ecological Services, Biological Assessment, Swamp Creek - East, MDT Project F1-1(29)45, June 1992.

trees will be removed only as required for construction of the roadway and for safety.

- Where reconstruction of power lines is required, it will be done in a manner that will assure that clearances between wires are sufficient to prevent electro-cutions of bald eagles and other raptors. Power pole construction will be designed according to the illustrations and descriptions outlined in "Suggested Practices for Raptor Protection on Power Lines"[29].

- Since bald eagles may feed on fish in Swamp Creek, the assessments indicated that sedimentation or any other activities that may negatively impact fishery should be avoided. As indicated in Section 4.10. WATER QUALITY, measures will be implemented as part of the proposed project to ensure that required channel changes do not negatively impact the stream. These measures may improve the stream over existing conditions and return it closer to its pre-1930's, pre-highway construction natural condition.

The peregrine falcon is listed as endangered by the USFWS. The biological assessments indicated that no peregrine falcon nests are known to occur in the project area and only occasional sightings of migrating birds have been made. The assessment indicates that the proposed project will have no effect on this species or its critical habitat.

The No-Action Alternative should have no impact on threatened or endangered species in the project area.

4.14. CULTURAL RESOURCES

Existing Environment

Cultural resource surveys were performed along the existing highway corridor and four alternative routes[30,31,32]. The Montana State Historic Preservation Office (SHPO), NRHP, MDT and Kootenai National Forest reviewed the reports.

Results of the cultural resource reports and subsequent consultation with Montana SHPO and the NRHP indicate that the following properties are eligible for NRHP under the provisions of 36 CFR 800:

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[29]Olendorff, R., A. Miller and R. Lehman, Raptor Research Report #4 - Suggested Practices for Raptor Protection on Powerlines - the State of the Art in 1981, 1981.

[30]Historical Research Associates Inc., Cultural Resource Survey of Montana Department of Highways' Project F1-1(29)45, 12 Miles SE of Libby SE, Lincoln County, Montana, 04 December 1987.

[31]Dunbar, William S., Planning and Program Development Engineer, Federal Highway Administration Region Eight, Letter dated 03 February 1989.

[32]Historical Research Associates Inc., Additional Cultural Resource Inventories For Swamp Creek Project, Montana Department of Transportation, Project F1-1(29)45, 15 June 1992.

1. The Schneider Farmstead (24LN822), left of Milepost 50.0.

2. The Swamp Creek Timber Bridge (24LN766) at Milepost 46.7.

3. The Swamp Creek Ranger Station (24LN541) at Milepost 53.0[33,34].

A fourth site, 24LN825, was earlier reported to be potentially eligible for the NRHP for its prehistoric component[35]. Subsequent to archaeological testing, the site suffered irreparable disturbance not associated with this project, disqualifying it from NRHP eligibility[36].

Two small irrigation/drainage ditches run parallel to the present highway in the Swamp Creek Valley. Neither of these ditches are over 50 years old and neither is considered a cultural resource for the purposes of this document.

Impacts

The project will be constructed outside the boundaries of the Schneider Farmstead (24LN822) as shown in Figure 4-3, and will therefore have no effect on the property. Although the roadway will move slightly closer to the site, it will be visually separated by a low rise in the landscape, and will be less visible than the present highway. This has been documented in a Finding of No Effect which MDT has submitted to Montana SHPO.

The Swamp Creek Timber Bridge, 24LN766, will be removed during construction and replaced. The effects of the proposed action on the bridge, alternatives considered and proposed mitigation efforts, were reviewed by the public and interested agencies in the Programmatic Section 4(f) Evaluation attached to the Environmental Assessment dated 22 September 1989 and the Finding of No Significant Impact dated 4 April 1990 (a copy is also included in Appendix F of this document). Four alternatives including: no action; widen existing bridge; move roadway and construct new bridge; and move and reuse bridge in another location; were considered and all determined unfeas-ible for a variety of reasons (See Section 5. COMMENTS, COORDINATION and ISSUES).

The old Swamp Creek Ranger Station (24LN541) site was partially covered by highway construction in the 1930's, and, since the proposed roadway will follow the existing alignment in this area, additional portions of the site will be affected. Also, a wetland mitigation will likely flood portions of the site. MDT, after consultation with the SHPO and Kootenai National Forest, has determined that the site is eligible for the NRHP only under Criterion D, for its potential to yield significant scientific information. A Section 4(f) Evaluation is not required for this site in

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[33]White, Mark J., Cultural Site Record, Site Form for 24LN541, October 1989.

[34]Vinson, Edrie L., Chief, Environmental and Hazardous Waste Bureau, Montana Department of Transportation, Letter dated 08 July 1991.

[35]Ethos Consultants, Inc., Archaeological Investigations Within Site 24LN825 Conducted in Relation to the Swamp Creek Road Project F1-1(29)45, April 1989.

[36]Huppe, Katherine M., Historical Survey Reviewer, Montana State Historic Preservation Office, Letter dated 01 August 1989.

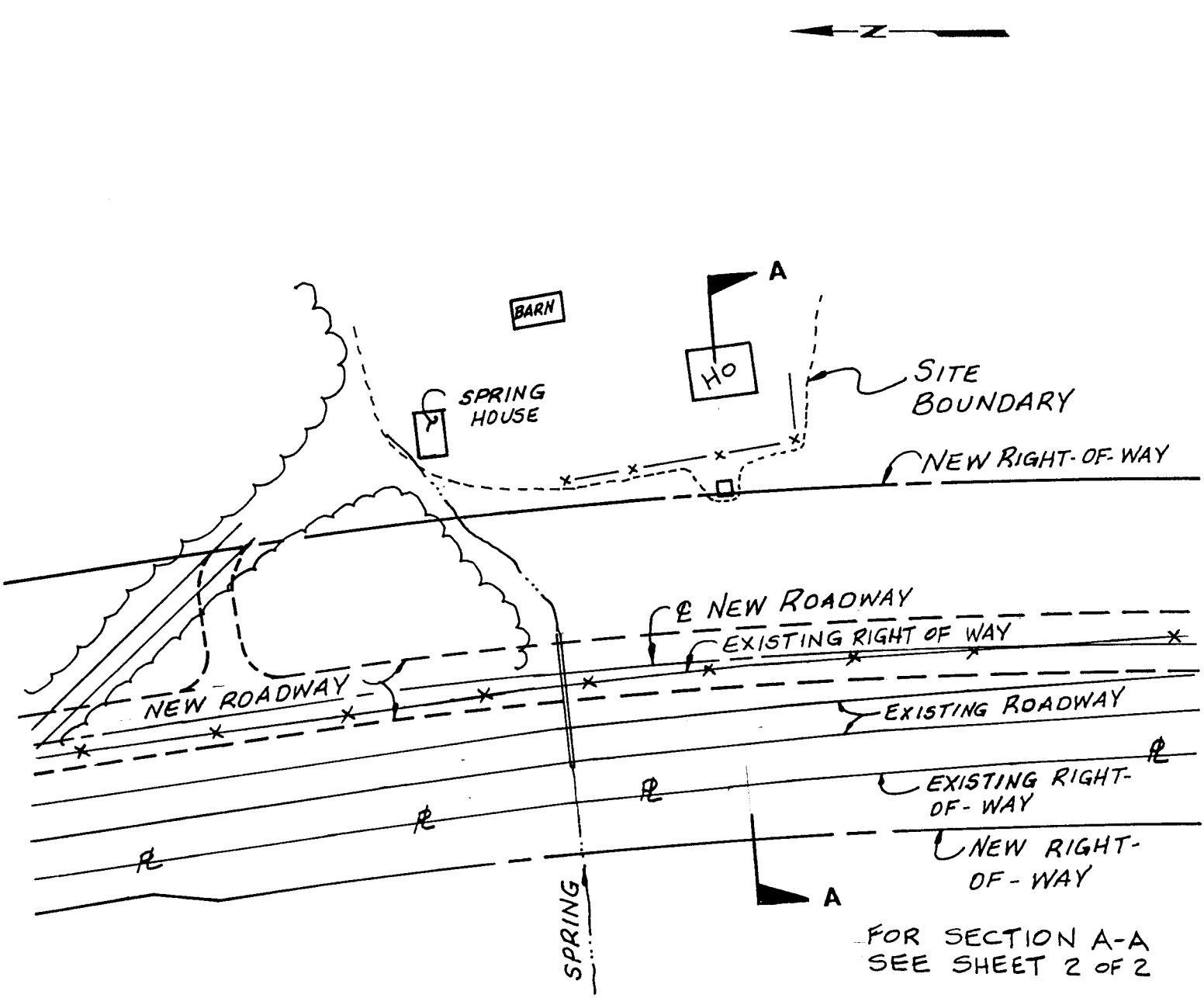


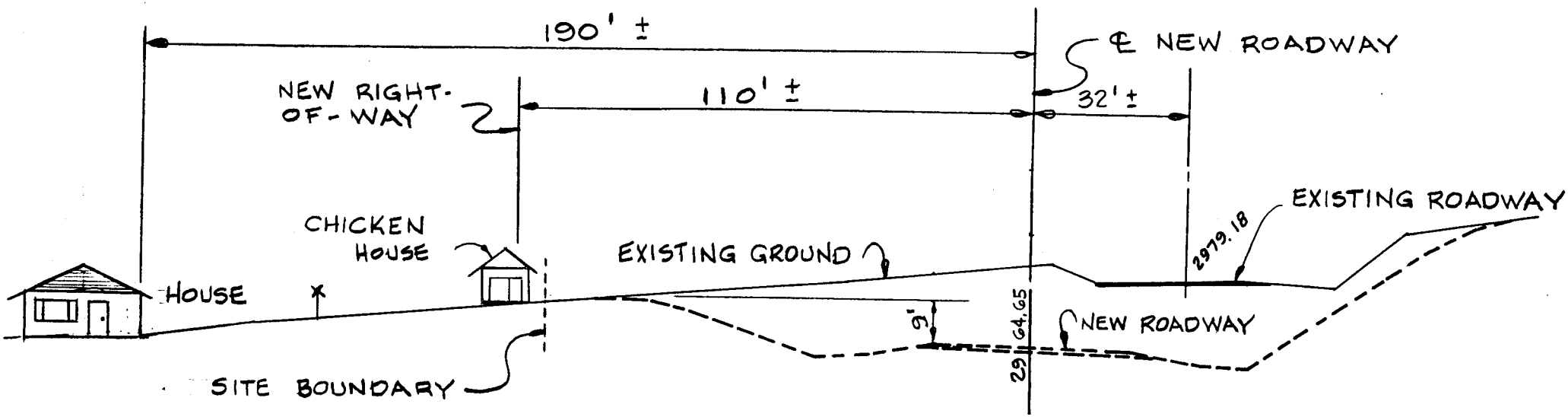
FIGURE 4–3

SITE 24LN822

SCHNEIDER HOMESTEAD

SCALE: 1"=100'

SHEET 1 OF 2



SECTION A–A

STA. 311+40

FIGURE 4–3

SITE 24LN822

SCHNEIDER HOMESTEAD

SHEET 2 OF 2

accordance with 23 CFR 771.135, 1(g)(2). MDT has written a Determination of Effect for 24LN541 and submitted it to SHPO and the Advisory Council on Historic Preservation for review. A Data Recovery Plan[37] has been developed and will be implemented.

The No-Action Alternatives will have no impact on cultural resources in the project area.

Mitigation

The proposed Swamp Creek - East project will have no effect on the Schneider Farmstead (24LN822). The site requires no mitigation.

The Swamp Creek Timber Bridge (24LN766) will be mitigated as outlined in the Program-matic Agreement on Historic Roads and Bridges signed June 1, 1989. This agreement provides that, in lieu of regular Section 106 procedures, a program will be enacted to enhance the preservation potential of historic roads and bridges and to promote manage-ment and public understanding of and appreciation for these cultural resources. The program includes:

1. A narrative history of Montana's roads and bridges.

2. A program to educate the public to appreciate the history of the state's roads and bridges.

3. Preparation of a historic preservation plan to prioritize the preservation of select historic roads and bridges.

In response to public comment MDT has agreed to donate the wood and concrete guardrails, the most distinctive feature of the bridge, from 24LN766 to the Heritage Museum in Libby. MDT will also prepare and donate an interpretive sign to accompany the donated bridge parts at the museum. The narrowness of the project area makes it unsafe to place a historic marker near the original bridge site.

The Swamp Creek - East project will have an effect on the old Swamp Creek Ranger Station (24LN541). New right-of-way acquisition is necessary in the vicinity of the site and construction related activities will take place in this area. In addition, at MDT's request, the Kootenai National Forest recommended an abandoned hay meadow south of 24LN541 as the best location to create four pothole wetlands. The purpose of these potholes will be to mitigate impacts to wetlands along Swamp Creek in the project corridor. The proposed pot-holes will inundate a portion of 24LN541 under several feet of water. In order to mitigate these effects a Data Recovery Plan has been developed, and once approved by SHPO and ACHP, will be implemented. Furthermore, MDT has agreed to prepare and install an inter-pretive marker describing the history and significance of the Swamp Creek Ranger Station. Before installation, the marker will be approved by the USFS, SHPO and the Heritage Museum in Libby.

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[37]Historical Research Associates, Inc., Data Recovery Plan, Swamp Creek Ranger Station, Lincoln County Montana, Draft Report, 22 October 1992.

The project will also have an effect on 24LN825 located right of Milepost 53.9. This property **is not** eligible for the National Register under the provisions of 36 CFR 800. Structure 2 lies within the area of the required right-of-way to be purchased for the proposed project. Disposition of the structure will be negotiated with the owner. MDT has indicated that it will endeavor to purchase the structure (rather than the owner retaining possession and relocating it) and, if this is successful, has agreed to donate the structure to the Heritage Museum in Libby. Structure 2 is a one and a half story, gable roofed log building that historically served as a community center, and more recently was converted into a residence. MDT will dismantle and transport the structure to the Heritage Museum and provide a historic interpretive marker. The museum will assume responsibility for reconstructing and restoring the building. This action is above and beyond MDT's legal obligations regarding 24LN825, and represents a response to public comment and recommendations by Montana SHPO.

Should additional cultural resources be discovered during project construction MDT will comply with the provisions of 36 CFR 800.11, which outlines an agency's responsibilities should significant historic properties be discovered during the implementation of an undertaking.

4.15. HAZARDOUS WASTE

An initial site investigation[38] has been completed at two former automobile service station sites located left of Mileposts 46.7 (the Coursien Site) and 55.7 (the Waylett Site).

At the Coursien Site, underground storage tanks (UST) were removed from the site in 1990. Soil and water sampling indicated that gasoline constituents have impacted groundwater in the vicinity of this former UST location. However, since only minor concentrations of petroleum hydrocarbons were detected, the probable source of the contamination has been removed and no human receptors were identified, the potential for health risks in the vicinity of the site are considered minimal. This former UST site is within the proposed right-of-way for Alternatives P and B. Channel changes proposed for Alternative B will pass through or near the site. Concern has been expressed by the Montana Department of Health and Environmental Sciences about contaminants reaching the creek. Results of additional field investigations and testing that have been conducted and recommendations that have been developed for removal of any contaminated soils encountered are included in Appendix C.

At the Waylett Site, two inactive UST's that were formerly used for gasoline storage were removed in April of 1993. The tanks had not been used for over two years. These UST's were located within, but near the outside edge of, the proposed new right-of-way and outside the limits of proposed excavation and embankment for roadway construction. The existing residence on the site will require relocation, as indicated in Section 4.7. RELOCATIONS. There does not appear to be any impact to soil or groundwater from the tanks.

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[38]Chen-Northern, Inc., Draft Initial Site Investigation, Coursien and Waylett Properties, Swamp Creek - East, Lincoln County, Montana, 04 June 1992.

In accordance with Montana UST Program regulations (ARM 16.45.502), Mr. Greg Vandeberg of the UST Program has been notified of these findings and a decision on further investigation and monitoring requirements has been requested. These requirements will be completed before, during and after highway construction as recommended by the UST Program.

The dumpsters located right of Milepost 47.1 are on existing highway right-of-way and must be removed. The area is adjacent to steep mountain slopes and there will be no room to relocate them in the immediate vicinity. Lincoln County will be responsible for determining if an alternative dumster site in the vicinity will be required and, if required, for developing and for obtaining the necessary permits.

These hazardous waste sites will not be impacted by the No-Action Alternative.

4.16. CONSTRUCTION

Construction related activities will result in some short term adverse impacts which cannot be avoided. These impacts will be temporary and should last only for the duration of construction activities. These impacts include:

- emissions from asphalt plants and crushers,
- dust from construction equipment activities,
- increased noise levels from construction equipment,
- potential for erosion from fresh cut and fill slopes,
- increase in water turbidity in streams from construction activities, and
- inconvenience to highway users resulting from delays, detours and temporary surfacing.

Air quality permits from the State Air Quality Bureau will be required for asphalt plants and crushers[39]. Dust will be controlled by watering or temporary surfacing.

Where construction occurs near homes or other sensitive noise receptors, hours of operation will be restricted to avoid disturbance during the night.

Construction related erosion impacts will be avoided using methods outlined in Section 4.10. WATER QUALITY.

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[39]Norton, Warren, Environmental Specialist, Air Quality Bureau, Montana Department of Health and Environmental Sciences, Letter dated 06 July 1987.

As requested by the U.S. Environmental Protection Agency[40], all appropriate pollution and erosion control measures will be provided for during project design. These measures will be implemented during construction to assure protection of water quality and aquatic habitat. These measures will include erosion control measures outlined in Section 4.6.

The use of blasting to assist with rock excavation will likely be required between Mileposts 47.3 and 47.5. This area is located approximately 0.6 miles from the nearest residence (left of Milepost 46.7). Blasting may also be required near Milepost 45.8 of Alternative B. This area is located approximately 0.3 miles from the nearest residence (left of Milepost 46.1). Blasting will not be used for channel change construction.

A soil survey[41] has been completed and a geotechnical survey was completed by the Montana Department of Transportation. In many areas, soils are of poor quality for road construction and are saturated in many areas along this project. Where avoidance of these areas is not practical, special design and construction features and techniques will be employed. These may include subgrade drainage systems; removal of unsuitable materials and replacement with gravel or other more stable materials; the use of soil stabilizing materials such as fabric or grids; and the proper design of pavement structure.

Traffic will be maintained through the project during construction -- a traffic control plan will be developed to maximize safety and minimize inconvenience to motorists. The plan will designate how traffic will be maintained through construction areas. It is anticipated that traffic will generally be maintained on one side of the newly constructed roadway while construction occurs on the opposite side. As each phase of construction is completed, the traffic will be shifted to the opposite side to allow completion of the next phase. Where culverts are constructed, it will be necessary to construct a portion of the culvert while traffic is maintained over the existing bridge or culvert then shift traffic to the roadway over the new culvert while the existing bridge or culvert is removed and replaced with the remainder of the new culvert. It is anticipated that most delays and inconvenience will occur during one construction season. Most excavation, embankment, pipe culvert installation, and possibly asphalt surfacing will be constructed during the first construction season. These are the major items that affect highway traffic and will cause the most delays.

Delays of up to 15 minutes will occur frequently during this first year to allow one-way traffic through narrow construction areas and to allow clearance and passage of trucks and other construction equipment. Few longer delays are anticipated and will not be allowed except where necessary and only when requested several days in advance by the construction contractor. When these extended delays are anticipated, they will be advertised in advance using the local news media. They will be scheduled to avoid high traffic use periods such as morning and evening periods when people are travelling to and from work and school.

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[40]Potts, Stephen M., P.E., Environmental Engineer, U.S. Environmental Protection Agency, Letter dated 13 July 1987.

[41]Northern Engineering and Testing, Inc., Report of Subgrade Soil Survey, USH2, Project No. F1-1(20(45, Libby Southeast Project, 30 October 1987.

During the second season, it is anticipated that asphalt pavement (if not completed during the first season), seal coats, signing, and striping will be completed. These items will cause only brief, if any, interruptions in the flow of traffic.

Gravel and borrow sources for base and surfacing aggregates will be identified near the project area. Borrow material removal and gravel pits will be subject to applicable rules and regulations of the Montana Open Cut Mining Act -- a mine reclamation plan will be required.

Table 4-10, Construction Costs

From Milepost	To Milepost	Alt. P	Alt. P, A, B, & D
44.8	45.5	460,000	460,000
45.5	46.8	850,000	1,300,000 (B)
46.8	57.1	6,730,000	6,730,000
Total		$8,040,000	$8,490,000
(B) Alternative B			

Estimated construction costs for the proposed alternatives are summarized on Table 4-10.

As indicated above, construction costs for Alternative B are estimated to be approximately $450,000 more than Alternative P in corresponding areas due mainly to greater excavation and embankment quantities.

Construction costs for Alternatives A and D are estimated to be approximately the same as costs for Alternative P in corresponding areas.

No construction related impacts or costs will occur with the No-Action Alternative.

4.17. ENERGY AND COMMITMENT OF RESOURCES

Construction of any of the proposed alternatives will improve traffic operations and efficiency by providing better alignments, wider roadway and more roadway capacity. This improvement in efficiency and traffic operations will result in fuel savings and a decrease in vehicle wear. The long-term effect of the project should therefore be a decrease in energy use.

Implementation of the proposed action involves a commitment of a range of natural, physical, human and fiscal resources. Land used in the construction of the proposed facility is considered an irreversible commitment during the time period that the land is used for a highway facility. However, if a greater need arises for use of the land or if the highway facility is no longer needed, the land can be converted to another use. At present, there is no reason to believe such a conversion will ever be necessary or desirable.

Considerable amounts of fossil fuels, labor and highway construction materials such as cement, aggregate and bituminous material will be expended. Additionally, large amounts of labor and

natural resources will be used in the fabrication and preparation of construction materials. These materials are generally not retrievable. However, they are not in short supply and their use will not have an adverse effect upon continued availability of these resources.

The commitment of these resources is based on the concept that residents in the immediate area, State and region will benefit by the improved quality of the transportation system. These benefits will consist of improved accessibility and safety, savings in time and greater availability of quality services which are anticipated to outweigh the commitment of these resources.

The No-Action Alternative will not improve highway operation and efficiency and will therefore provide no long-term decrease in energy use. The No-Action Alternative will require no commitment of resources.

5. COMMENTS, COORDINATION AND ISSUES

5.1. COMMENTS AND COORDINATION

Coordination efforts were initiated by MDT on 11 June 1987 when a letter of intent was issued by the Department to federal, state and local agencies and affected private organizations and individuals. Comments and information were requested which would be relevant to this project. Copies of responses received are included in Appendix A.

An environmental assessment (EA) was completed and approved, by FHWA and MDT on 22 September 1989. The EA was sent to approximately 53 federal, state and local agencies. In the notice of the location and design public hearing, described in the following paragraph, it was indicated that the EA was available *"for public inspection and copying at the Department of Highways' offices in Missoula and Helena, Montana."* Several individuals requested and received copies of the EA.

A location and design public hearing was held on 10 October 1989 in the McGrade Elementary School Gymnasium near Libby, Montana. The purpose of this meeting was to present the project to interested persons and to solicit public comment. A summary of the meeting is included in Appendix A. A notice of the hearing was published in the Western News, a weekly newspaper based in Libby, Montana on 06 and 20 September 1989. Copies of the notice were sent to a distribution list which included approximately 30 property owners and other individuals in the project area; and approximately 43 federal, state and local agencies with expertise related to or jurisdiction over the project area. A summary of the meeting was prepared and, on 05 March 1990, was sent to the distribution list plus all individuals who wrote letters, attended the hearing or made telephone calls.

A finding of no significant impact (FONSI) was completed by FHWA on 04 April 1990. Copies of the FONSI were sent to the same agencies and individuals that received copies of the EA. The U.S. Forest Service (USFS) has not yet concurred in this finding and has not issued a consent to a MDT easement for the use of USFS land for highway right-of-way.

A programmatic Section 4(f) evaluation to address impacts, alternatives and mitigation measures related to the Swamp Creek Timber Bridge (24LN766) was also completed and was attached to and reviewed with the above EA and FONSI.

Following a thorough review and discussion of NEPA documentation, the decision was made by MDT, FHWA, the USFS Regional Office and the Kootenai Forest Supervisor's Office, to prepare this reevaluated environmental assessment (REA) for the proposed project to:

- Address concerns not satisfactorily or previously addressed, and

- ensure that, in addition to meeting requirements of the National Environ-mental Policy Act, the document meets requirements and objectives of the U.S. Forest Service (USFS), the National Forest Management Act and the Kootenai National Forest Plan. This is necessary, in part, because some of the proposed project lies within and will require right-of-way from public lands administered

by the USFS. It is intended that this REA be suitable for adoption by the USFS as part of that agency's decision making process.

A notice of intent was prepared and distributed on 24 January 1992 to federal, state and local agencies and affected private organizations and individuals. The notice indicated that the REA was being prepared and explained why.

Jim Sauser, a Lands Forester who serves as the Kootenai National Forest Highway Project Coodinator, obtained review and comments from USFS personnel and coordinated official response and comment to all issues and studies and this document on behalf of the U.S. Forest Service.

Design concepts and preliminary plans have been developed for the construction of channel changes that will be necessary to construct the proposed roadway. Dr. Don Reichmuth, a specialist in stream relocation and rehabilitation, met with most of the affected property owners and agencies and held a seminar to explain the concepts he is using and the proposals he has prepared. A summary of these meetings and items discussed is included in Appendix B. The purpose of the meetings was to inform persons involved and receive their comments and suggestions.

A public scoping meeting was held on 10 March 1992 in the Kootenai National Forest Supervisor's Office in Libby, Montana. The purpose of the meeting was to update the public on project progress, explain why the REA is being prepared and receive public comment on important issues and alternatives that should be considered and evaluated in the REA. A major topic of discussion at this meeting was proposals for constructing the required channel changes and mitigation measures that might be employed. A summary of comments received at the meeting is included in Appendix A. A notice of the meeting was published in the Western News, Libby, Montana on 26 February 1992. Copies of the notice were sent to property owners along the project; federal, state and local agencies with expertise related to or jurisdiction over the project area; and other individuals and organizations that had expressed interest.

A second public scoping meeting was held on 18 June 1992 at the Conference Room of Lincoln County Community College in Libby, Montana. The purpose of the meeting was to discuss preliminary designs of alternatives discussed at the previous meeting and to receive public comment on them. A summary of comments received at the meeting is included in Appendix A. A notice of the meeting was published in the Western News, Libby, Montana on 12 June 1992. Copies of the notice were sent to property owners along the project; federal, state and local agencies with expertise related to or jurisdiction over the project area; and other individuals and organizations that had expressed interest.

This REA is being distributed for review and comment to interested members of the public and to agencies with jurisdiction or expertise. Comments are requested.

Another location and design public hearing is planned to discuss this re-evaluated environmental assessment and receive additional public comment.

After the hearing and after written comments have been received, necessary revisions to this REA will be made and it will be reviewed by the Montana Highway Commission and FHWA. If it is determined by these agencies that the proposed project will cause no significant impacts, a "finding of no significant impacts" (FONSI) will be prepared by FHWA. If it is determined that the proposed project will cause significant impacts, an environmental impact statement (EIS) will be prepared.

5.2. ISSUES

The following summarizes issues that have been identified during the public scoping process and during engineering and environmental studies and identifies where they are addressed in this REA:

1. Several members of the public have pointed out that subgrade soils in much of the area along Swamp Creek are very poor for roadway foundations and special design considerations or avoidance will be required (See Section 1.).

2. Agencies and the public have indicated improvement should be considered, as part of this project, to approach roads and drives to remove or avoid hazardous intersection angles (See Sections 1. and 2.1.).

3. Safety is an important consideration (See Section 2.).

4. Existing standards, desired design standards and design standards that will be met if the proposed project is constructed should be described (See Section 2.1.).

5. The existing roadway does not meet current design standards for safety because of its narrow pavement width, several sharp horizontal curves, sub-standard vertical curves and excessive vertical grades (See Section 2.1.1.).

6. A truck climbing lane will be desirable near the north end of the project to remove delays caused by slow-moving heavy vehicles (See Section 2.1.2.).

7. The accident history of the existing roadway indicates that off-road accidents, overturning accidents, cut slope accidents and accidents during rain showers are occurring at a rate substantially higher than statewide averages (See Section 2.2.).

8. There are areas along the existing roadway that are shaded often during the winter -- extended periods of icy roadways result (See Section 2.2.).

9. School buses stop along the project and it will be important to properly design the roadway, intersections and turnouts for them to improve safety (See Section 2.3.).

10. During the public scoping meetings, several additional alignment alternatives have been suggested by members of the public to reduce impacts on Swamp Creek and to move highway traffic away from residential areas. These alternatives are evaluated in this document (See Section 3.).

11. If Alternative B is constructed, which would move the roadway away from several residences, the existing roadway must remain and be maintained to provide access (See Section 3.1.4.).

12. Alternative C will cause many substantial negative impacts and should not be considered (See Section 3.2.1.).

13. Rather than reconstructing the highway, consider an asphalt overlay and other minor improvements (See Section 3.2.2.).

14. Concern was expressed regarding required relocations of power and telephone lines (See Section 4.1.).

15. Four to six residences (depending on the alternative selected) and several other buildings will require relocation if the proposed project is constructed (See Section 4.7.).

16. The proposed project may have a beneficial impact on air quality (See Section 4.9.).

17. Concern was expressed concerning noise impacts and it was indicated that tree removal should be avoided because they currently provide noise attenuation (See Section 4.8.).

18. Opposition to one of the proposed sedimentation ponds has been expressed by the affected landowners because it will result in a loss of productive hay- land (See Section 4.10.1.).

19. Concern was expressed that relocation of the Swamp Creek channel may affect water table levels (See Section 4.10.1.).

20. Reinhart Creek was affected by a prior relocation of Swamp Creek -- the relocation created steeper grades on Reinhart Creek as it enters Swamp Creek. As a result, erosion and head cutting has occurred. Proposed relocations of Swamp Creek should take this into account and, hopefully, improve these conditions (See Section 4.10.1.).

21. The proposed project may adversely affect fisheries. It will be important to design highway/stream crossings to not impede fish passage (See Section 4.10.1. and 4.12.1.).

22. The proposed project will require substantial relocations of Swamp Creek. Related concerns expressed by the public include floodplains, channel straightening, sedimentation, fisheries, loss of vegetative cover and wildlife using riparian areas related to the stream (See Section 4.10.1., 4.10.2., 4.10.4., 4.13. and 4.12.).

23. It will be important to ensure that the proposed project is designed to not adversely affect floodplain elevations (See Section 4.10.2.).

24. Several wells and septic systems may be affected by the proposed project (See Section 4.10.3.).

25. Erosion control will be an important consideration since much of the project will be constructed adjacent to Swamp Creek, wetlands and other water bodies (See Section 4.10.4.).

26. Irrigation systems will be affected. It will be important to schedule construction activities that affect irrigation systems so as not to affect the delivery of irrigation water during the growing season (See Section 4.5.).

27. The proposed project will impact wetlands (See Section 4.11.).

28. Cultural resource sites will be affected by the proposed project (See Section 4.14.).

29. Concern has been expressed for the old community center located near Milepost 53.9. Though this structure has been determined not eligible for the National Record of Historic Places, it has significance for some residents in the area (See Section 4.14.).

30. Bald eagle nesting territories are known to occur in the general vicinity, generally north and northwest, of the proposed project (See Section 4.13.).

31. The proposed project is not likely to adversely affect threatened or endangered species (See Section 4.13.).

32. A substantial amount of timber and farmland (hay and grazing) will be converted to highway right-of-way (See Section 4.12.3. and 4.4.). Agencies and the public have indicated that it is important to conserve agricultural lands as much as possible (See Section 4.4.). Noxious weeds must be controlled (See Section 4.12.3.).

33. Concern was expressed over livestock during construction -- fencing must be maintained to properly confine livestock during construction (See Section 4.4.).

34. Alternative B will cause the conversion of a substantial amount of hayland to highway right-of-way (See Section 4.4.).

35. Right-of-way widths should not be wider than necessary to construct the roadway and to provide for safety. Loss of trees within the new right-of-way is a concern (See Section 4.6.).

36. A substantial amount of right-of-way will be required from U.S. Forest Service lands. Requirements of that agency for this land transfer must be adhered to (See Section 4.6.).

37. Concern has been expressed concerning how the acquisition of right-of-way for the proposed project will affect property values of remaining land (See Section 4.6.).

38. Consider purchasing easements instead of buying title to the land -- the land owner would then retain possession and could use land outside the roadway for some agricultural uses (See Section 4.6.).

39. Traffic delays will occur during construction. This will affect people travelling to work and to school (See Section 4.16.).

40. Visual impacts will occur, to varying degrees depending on the alternative selected, and will require careful design and construction to reduce adverse impacts (See Section 4.2.).

41. Visual impacts resulting from litter along the highway were discussed (See Section 4.2.).

42. Removal of the four existing timber bridges will create a negative visual impact (See Section 4.2.).

43. The solid waste dumpsters near Milepost 47.1 present a negative view from the existing highway -- improvements should be considered (See Sections 4.2. and 4.15.).

44. Two existing hazardous waste sites exist along the project -- these sites must be properly handled before roadway construction can occur (See Section 4.15.).

45. Individuals expressed the opinion, before preparation of this REA began, that the public was not adequately informed and involved in this project (See Section 5.1.).

46. A discussion of how the public has been notified and kept informed and how public comment has been solicited, recorded and addressed should be included in the environmental assessment (See Section 5.1.).

47. Some members of the public have indicated that an environmental impact statement should be prepared (See Section 5.1.).

APPENDIX A - INFORMATION RECEIVED DURING PROJECT SCOPING

LETTER OF INTENT

NOTICE OF INTENT

F 1-1(29)45, Proposed Swamp Creek - East Highway Improvements

This Notice of Intent is being issued to advise the public that the Montana Department of Transportation and the Federal Highway Administration will prepare a re-evaluated environmental assessment on a proposal to reconstruct approximately 12.2 miles of U.S. Highway 2 (FAP 1) in Lincoln County, Montana to updated standards of design and safety. The proposed project will begin approximately 12.3 miles southeast of Libby, MT at Milepost 44.9 near Libby Creek and will extend southeasterly to Milepost 57.1 near Miller Creek. The proposed project will include acquisition of right-of-way and construction of a new two-lane paved roadway with related drainage features, signing, striping and other features. The project location is shown on the attached map.

An environmental assessment has been completed for the proposed project. A finding of no significant impact (FONSI) was completed on 04 April 1990. A programmatic Section 4(f) Evaluation has also been completed to address project impacts on the Swamp Creek Timber Bridge near Milepost 46.7 (Station 134+50) which has been determined eligible for the National Register of Historic Places.

The re-evaluated environmental assessment is being completed to:

- Address additional concerns which have been expressed.
- Insure that, in addition to meeting requirements of the National Environmental Policy Act, the document meets requirements and objectives of the U.S. Forest Service (USFS), the National Forest Management Act and the Kootenai National Forest Plan. This is necessary, in part, because some of the proposed project lies within and will require right-of-way from public lands administered by the USFS. It is intended that this document be suitable for adoption by the USFS as part of that agency's decision making process.

A pubic scoping meeting will be held to receive comments from the public regarding project issues, alternatives to be studied and possible environmental effects. Public notice will be given of the time and place of the scoping meeting.

A location and design public hearing will also be held to discuss the environmental assessment after it is completed. Public notice will be given of the time and place of the hearing. The re-evaluated environmental assessment will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, written comments and suggestions are also invited from all interested parties. Comments or questions concerning this proposed action and the EA should be directed to:

Edrie L. Vinson, Chief
Environmental and Hazardous Waste Bureau
Division of Highways
Montana Department of Transportation
2701 Prospect Avenue
Helena, MT 59620

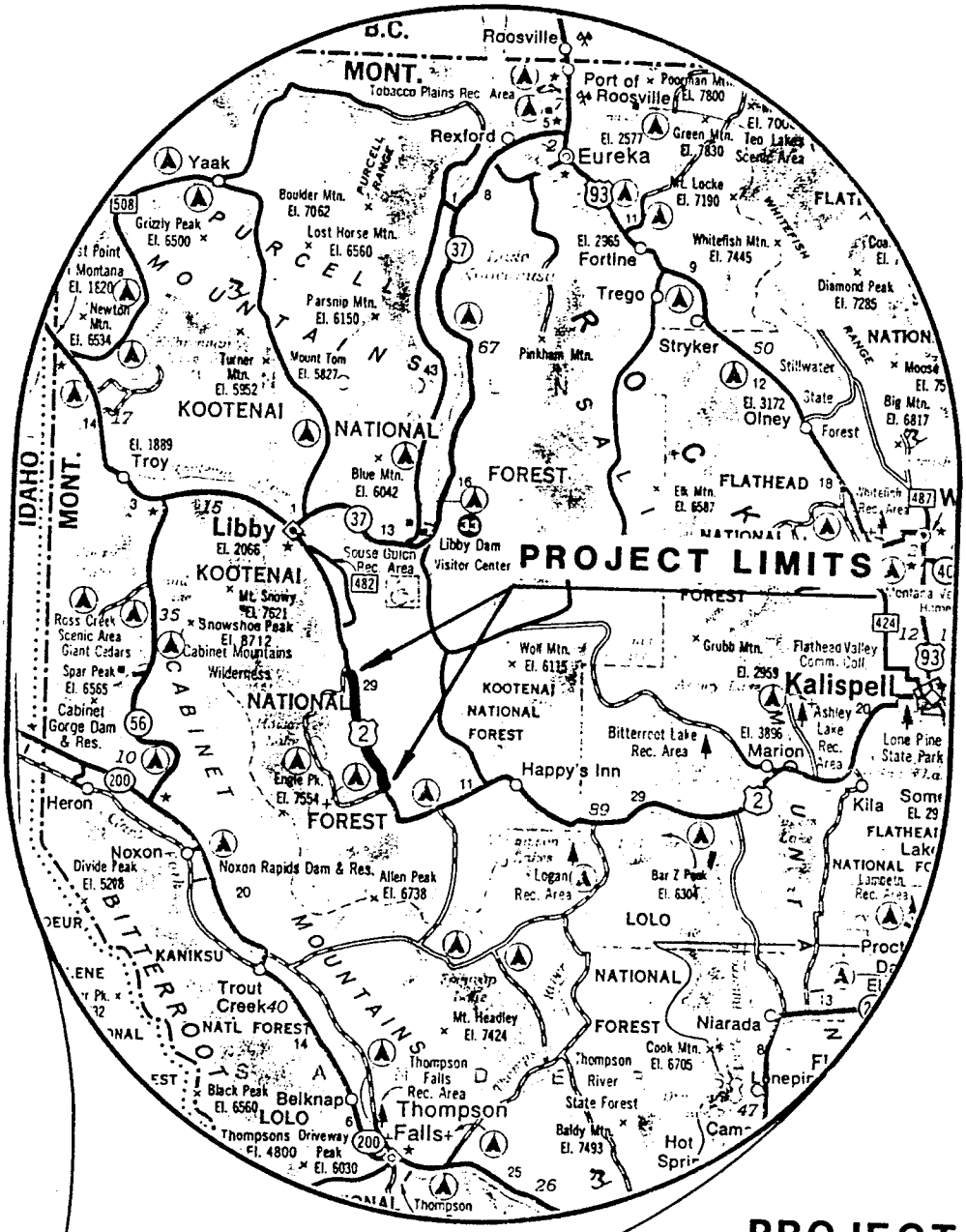
Copies of this notice are being sent to appropriate Federal, State and local agencies and to private organizations and citizens who have previously expressed or are thought to have an interest in this proposal.

Date: _____ By: _____

Title: _____

U.S. HIGHWAY 2
SWAMP CREEK

F1 - 1 (29) 45



PROJECT LOCATION MAP

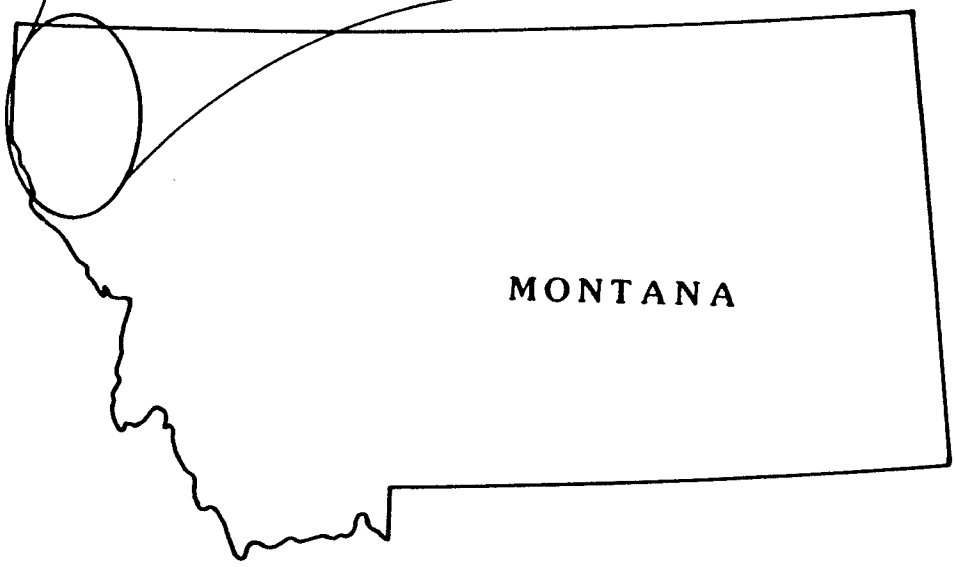


FIGURE 1

MEETING SUMMARIES

SUMMARY OF THE
LOCATION AND DESIGN PUBLIC HEARING

File #414

Project: F 1-1(29)
Swamp Creek - East

This report is submitted in lieu of a verbatim transcript of the proceedings at a Location and Design Public Hearing held in the McGrade Elementary School Gymnasium in Libby, Montana on Tuesday, October 10, 1989. The tape of the hearing is on file with the Department of Highway's Public Hearing office in Helena. Twenty-six (26) people attended the meeting.

Brad Peterson, Engineer for Morrison-Maierle, C.S.S.A., Inc., reviewed the display boards, identifying the alignment beginning at the Libby Creek Bridge, a new bridge built a year and a half ago, then extending southeasterly about 12.2 miles to the new Fisher River Bridge. The work will include reconstructing the roadway and flattening both horizontal and vertical curves to provide much safer stopping and passing sight distances. The paved surface will be 32 feet wide on a subgrade which will allow widening to 40 feet if the traffic warrants it in the future. A truck climbing lane is proposed for westbound traffic from Station 525+00 (Milepost 54.2) to Station 590+00 (Milepost 55.5). The project proposes to replace the four (4) bridges over Swamp Creek with pipes. Alternates to move away from the present alignment did not seem feasible nor would they provide any benefit and all were detrimental to the land and existing improvements in one way or another.

The preferred alternate, shown on the display, follows the existing roadway very closely and would still affect about 1.9 miles of Swamp Creek, 1.4 miles of irrigation ditches, and 1.6 acres of "other class" wetlands. An elaborate plan to replace all wetland areas will be worked out with the Stream Preservation Coordinator from the Fish, Wildlife and Parks Department. Part of this plan will include settling ponds to control any sediment from carrying down Swamp Creek. Brad also reported on the environmental assessment study which examines the effect of the project on the area, including archaeological and historic sites. His study also includes measures to preserve and mitigate any damages to these concerns.

Bob Scherting, Field Right-of-Way (R/W) Supervisor, outlined the appraisal, review, and negotiations processes to buy the necessary R/W. He also identified that three residences may be affected and that a relocation program to provide additional funds and services is available to those involved. Bob also reported the ready date as June 1993.

Dan Bartsch, Public Hearings Officer, invited comments on a new concern to be identified on highway projects, that of possible old hazardous waste sites, such as gas stations.

Questions and discussion generated by the audience were as follows:

The channel changes of Swamp Creek were questioned at different times. Will changes effect shallow wells, private trout ponds, or the water table? Brad P. felt all the channels would be restored and water levels should not be affected. A lady had Jerry Graham, engineer for M & M, recap all channel

(OVER)

changes then claimed all the fish would be killed and silting will result and settle way downstream, causing much damage. She wanted to know who would pay the damages. She would not accept Brad's claim that construction procedures will work, that fish will live, and the project "may even improve habitat." She admitted they have a big silting program presently.

Some discussion involved Cow Creek; if it was affected and how. Brad invited the owner to review the plans after the meeting. One owner contended the creek is restricted by the bridge at Station 210+00 and floods the fields back to Station 220+00. Someone reported the pipe at Station 310 did not have water running in it, but it does have water flow coming out.

Other water related items included the inference that the existing subgrade is poor and swampy around Milepost 54 (Station 515 to 520) and it is bad in the area of Station 235 to 250. The pavement heaves and breaks up at times.

Some questions brought up construction features that would be addressed, such as mailboxes. They will be reset to a department standard and moved off the shoulder and guardrail will be provided where slopes warranted. Permitted advertising signs would be reset by the project. The power lines between Stations 100 and 150 will be relocated through utility agreements. The R/W agreements with individual landowners will cover items such as fencing, approaches and water facilities for irrigation, stock, and the like. The consideration to overlay the existing roadway would be raised if this reconstruction project were rejected. An overlay would fall under maintenance or state funds only.

Two old gas stations were identified as possible hazardous waste sites; one at Cliffside (Dennis Souther's) Station 134, and the other about Station 610, "with tanks at the end of the first log building." Discussion also covered the effect on the project by funding cuts which may move the target date out or cut back the scope of the project. Jim Weaver, District Engineer, thought the job is far enough along to proceed. If it is let in the fall of 1993, it would probably take two construction seasons to complete.

After the hearing, three landowners sent letters requesting copies of plans, reports, and the E.A. One letter support the need for the project, but objected to the relocations of Swamp Creek. Another letter was strongly critical of the E.A. and the hearing notice. They felt the documents should have been much more detailed to scope, causes, effects, and mitigations of all details of the construction. They opposed and challenged the treatment of Swamp Creek and wanted long-range analysis and commitments of project damages.

The department is in the process of addressing these concerns and consulting with agencies and experts to determine a workable solution.

Daniel P. Bartsch

Daniel P. Bartsch, Information Officer
Environmental Section

DPB:cm:5/s

SUMMARY OF COMMENTS RECEIVED

PUBLIC SCOPING MEETING, 10 MARCH 1992

RE-EVALUATED ENVIRONMENTAL ASSESSMENT FOR PROPOSED SWAMP CREEK - EAST, F 1-1(29)45, HIGHWAY IMPROVEMENTS, U.S. HIGHWAY 2, LINCOLN COUNTY, MONTANA

The following is a brief summary of public comments received at a public scoping held to discuss a re-evaluated environmental assessment for a proposal to improve approximately 12 miles of U.S. Highway 2 southeast of Libby, Montana.

1. Relocation of creeks should be minimized.

2. A proposal to relocate the existing highway, from Station 80+00± to 140+00±, to the southwest and on top of an existing bench area was supported by several individuals attending the meeting. This proposal would avoid much of the existing creek and would avoid a congested residential area near Station 120+00±. Several structures would require relocation with this proposal but owners of properties involved have indicated they still prefer the proposed relocation.

3. If the above realignment is constructed, what to do with the existing road that remains must be addressed. Access to existing homes and properties must be maintained -- either MDT, the County or private landowners must maintain the existing road.

4. The impact of the project on floodplains should be carefully evaluated and mitigation measures should be addressed.

5. Proper revegetation of newly constructed slopes and relocated stream banks will be important.

6. Noxious weeds are a problem in the area and weed control, as related to the proposed construction, must be addressed.

7. Additional right-of-way acquisition should be kept to a minimum to protect existing meadow and farm land which is in short supply in the area. Use of guardrail, retaining wall, alignment changes and other features should be considered to help keep the construction and right-of-way width to a minimum.

8. There are septic tanks in the project area that may require relocation -- this may be difficult in some areas because of limited available suitable land area.

9. Construction blasting may be a problem in the area.

10. There are substantial amounts of boggy areas where soils are very poor for use as a subgrade for highway construction. When the highway was constructed previously, significant problems were encountered and maintenance requirements have been heavy since. These areas should be avoided, if possible, or receive special, and possibly very expensive, design and construction methods.

11. From Station 220+00± to 410+00±, consider relocating the roadway to the northeast to the other side of the valley. Better soils for construction may be encountered on this side and the roadway will receive more southern exposure and, as a result, snow and ice on the roadway will melt faster.

12. The MDT standard minimum right-of-way width of 160 feet for a project of this type may be excessive. This width will result in the loss of trees that currently serve as a buffer from noise and other highway impacts. Consider relaxing this standard where feasible.

13. A proper traffic control plan during construction. The recently completed U.S. 2, Troy to Libby construction project, with its significant construction traffic delays, was mentioned as an example to avoid.

14. Various individuals indicated specific concerns related to their property. These concerns have been recorded and will be considered and evaluated carefully during design of the project. Wherever practical, adjustments in roadway design will be made to address these concerns and accommodate these specific needs.

15. Settling ponds or other measures must be used to prevent construction or highway related sedimentation in Swamp Creek during and after construction. Required useful life and maintenance responsibility must be addressed.

16. There is a bald eagle nest in the project area. The exact location should be identified and impacts assessed.

17. Keep clearing of timber to a minimum.

18. Consider overlaying and other minor improvements rather than reconstruction of the roadway.

19. Various individuals indicated that they are in favor of the project as long as it is designed and constructed to avoid environmental and other impacts as much as possible.

20. Concern over the old Community Center located right of Station 515+00± was expressed. This structure is considered historical by some and should be preserved. It is shown on the preliminary highway plans to be relocated. It may be desirable to relocate it to the Heritage Museum in Libby.

21. If gravel or borrow sources will be required on U.S. Forest Service lands, they should be identified, discussed and considered in the environmental document.

22. Several individuals favor a proposal, developed by Geomax, Inc., to place the Swamp Creek channel back in its pre-1930 channel southwest of the existing roadway from Station 45+00± to 80+00± and move the new roadway to the northeast to accommodate it.

23. Support for a truck climbing lane near the north end of the project was expressed.

24. Safety should be an important consideration.

25. Impacts on the water table and required mitigation measures must be considered.

26. Temporary fencing for livestock will be required during construction.

27. Lincoln County has a low percentage of privately owned land -- it should be preserved as much as possible to preserve tax base.

28. The REA and final design of the project should be completed as soon as possible to remove uncertainty and resulting negative effect on buying and selling property.

29. Using bridges, as opposed to pipe culverts is desirable to preserve esthetics and for fish passage.

30. There are areas along the existing roadway that are shaded often during the winter -- extended periods of icy roadways result.

31. The Montana Department of Health and Environmental Sciences, Water Quality Bureau, should be consulted to determine water quality impacts and mitigation measures.

32. School bus stops exist along the project and it will be important to properly design for them to improve safety.

33. Erosion control during construction will be important.

34. Improving the highway with better alignment and grades may encourage higher speeds -- related safety concerns should be addressed.

35. The solid waste dumpsters near Mile Post 47 need visual mitigation.

\SWAMP CREEK\COMSUM1

SUMMARY OF COMMENTS RECEIVED

PUBLIC SCOPING MEETING - 18 JUNE 1992

RE-EVALUATED ENVIRONMENTAL ASSESSMENT FOR PROPOSED SWAMP CREEK-EAST,F1-1(29)45, HIGHWAY IMPROVEMENTS, U. S. HIGHWAY 2, LINCOLN COUNTY,MONTANA

The following is a brief summary of public comments received at a public scoping meeting held to discuss a re-evaluated environmental assessment for a proposal to improve approximately 12 miles of U.S.Highway 2, southeast of Libby, Montana.

1. The pipe size shown on the preliminary plans for Schreiber Creek (60") is larger than the existing pipe under the county road just a few hundred feet downstream (48"). Would this cause any flooding on the adjacent property?

2. The sediment pond shown right of Sta. 235+00 on the Geomax proposed plan is opposed by the landowner because it will destroy hay field.

3. The roadway should be moved so that it does not fill into the low area around Schreiber Lake. This is an old peat bog and would be very poor for construction. There are also several springs in the area, including under the existing road.

4. Construction over the boggy areas along most of the project was of great concern by numerous persons. This is because of knowing the difficulties encountered during construction of the present roadway and the frequent maintenance required in these areas.

5. Access to the remainder of property left of Sta. 490+00 was of concern to the property owner. Proposed roadway cuts would remove the lower portion of the present access road.

6. A new septic tank, drywell and drain field has been installed about 20' from the preliminary right-of-way line left of Sta. 130+00.

7. Special consideration should be given to the treatment of Reinhart creek under either proposed alternative because to the very steep gradient that resulted from relocating Swamp creek during the original highway construction

8. The MDT standard minimum right-of-way of 160 feet may be excessive. This will result in the loss of hay land, trees, and some of the more desirable land near cabin or home sites. The use of construction or slope permits during construction was suggested.

9. Alternatives "A" and "D" received total support from all present who expressed a preference. The only item of concern was that the taking of new ground be held to the minimum required.

10. Alternative "B" received support from the majority who expressed a preference, primarily because the location provides a more stable roadway base, and it decreases the amount of disturbance to the stream channel and home sites. Negative concerns were the additional cost due to larger excavation quantities, steeper grades and the additional loss of hay field.

11. Several comments were made concerning the structure ~~left~~ right of Sta 515+50 which is locally known as the Community Center. This building, which has great significance to the local community, should be preserved and moved to a new location if required by the new highway alignment.

PUBLIC COMMENTS

GAG ✓
MAW —
BGP —
File

Law Office of

SVERDRUP & BARNES

503 California Avenue
Libby, Montana 59923
Phone (406) 293-3761

Lawrence H. Sverdrup
Russell Barnes

Janice K. Rexroad
Legal Assistant

October 31, 1989

RECEIVED
NOV 2 1989
MORRISON—MAIERLE/CSSA, INC.

Send to Consultant
11-1-89
Bob Newhouse

Mr. Robert R. Newhouse, P.E., Supervisor
Consultant Design Section
Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

Re: F 1-1(29)45
Swamp Creek - East
John K. & Teddye Beebe Property
Parcels Nos. 3 & 6

Dear Mr. Newhouse:

Thank you for sending copies of the plan and the Environmental Assessment regarding the project. I am enclosing a copy of Mr. & Mrs. Beebe's comments and suggestions which I hope you will find constructive.

After you have had a chance to review their proposals, I would appreciate your comments.

Thank you.

Yours truly,

Lawrence H. Sverdrup

LHS/es
Encl.

Date Recd. Preconst 11/1/89

Act	Info	MAIL ROUTE	Attach	Initial
	✓	30 Preconst Engr		
	✓	30 Assistant		
		30 Office Mgr		
		32 Road Design		
		33 Environment		
		34 Hydraulics		
		35 Survey & Mapping		
		36 Traffic		
	✓	38 Consultant	✓	
	✓	Weaver	✓	
	✓	File		

Dear Sirs:

In regard to the reconstruction of U.S. 2 - Swamp Creek - East project F.A.P. F1-1(29)45. We realize the need for improving this section of U.S. 2. However, we strongly oppose the proposed channel change near Farm to Mkt. Rd and the destruction of the lovely cottonwood grove near STA 50 for use as a settling pond. These changes would cut some of our best land. We do favor cutting into the hillside near STA 60 To STA 70. We favor conserving as much agricultural land as possible since this type of land is scarce here. For these reasons we propose the following changes:

1. Near STA 66 relocate Swamp Creek via culvert to Southwest side of U.S. 2 and channel creek along hillside to STA 61. From STA 61 Swamp Creek would follow the 1935 original channel (with minor changes) until STA 51 whereupon divert Swamps Creek under U.S. 2 and back to present channel. This plan would eliminate the heavy-handed channel change proposal on the northeast side from STA 54 + STA 67. We reiterate - we are unequivocally opposed to this channel change! This plan would also eliminate the culvert under the Farm to Mkt. Rd, the drain system at STA 63+80; the irrigation dam near STA 61, the ditch & culvert at STA 49 and finally the proposed settling pond in the cottonwood grove on Northeast side near STA 50. The settling pond could be located on the South side of U.S 2 anywhere between STA 51 & STA 60.

2. IF change 1 is not approved, you must provide some method for irrigation

water to southwest side of new project.

3. Change approaches at STA 43+90 closer to STA 43. These approaches should access meadows for Mary Smith on property parcels 2 & 5. As they now are drawn, facing southeast the right side accesses my meadow on property parcel 6 giving me two approaches to the same meadow some 400' apart.

4. Facing southeast delete left side approach only to meadow at STA 71+20.

5. Facing Southeast add approach on left side to meadow at STA 79.

In summation, we don't pretend to be engineers but we do feel these changes are reasonable, viable, and less costly. We, our children, and grandchildren will have to live with the changes caused by this project. We would truely appreciate your consideration of our proposals. Let's talk this over. Thanks

Sincerely,

John K Beebe

Teddye L Beebe

David S. Johnson
Montana Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

November 20, 1989

Dear Mr. Johnson,

I am writing to request information regarding the Swamp Creek - East highway reconstruction project.

I would like a copy of the draft Environmental Assessment, a copy of the final E.A. when it is completed, a copy of the Biological Assessment, and a copy of the detailed drawings of the proposed project from Milepost 52 to Milepost 53.

I would be happy to pay for any copying or postage charges incurred.

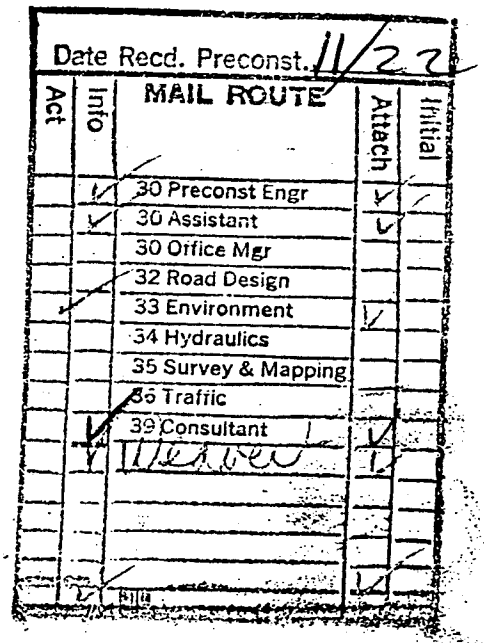
Also, I would like to be informed when the Decision Notice is signed, and I would like to know how I can view it. For example, can you tell me where the notice will be published?

Thank you for any help and information.

Sincerely,

Maggie Craig

Maggie Craig
19845 U.S. Highway 2 South
Libby, Montana 59923



David S. Johnson, P.E., Chief
Montana Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

November 20, 1989

Dear Mr. Johnson,

After reviewing the Environmental Assessment for Swamp Creek - East (Project Number F 1-1(29)45), I would like to submit the following comments and concerns. I will divide my comments into two sections, the first addressing issues I feel are important, and in the second section I would like to direct my comments toward the structure of the E.A. itself.

First, my general concerns:

1. I strongly object to the massive channel changes (1.9 miles) that are being proposed for Swamp Creek. While the E.A. states in section 4.6 that "...The upgrading and widening for the highway will require additional modifications... and...based on preliminary design, which has been completed with the impacts on the stream and all possible mitigation measures in mind, it appears...following locations:" First of all, the impacts were not identified, nor was the mitigation. Specifically, I would anticipate such impacts as:
    a. Channel straightening, which results in a loss of habitat associated with meanders.
    b. Excessive sedimentation associated with equipment operating in and near streams.
    c. Impacts to resident fish populations (direct fish kills due to sedimentation).
    d. Impacts to spawning populations, both migratory, spring-spawning rainbow and the resident, fall-spawning brook trout that are known to occur in the stream (loss of eggs and fry due to excessive siltation).
    e. Loss of vegetative cover along the streambanks, further resulting in habitat degradation and loss of fish numbers.
    f. The above changes would also affect the birds and fur-bearers associated with the stream. Though not addressed, there are populations of beaver, muskrat, weasels, and mink that inhabit the stream; and some of the birds include ducks, mergansers, great blue herons, marsh hawks, sandpipers, kingfishers, and numerous others.

None of these issues was addressed nor was mitigation discussed or documented.

2. I object to the treatment of fisheries values in the E.A. The E.A. states in section 4.12 (as obtained from Joe Huston's memo of August 26, 1987) that "Swamp Creek, from its source near Milepost 54 (Sta. 519+00) to about Milepost 48.5 (Sta. 228+00) has little fishery value." First of all, I know from personal experience that the stream contains fish at its headwaters (which is near M.P. 52). I also know from personal experience that the stream contains a very respectable brook trout fishery (resident population) from at least M.P. 49 down to its mouth. Even a very simple ocular survey will confirm the presence of numerous 6"-8" brook trout throughout this stretch, with people catching 10"-12" brook trout as well. I suspect that cutthroat trout may be present also.

Further, in section 4.12, the E.A. states that "...Where channel modifications are required, mitigation measures will be employed to help 'preserve or enhance' fish habitat." What, exactly, is this mitigation? How, exactly, do you plan to "preserve or enhance(?)" fish habitat while relocating an entire channel?

Finally, the E.A. mentions installing steel baffles and riprap in "some culverts" to provide water depth and resting pools for fish. Which culverts? Will only migratory populations be considered, or resident ones as well? Resident fish populations also require free access up- and downstream to complete various stages of their life cycles.

I am requesting that bridges be considered as crossing structures, since they evidently were not addressed in the E.A.; and in any event, I am requesting that fish passage be provided the entire length of Swamp Creek.

3. I very strongly object to the treatment of relocation of structures as identified in section 4.2. The E.A. very matter-of-factly states that several structures will require relocation, among them four residences. "No special problems with relocation or replacement have been identified." Were the people whose houses and outbuildings are being "relocated" contacted about "special problems?" Is this not a social and economic impact that should have been addressed under section 4.1? I would like to see public comment solicited about this, particularly from the individuals being affected.

Further, section 4.2 states that "...there will be no significant impact on access to jobs, schools or social and cultural facilities." I don't know what constitutes "significant impact," but I do know that I was delayed during the recon-

struction between Libby and Libby Creek for periods up to 20 minutes. While that is usually a minor inconvenience, it did make me late for work on a few occasions, since a schedule was never published as to when there would or would not be delays of any significance. I am requesting that such notice be published to support the assertion in the E.A. that there will be "no significant impact on access to jobs."

4. Section 4.4 addresses noise, and states that the noise level "...in all cases is significantly below the 67 dBA recommended maximum." What will the noise level be? It is only stated that noise will increase 1 dBA or less, but it does not indicate to what level. What is "significant?" Is noise pollution something that's ever mitigated? Can landowners request mitigation? (e.g. having trees planted to act as a noise and sight buffer). This is a concern to my husband and me, since we stand to lose most of our buffer strip (and seclusion) between our house and the highway. Simply because the proposed project does not approach the maximum noise levels (which are Federal Highway Administration recommended maximum, not landowner <u>desired</u> maximum levels), does not mean that mitigation should not be considered. Any increase in traffic noise to us as a result of decreasing highway distance to us or reducing our buffer strip of trees is unacceptable.

5. Section 4.7 states that only short term construction-related water quality impacts are expected. Any channel relocation has impacts associated with it that take years to stabilize. Sedimentation occurs for a period of years as on-site sediment gradually moves downstream with each runoff. Vegetation takes a period of years to generate and establigh itself to the point of providing streambank stability. Long-term impacts are not adequately addressed in the E.A., nor is mitigation identified or discussed. I want to know how both short and long term impacts will be mitigated.

Additionally, the E.A. states that small streams on this project "may not" require a Section 404 permit. Will they or won't they?

While not addressed anywhere in the E.A., erosion control needs should be identified. Separate documentation exists for seeding and willow sprigging recommendations, but nowhere does the E.A. address this issue. This is a crucial water quality mitigative measure. Post-construction problems with the Lyon Springs/Crystal Creek area should make evident the need for addressing this concern. In case you weren't aware, erosion occurred off the cut and fill banks in that area and sedimentation could be traced directly into the Fisher River (I personally traced gullies to the river). This is a

violation of state water quality standards, and I would like to know how you intend to prevent this from happening with Swamp Creek.

6. The need for controlling noxious weeds was not addressed anywhere in the E.A. I want to know how noxious weeds will be controlled. Seeding the road shoulders is not adequate, as evidenced by the proliferation of knapweed between Libby and Libby Creek from the previous highway reconstruction through that area. Will (and how will) landowners be compensated for the increased costs of trying to eradicate the knapweed that will follow construction activities? How will the loss of productive farm land/wildlife habitat be recognized, if landowners choose not to control knapweed? What measures are being undertaken to ensure that additional noxious weed species will not be introduced?

7. An issue to me that I would like to have some assurance that it will be controlled is litter. It has been my experience that most construction crews, be they highway, power, logging contractors, or whomever, have little to no regard for keeping the environment free of garbage. We have more than enough of people's trash on the highways already, and I would like to know if crews will be required to clean up after themselves. To this end, why is there no regularly scheduled litter pick-up designated for Highway 2 and other highways? (Other than the boy scouts in the spring, that is). Other states pick up their highway garbage occasionally; why doesn't Montana? This issue could have been addressed under section 4.18, "Visual."

   Also, I take exception to the statement made under section 4.18 that "The construction of the project will not change view <u>from</u> the roadway." This is not true, as the immediate view will most certainly be changed as the roadway will be widened, knapweed will be the most prevalent plant species viewed, and all trees will be obliterated within the very wide right-of-way. This dramatically changes my view <u>from</u> the roadway.

8. Section 4.9 addresses wetlands and identifies which wetlands will be affected by the project. The net potential decrease of wetland habitat is estimated to be 1.6 acres. Alternatives were supposedly considered to eliminate this decrease, one being a no-action alternative, and the other being adjustments to the proposed alignment. This was not considered an acceptable alternative because, "Moving the roadway from it's (sic) existing corridor would cause significant additional environmental impacts and is not considered an acceptable alternative." Where are the proposed changes identified? What are the additional, significant environmental impacts?

What is more significant than losing wetland habitat, a federally protected habitat feature? I would like to see these adjustments to the proposed alignment identified, evaluated, and documented.

Additionally, it is stated that wetland gains or losses can be carried forward from year-to-year, with the objective being that there will be no net loss of wetlands. It is not stated if the 1.6 acres of wetlands loss will be mitigated by one of the three identified measures, or whether the loss will be carried forward on the balance sheet. If it will be mitigated by one of the three measures, which one and where? If not, how is the balance sheet stacking up with accrued losses and gains (if any)? What geographical area does this balance cover? How, when, and where would a replacement area be identified?

9. Section 4.10 states that "No effects on land use resulting from construction of this project have been identified." This cannot be true, since landowners all along the reconstruction route will lose timbered land, hay and farmland, pastureland, gardens, outbuildings, and even houses. Not insignificant will be the loss of hay production, as the Schneider family's fields are part of the very few productive hay fields found near Libby available for sale to the public. I believe this should properly be discussed as an issue, with possible mitigation identified. Has the loss of income to the Schneiders been addressed because they won't have as much hay to sell? Has the loss of income to Chuck Wulf been addressed because he won't be able to feed as many cows with his decreased hay production? How will they be compensated? Where will people who normally buy their hay from Schneiders buy future hay, since hay production will decrease? Hay is not always easy to come by in Libby, and taking hay land out of production is definitely a negative impact to those who will be affected by it.

10. As for those same hay fields, how has the seasonal wetland habitat/high water table been addressed for the highway relocation? Those hay fields presently have standing water in them for easily one month (and sometimes more) out of every year, and that does not seem to me to be a good highway location. While this was not addressed in the E.A., it is my understanding that some proposed relocations involve high water table and peat bog areas. How is a highway located through a marsh (page 2 of the wetland evaluation maps is missing from the E.A., but I would assume that the field and peat bog near M.P. 49 should have been identified)? Exactly what will be done in this area regarding fill amount and type? How will the water table characteristics be changed? How will frost heave be controlled on ground that shakes when even a horse walks on it? What other impacts might be anticipated to occur? Why was none of this addressed in the E.A.?

11. Section 4.12 states that "...if impacts to large trees in riparian habitats and to fisheries are avoided, no adverse impacts to these listed species are expected." The E.A. does not disclose that impacts will be associated with fisheries and large trees, but it is evident that negative impacts will occur. Obviously, large trees and otherwise will be removed from the expanded right-of-way, and although the E.A. does not admit to resident fish values, a fishery does exist and if impacted by the project (which it will be), adverse impacts to eagles and falcons might be expected. Why doesn't the E.A. address this? If a Biological Assessment has been done and it has been

determined there will be no effect, why isn't this disclosed in the body of the E.A.? What does the Fish and Wildlife Service have to say about the impacts that will occur?

Also, the USFWS recommended that new drainage structures be designed to assure that these will have no effect on fish passage. I concur, and again ask that fish passage be provided the entire length of Swamp Creek.

In the same section, 4.12, the last paragraph talks about deer populations and how mitigative measures will be considered so that the problem of deer using mineral licks along the roadsides will be reduced. What mitigation will be considered? How, exactly, are deer discouraged from using road cuts as mineral licks?

12. Finally, and very importantly, I would like to comment on the rights-of-way acquisition. Though it was not nearly adequately addressed in the E.A., I can foresee some very serious problems associated with the right-of-way, which was briefly touched upon in section 4.2, "Relocations."

First of all, it would be helpful to have a map accompanying the discussion in section 4.14 displaying the existing rights-of-way. Further, there is no discussion as to what the minimum federal highway specification is for a right-of-way. It is not displayed or documented whether the proposed action meets minimum federal specifications, or whether it exceeds them. There is no discussion of the impacts to landowners associated with right-of-way acquisition. There is no attempt made to mitigate the proposed action, in the form of trying to avoid highway relocations and instead utilizing the existing roadway. There is no mention made of the decreased property values people will face with having their property altered in size and character or obliterated altogether by the highway. In our own case, we will be losing most, if not all, of the timbered screen that secludes us from highway view and noise. Certainly, the people losing buildings and even houses deserve a discussion of this.

Further, why were no intermediate alternatives identified? Why isn't there a medium range of alternatives that attempts to save people's property? I am asking that a full discussion addresses this topic, with all of these issues addressed and the full impacts disclosed to the landowners. It is simply not enough to say, in effect, "This is what we're going to do."

That concludes my initial thoughts on the proposed project. Next, I would like to express some concerns I have with the E.A. documentation that has occurred thus far.

1. Regarding public comment, I am confused as to how and when the public was notified of this project, other than notification in September of a "Location and Design" public hearing that was held in October. Was any public comment solicited for the draft E.A.? If so, where and when?

2. Section 1, "Description of the Proposed Action" is very brief and does not adequately define the nature of the project. Paragraph 5 talks about widening, grading, etc. It does not talk about relocation, which to me

connotes more severe impacts (as evidenced by the stream channel relocations and structure losses). Additionally, paragraph 3 says that the new alignment will follow the existing alignment as closely as possible. Where is it documented that this was done? Where are the other alternatives to show what choices were made, and where?

3. Section 2, "Purpose and Need" describes the primary objectives, one of which is to meet current standards. What are the current standards? Why aren't they displayed, so the public knows what is being planned versus what is required for federal highway specifications?

Another objective is listed as providing a modern highway facility compatible with the human and natural environment. How can 1.9 miles of a fishery stream be relocated and deemed compatible with the project; or more specifically, vice versa?

4. Section 3, "Alternatives Considered" proposes two alternatives, a rather all-or-nothing approach. I suggest that other, less drastic alternatives be developed, considered, evaluated, and displayed. Other alternatives were said to have been considered but that greater right-of-way acquisitions and more significant impacts would occur. I fail to see why other alternatives couldn't be developed that would result in lesser impacts.

5. I would like to express my dismay at how the"Notice of the Highway Location and Design Public Hearing" was written. It states that the project will consist of "reconstructing" (not relocating) the highway, and that "some" creek channel changing "may" be required. It also states that the Swamp Creek bridges will either be widened or replaced with pipes. Nothing but pipes was ever discussed in the E.A. In fact, the only reference made to pipes versus bridges was in reference to the Swamp Creek timber bridge (Site 24LN766), which was determined to be eligible for the National Register of Historic Places. It is summarily dismissed as being infeasible to protect.

The notice was deceptive and misleading, and an unwelcome surprise to those who attended the meeting and discovered how issues were actually being handled. A more accurate portrayal of the project perhaps would have better prepared residents for the meeting.

6. Finally, I would like to say that I consider the scope of this project fully worthy of an Environmental Impact Statement. People's homes, outbuildings, land, and property values are being lost or decreased, and I consider this a significant impact to the human environment.

Maggie Craig

Maggie Craig
19845 U.S. Highway 2 South
Libby, Montana 59923

David S. Johnson, P.E.
Preconstruction Engineer
Preconstruction Bureau
Montana Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

June 8, 1990

Dear Mr. Johnson,

I am writing in regard to the final Environmental Assessment and Finding of No Significant Impact for Project No. F1-1(29)45, Swamp Creek-East.

While I seem to be the only resident commenting on the E.A., I nonetheless believe my comments to be valid, though perhaps not representative of the majority of affected landowners.

I am still disturbed by the analysis and documentation provided for this rather major, though localized, highway project. It seems to me that you have violated several National Environmental Policy Act (NEPA)/Code of Federal Regulations (CFR) requirements. Those requirements that I have identified include:

1. Scoping and Public Involvement. 40 CFR 1501.7 states, "There shall be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action." 1501.7(a): "As part of the scoping process the lead agency shall: (1) Invite the participation of affected Federal, State, and local agencies, ...and other interested persons (including those who might not be in accord with the action on environmental grounds),..."

23 CFR 771.105: "It is the policy of the Administration that: (c): Public involvement and a systematic interdisciplinary approach be essential parts of the development process for proposed actions."

23 CFR 771.111(a): "Early coordination with appropriate agencies and the public aids in determining the type of environmental document an action requires, the scope of the document, the level of analysis, and related environmental requirements. This involves the exchange of information from the inception of a proposal for action to preparation of the environmental document."...

23 CFR 771.111(h): For the Federal-aid highway program: (2) "State public involvement/public hearing procedures must provide for (i) Coordination of public involvement activities and public hearings with the entire NEPA process. (ii) Early and continuing opportunities during project development for the public to be involved in the identification of social, economic, and environmental impacts, as well as impacts associated with relocation of individuals, groups, or institutions."

Clearly, the NEPA process for publicly identifying the scope of issues and identifying the type of document to be written was violated. The environmental document (draft E.A.) was written before the public was ever notified of the project. The public was never solicited for comments, but rather was told at the public hearing what the preferred alternative (not the proposed action) would be, regardless of concerns. 23 CFR 771.111(h)(2)(v) (A and B) state that an explanation at the public hearing will consist of the project's purpose and need, and the project's alternatives (not the preferred alternative).

2. Proposed Action. While the draft and final E.A. started with a description of the proposed action, the rest of the analysis referred to the proposed action as the preferred alternative (see section 3, Alternatives Considered). The E.A. is not a decision-making document, and as such cannot legally refer to a preferred alternative until one has been selected.

3. Alternatives Considered. As I stated in my previous letter, I do not feel that additional alternatives were adequately developed, considered, evaluated, or displayed. The E.A. states in section 3, Alternatives Considered, that other alternatives were considered, besides the no-build and preferred alternatives, but were not selected for discussion in the E.A. The E.A. exists for the purpose of displaying and analyzing alternatives, not for the purpose of discussing your preferred alternative. I suggest the NEPA process seems to direct a more thorough approach to alternative development and documentation than what you have elected to display.

23 CFR 771.111(f) states, "In order to ensure meaningful evaluation of alternatives and to avoid commitments to transportation improvements before they are fully evaluated, the action evaluated in each EIS or finding of no significant impact (FONSI) shall...(3) Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements." You state in your response to my 11/20/89 letter, Item No. 12, last paragraph, that "In answer to your statement concerning public input into alternate alignments, although the alignment has been finalized and at this stage any change would be quite difficult, we will review any request that appears to be valid." The aforementioned 23 CFR 771.111(f) says that commitments to transportation improvements won't be made until meaningful evaluation of alternatives has occurred. Since the highway alignment was finalized without other alternative discussion, and BEFORE the E.A. was finalized and the FONSI issued, I suggest NEPA requirements have not been satisfied.

Further, the two alternatives that were "considered" do not have sufficient documentation analyzing their effects, both positive and negative. The only objective guiding this E.A. is meeting federal highway specifications. While the "preferred alternative" clearly meets this intent, there is no clear analysis or comparison of the consequences of implementing either of the two alternatives. For example, if public comment indicated a concern for Swamp Creek (which

you document that it did during the public hearing), then a reasonable effect that you could have displayed in the E.A. under the no-action alternative is that there would be no relocation of or disturbance to Swamp Creek. There was no comparison of the alternatives; simply a dismissal of the no-action alternative without discussion.

A third alternative that could easily have been displayed but wasn't, was simply resurfacing the existing roadway. While this alternative would not meet your stated objective, it may have met an objective of the public's, had you solicited their input; one that minimizes disturbance to people's property and to Swamp Creek.

4. Need for an EIS. The Finding of No Significant Impact states that the project will not have any significant impact on the human environment, and, as such, an Environmental Impact Statement will not be required. The FONSI also states that the Finding is based on the Environmental Assessment and also input from the location and design public hearing. What input, exactly, was used from the hearing on which the FONSI was based? Public concerns, presented at the one and only public meeting held, after the draft E.A. was already written and the preferred alternative identified, were dismissed or ignored altogether. Had proper NEPA procedure been followed, with public participation solicited at the inception of the project, perhaps significant issues would have emerged. For example, if people had known before the preferred alternative was chosen that they would be losing property, houses, and outbuildings, they may have expressed their concern about it. As it was, the preferred alternative was presented at the public hearing (which was not proper procedure at that point according to NEPA guidelines) and the public was told what the project would entail. What chance did the public ever have to voice their concerns, and when was it ever legitimately incorporated into the document?

   The environmental assessment is supposed to lead to a decision whether to prepare an environmental impact statement or a finding of no significant impact (40 CFR 1508.9). Since the public was never properly involved and their issues and concerns not incorporated into the document, I suggest that the decision not to prepare an EIS was already made prior to the preparation of the E.A. If any other government agency was to initiate a project that involved relocating people's homes, as well as relocating almost two miles of a fishery stream, and proper NEPA procedure was followed, I'm sure that an EIS would be the logical conclusion of the documentation process. I fail to see why the Federal Highway Administration/Montana State Department of Highways is exempt from complying with NEPA regulations.

5. Finding of No Significant Impact. According to 40 CFR 1508.13, Finding of no significant impact, the FONSI should briefly present the reasons why an action will not have a significant effect on the human environment for which an environmental impact statement therefore will not be prepared. If the assessment is included, the finding need not

repeat any of the discussion in the assessment but may incorporate it by reference. While the E.A. is attached to the FONSI, there are no reasons given why an EIS is not necessary. There are no references made to the E.A., except that it is attached. I believe the E.A. to be a faulty, improperly conceived and written document to begin with, so even if a simple attachment of the E.A. to the FONSI were adequate, I don't believe the E.A. properly addresses public concerns.

Further, the FONSI states that the finding was also based on input from the location and design public hearing. This input was not referenced in any way in the FONSI, and I have no idea how the input was incorporated. My belief is that public input was ignored and there's no documentation in the FONSI that suggests otherwise.

6. Public Notice. According to 23 CFR 771.119(h), when the (Federal Highway) Administration expects to issue a FONSI, copies of the E.A. shall be made available for public review for a minimum of 30 days before the Administration makes its final decision. This public availability shall be announced by a notice similar to a public hearing notice.

I have received a copy of the final E.A. and FONSI because I specifically requested it. I have not seen a public notice in the newspaper. In talking with several neighbors, nobody else seems to be aware that the E.A. was finalized and a FONSI issued. Do you intend to notify other landowners of the decision? If so, when and how? If not, why not?

It is my understanding that at the location and design public hearing held in October, another public meeting was promised. Do you still intend to hold another meeting? If so, why was it not held before the E.A. was finalized? If not, why was the public dismissed from participation?

To summarize, I would like to reiterate my concerns expressed in my previous letter. I also believe that proper NEPA compliance was not in any way followed throughout this documentation process. I believe that, given a chance, the resident landowners along the highway would have expressed viable concerns that never made it into your analysis because the public was never properly involved. What may be interpreted as public apathy, in my opinion, is instead public frustration at not being included as a participatory entity from the beginning and throughout the process as NEPA regulations would allow. When presented with a "preferred alternative" in the context of "this is the way it's going to be," as it was during the public meeting, it's not unexpected that the public didn't comment further on the proposal. First of all, they don't understand the process (as I also believe you don't), and second, why should they bother when everything seems to already be settled?

My final suggestion at this point is that you reconsider your analysis process and final decision and perhaps reinitiate public involvement as intended by NEPA in order to properly include public concerns into the analysis process. From this, social and environmental consequences, as identified by the public, could be properly addressed and evaluated in the E.A. and a decision made based on a full awareness of public issues and concerns...just as NEPA intent allows.

Maggie Craig

Maggie Craig
19845 U.S. Hwy. 2 South
Libby, Montana 59923

91.0073 020

Swamp Creek Property Owners Association

P.O. Box 1116
Libby, Montana 59923

February 12, 1992

Geomax

Dr. Donald R. Reichmuth
622 S. 6th. Ave.
Bozeman, Mt. 59715

We as concerned members of the Swamp Creek Property Owners Association, protest the preliminary plans for reconstruction of Hwy. 2, Project # F1-1(35)45. We also have a great deal of concern over the movement of Swamp Creek.

The state has been extremely remiss in keeping the property owners informed of future plans. Our contention is, that, based on what information we've been able to gather, several alternative routes could be considered, both to lessen the impact to the property owners, and to the environment surrounding and including their property.
A list of objections will be forthcoming. We expect to work with you as a group to resolve these issues to our satisfaction.

The Swamp Creek Property Owners Association

vks/021292

D. - Ms. Vinson:

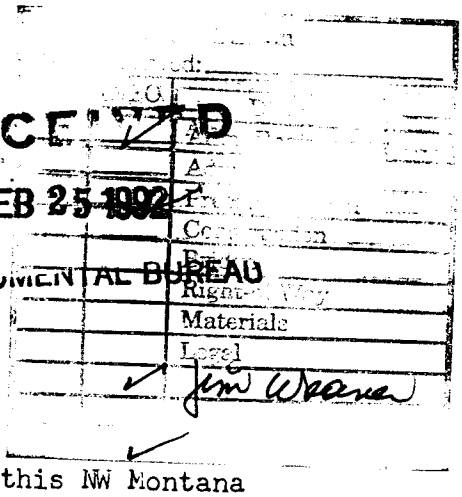
Enclosed is a copy of the letter I have written to Vice President Dan Quayle.

If you will, please consider the concerns expressed.

Thank you,

Linda M. Falk

F1-1 (29)45
Swamp Creek



17026 Hy 2 South
Libby, Montana 59923

February 18, 1992

Vice-President Daniel Quayle
Dirksen Office Building, Room 202
Washington, D.C. 20510

Dear Mr. Vice-President:

Last evening 20 people who live along U. S. Highway 2 in this NW Montana region got together to talk about a planned re-structuring of the hiway. All of us were deeply concerned. The project first came to our attention in Sept., 1989 thru a letter of intent from the state. Now the plans are drawn, and some of us have obtained copies.

The Montana Highway Dept. plan is for a 160 foot right-of-way, doubling the present 80 feet. The additional 80 feet must come mostly from private property owners - and for most of the 20 people, will inflict hardship and loss of property values.

We speak of a re-structuring of 11.3 miles of U.S. 2, beginning about 12 miles south of the city of Libby, Mt., and proceeding to about 23 miles south of town. Between Libby and the point at which this new work is to be done a 10 mile section of Hy 2 was recently up-graded and paved. It has a paving 24 feet wide. Beyond our 11.3 mile stretch a new bridge and re-surfacing was also recently completed. The pavement here, too, is 24 feet in width. Drawn for the 11.3 miles in the middle of these, however, is pavement 32 feet wide - and eventually 40 feet.

We property owners do not argue the need for hiway improvement through here. It is obviously necessary. But in the 90 miles from Libby to the next sizeable town, Kalispell, why do we need 11 miles of "super" size (and COST) auto bahn?

Our problem right now is that we have not been given the opportunity to voice our concerns before state and/or federal officials. Letters to the capitol - phone calls - in person inquiries have all been "stone-walled" repeatedly. We are at a loss as to how to obtain a hearing, since our resources are limited, and in dealing with "agencies" we're unsophisticated.

What I ask from you is to steer us to, or advise us of, some forum in which our concerns may be openly aired - and where they will be honestly considered.

Please consider (yourself) a few of the things that seem about to ensue, regardless of people and their property:

1. A young couple owns 3/4 acre near the present roadway. As drawn, the plan takes about ½ acre of their property, necessitates moving their house, and threatens the purity of their drinking water.
2. A senior, who now owns about 1 acre on which to graze his goats, will lose all his pasture due to a 3/4 acre take away and resultant flooding of what is left by a stream re-location.
3. Others will have septic systems interrupted, very real danger of drink-

(concluded on p. 2)

ing water contamination, spring water interrupted or no longer accessible, hay and grazing land lost - all because of this 11.3 mile auto bahn, the 160 foot swath, which seems a needless waste of tax dollars. Property values for some will shrink to next to nothing.

This has gotten longer than intended, but please be impressed with the fact that little people here need help to be heard. Montana is almost certain to lose one of its two congressional seats this year. Out here in the "boonies" where industry is thin and may be wasting away entirely, the folks young and old have learned to get along on bare necessities while enjoying the many natural benefits. Cadillacs we don't need - but we also don't need more discouragement.

It is my understanding that there is a Quayle Council which, among other activities, champions private property rights and ownership. We appreciate that you listen to us and hope that you will advise and help in any way possible.

Sincere thanks,

Linda M. Falk

Linda M. Falk

PS I have taken the liberty to send copies of this letter to the following:

Montana Governor Stephens
Representatives Pat Williams & Ron Marlenee
Montana Dept. Of Transportation - Environmental bureau
A local weekly newspaper

9100.73 020 P

My name is Dennis Souther. I am a property owner, and I have been asked to comment on behalf of the Swamp Creek Property Owners Association. On a few of the concerns over the reconstruction plans for Hwy. 2. Specifically the Swamp Creek East Project.

We are concerned over the rechanneling of Swamp Creek in many areas. We would like to see this kept to a minimum. Also, where changes are absolutely necessary, we would like to see sediment ponds used to take care of sediment, during and after construction.

We have concerns over the devaluation of property not purchased by the state. Along the same lines, we feel that the hiway project has already affected value and marketability of our property, with the stigma of not knowing what your plans are or when you plan to put them into effect. We would like to see a definite time limit put on design plans, and right-of-way purchases, regardless of when you plan to begin construction.

We are concerned over some property owners having the hiway right-of-way move dangerously close to their homes. The safety of families and pets should be a top priority. Also moving the hiway closer to homes, along with elevating the hiway, would make access both dangerous and difficult.

We are concerned over the loss of precious, useable, flat land in an area where wooded areas, and mountains are so near. The meadowland is used for pasturing animals, or growing hay in many areas, or in some cases, just to have a yard. When you consider alignment of the new hiway, the loss of this land to the property owner should be given a great deal of consideration.

We are concerned over the alignment of the hiway, and the movement of the creek channel affecting springs used for water supply, irrigation, and watering livestock. Along with this, we need to be assured that you have included septic tanks, and drainfields in relation to your design.

We are concerned that you will clear all right-of-way of trees and undergrowth. Some of us rely on the trees as a buffer zone between our homes, and the hiway. Also, noxious weeds are a serious problem in our area...we want to be assured that you'll use all means available to prevent spreading of noxious weeds during construction.

The preceeding points should not be considered all-inclusive, and let it be understood that additional concerns may surface both before, and during construction.

In conclusion, we feel that the state should design a hiway that would minimize impact to the property owners, and still be a safe roadway. We would like to be kept informed ~~of the~~ on all proceedings, so we can be assured that both ourselves, and our environment are protected.

Thankyou....

9100.73 020 P

February 21, 1992

Edrie L. Vinson, Chief
Environmental and Hazardous Waste Bureau
Division of Highways
Montana Department of Transportation
2701 Prospect Avenue
Helena, MT 59620

Dear Chief Vinson:

After looking over the proposal for the highway going past my home, I have a number of concerns. I am located in Sec 10, T 28 N, R 30 W and also own property in Sec 22, T 28 N, R 30 W. One of my concerns is the two bends in Swamp Creek near my home in Sec 10. The one is on my property and the neighbor's property. I can understand it as the creek goes under the highway at that point. The need for the other one I do not understand. It could prevent future development as a building site and does not seem necessary for the new road.

The amount of right-of-way also concerns me in this narrow canyon. There is very little land that is somewhat level and the highway proposal takes so much of the "level" land that it leaves little room for wells, sewer systems, gardens, and yards. Possible solutions to this is to allow the sloping of the land, but to leave more of the land in private ownership when the road is completed; or, putting in retaining walls and taking a much smaller right-of-way.

In Sec 22 I would like another approach to my hayfield besides the one by the bridge. I would also like to know in more detail what you are going to do with Swamp Creek when you move it farther back into my property; such as, depth of creek in relationship to the land on both sides of it, slope down to the creek, reseeding of slope, and type of creek bottom.

My wife's question is: Is it really possible to build a solid road bed without the huge frost heaves during the winter on the existing highway location? There is always a very large one by our place every winter.

Sincerely,

Edwin W. Jewell

Edwin W. Jewell
14243 US Hwy 2 South
Libby, Montana 59923

9100.73 020 P

Swamp Creek Property Owners Association

P.O. Box 1116
Libby, Montana 59923

Feb. 23, 1992

Edrie L. Vinson, Chief
Environmental and Hazardous Waste Bureau
Montana Department of Transportation
2701 Prospect Avenue
Helena, Mt. 59620

Dear Ms. Vinson,
The Swamp Creek Property Owners Association would like to submit the following comments for consideration in the up coming Swamp Creek East (project F1-1(29)45) highway reconstruction proposal. The comments were generated from several discussions in which the affected landowners expressed concerns about the impacts the proposed highway reconstruction would have on their lives and property. This letter serves as preliminary input into the environmental planning process, and is not intended to be all-inclusive. Additional concerns will surface later as the planning process continues. Regarding the initial proposal, identified concerns and questions include those identified on the attachments.

Thankyou,
The Swamp Creek Property Owners Association

vks

THE FOLLOWING IS A LIST OF MY CONCERNS:

1. Questionable way of doing business from GETGO. Let us have our say and consider our opinions.

2. Because of scarcity of meadow lands, please consider straightening roads by cutting hillsides. This would be safer, and also provide fill material for road base, as well as cutting timber for local economy.

3. several of our proposed changes would save time, materials and money.

4. Omissions of established irrigation dam and meadow approach.

5. Horrendous Swamp Creek channel changes...Totally unacceptable.

Finally, many people of this area are pioneers/life-long residents, lets do this job right by "doing the right thing"
We do need a new highway, but we also need to change it as proposed.

John K. Beebe

TOM AND LILLIAN MARTIN

Concerns over proposed reconstruction of Hwy. 2

1. What to do with livestock during reconstruction of highway as we would have to take down fences. Do you plan to pay for pasturing animals somewhere else during the lenght of the construction period.
2. Concern about moving the highway closer to my home, as we are already as close as we feel comfortable.
3. Taking of pasture land for the movement of the creek channel and widening of the roadway.
4. Devaluation of remaining property

DENNIS AND VALERIE SOUTHER

The following is a list of my concerns over the proposed highway reconstruction design and how it will affect my property and present lifestyle.

1) Devaluation of property due to the proposed elevation changes of the roadway

2) How will the proposed changes in creek movement affect my septic systems?

3) Loss of useable property due to creek movement.

4) Due to proposed change of highway elevation, access to highway will be difficult and dangerous, especially during the winter months

5) Delays getting to and from work during construction

6) How will you address telephone and power interruptions during construction

7) I feel your presently proposed highway design will render my property unmarketable...in fact, it has already affected marketability with the stigma of not knowing what your plans are or when you plan to put them into effect.

My overall concerns about what impact your plans will have to the area in which we live are as follows:

1) creek movement is unacceptable...it is detrimental to the environment in which we live.

2) Loss of valuable, productive hay and pasture land

3) Highway will be to close to some residences...we have to consider the safety of children and pets, not to mention the possible damage to our homes

4) Substituting culverts for bridges diminishes the natural rural beauty of our area

5) the new highway, as with the old highway would have frost heaves and pot holes in years to come just as the old highway does....your still building on "wetlands"

6) an alternative design could and should be considered.

We have owned this land for 20 years, during that time we have put everything we have into it to make it not only a "nice place" for us, but also a nice place for people to drive past. We have mowed, watered, and raked the grass up to the edge of the highway...in fact, we have taken better care than the highway department would. We have raised our children here, and made close friends with our neighbors. There is more at stake here than mere dollars and cents, and we won't accept shoddy highway planning, and the fact that your trying to save money by doing this reconstruction as cheaply as possible.

Dennis Souther

Laurie Souther

VINION MP51-52

Concerns are as follows:

1. Extensive relocation of creek channel through our property.

   a. As the project stands now, it almost seems like the creek will BE asked to flow uphill, since it is being relocated up the hill onto our property.

   b. Swamp Creek does flow underground through our property part of every year...has this been planned for?

   c. Extensive sloping (2-1)? of creek bank could lead to erosion poor water quality, spreading of knapweed, and death to aquatic life.

   d. We are losing tillable land to the creek relocation since much of our remaining property is rocky.

2. We will lose our small buffer zone between the highway and our house. Increased noise level for us, perhaps unacceptable.

3. Loss of approximately 1/2 mile of fencing during the construction preiod.(two years or longer?) What becomes of our livestock during the construction period since the fences are some of the first things to come down and the last to be replaced? What do we and other livestock owners do during this period? Will we be compensated for feed or pasture rental while having to keep our animals elsewhere do to "no fences" during the project?

4. Will the channel changes be done with heavy equipment or blasting? Will this work proceed 24 hours a day?

5. Will our school bus be able to maintain its present schedule during construction? Will we need to board our children in town during the school year? Is adequate housing available and can we afford to do this?

6. Will people working in Libby be able to get to work on time or have to rent a place in town during construction? Again, is there adequate housing available?

7. How long will we be without phone and electric service?

POSSIBLE ALTERNATIVES

!. Locate new creek channel at the base of the hill which is the lowest part of the terrain through the canyon rather than moving the creek uphill.

2. Delete the meanders planned through our property, leave the creek channel where it is.

17026 Hy 2 South
Libby, Montana 59923

February 18, 1992

Vice-President Daniel Quayle
Dirksen Office Building, Room 202
Washington, D.C. 20510

Dear Mr. Vice-President:

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Please consider (yourself) a few of the things that seem about to ensue, regardless of people and their property:

1. A young couple owns 3/4 acre near the present roadway. As drawn, the plan takes about $\frac{1}{2}$ acre of their property, necessitates moving their house, and threatens the purity of their drinking water.
2. A senior, who now owns about 1 acre on which to graze his goats, will lose all his pasture due to a 3/4 acre take away and resultant flooding of what is left by a stream re-location.
3. Others will have septic systems interrupted, very real danger of drink-

(concluded on p. 2)

ing water contamination, spring water interrupted or no longer accessible, hay and grazing land lost - all because of this 11.3 mile auto bahn, the 160 foot swath, which seems a needless waste of tax dollars. Property values for some will shrink to next to nothing.

This has gotten longer than intended, but please be impressed with the fact that little people here need help to be heard. Montana is almost certain to lose one of its two congressional seats this year. Out here in the "boonies" where industry is thin and may be wasting away entirely, the folks young and old have learned to get along on bare necessities while enjoying the many natural benefits. Cadillacs we don't need - but we also don't need more discouragement.

It is my understanding that there is a Quayle Council which, among other activities, champions private property rights and ownership. We appreciate that you listen to us and hope that you will advise and help in any way possible.

Sincere thanks,

Linda M. Falk

Linda M. Falk

PS I have taken the liberty to send copies of this letter to the following:

Montana Governor Stephens
Representatives Pat Williams & Ron Marlenee
Montana Dept. Of Transportation - Environmental Bureau
A local weekly newspaper

To Whom it May Concern:

As a concerned land owner, I would like to to take this opportunity to share my thoughts on a alternative solution to the reconstruction of US highway 2 from Libby Creek to Miller Creek. If this is not well thought out, it could be devastating to the land owner. We are all in agreement the road is in bad need of extensive repairs. How ever your proposal does not seem to be with the land owner in mind.

Effects of your proposal:

1. Resale value of our property, cut as much as 60%
2. Road closer to house.
3. Loss of orchards and garden.
4. Access to highway would be difficult.
5. Water drainage to out buildings.

Alternative solution:

1. From mile post 46 to 47 move the new highway to the west side of the existing highway.

Please keep in mind, people have invested their lives to own their property. It would be a shame to lose it, with out fair compensation.

Sincerely,

The Butler's

The following is a partial list of our concerns:

1. The property we will lose to the right-of-way as identified in the original plans currently serves as a timbered sight-and-sound buffer between our house and the highway. First of all, any loss of property to us is unacceptable, but particularly this loss of a timbered screen between our house and the highway would lessen our privacy considerably and detract from the value and beauty of our property.

2. How will landowners be compensated not only for actual lost property to rights-of-way acquisition, but also for the resulting decreased property values on the remaining property? Several homes will be seriously impacted by the encroaching highway in this way, with marketability being drastically reduced. How will this be addressed? What determines market value when marketability reflects a given property as a whole, rather than as a strip along the highway?

3. How will access be provided to landowners whose existing driveways will be altered or obliterated and the proposal makes new access difficult?

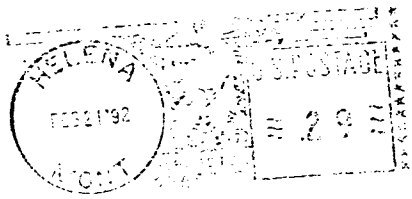
4. How will the construction through swamps, peat bogs, and wetlands be physically accomplished with reasonable assurance that seasonal climatic variations won't result in heaving, potholes, and other problems associated with a non-compactable roadbed that the highway now experiences?

5. How will the adjustment of fencelines and the temporary fencing of livestock be addressed while reconstruction is underway?

6. How will noxious weeds be controlled in the expanded right-of-way when they're not presently being controlled now?

John and Maggie Craig

Please correct our address in your records. Thank you.



Champion International Corp.
~~P.O. Box XX~~
Libby, MT ~~59923~~

CHAM570 599232005 1192 02/24/92
NOTIFY SENDER OF NEW ADDRESS
:CHAMPION INTERNATIONAL CORP
952 E SPRUCE ST
LIBBY MT 59923

ATT. Daniel O. Larson

MAX BAUCUS
MONTANA

9100-73 020 P

WASHINGTON, DC
(202) 224-2651

MONTANA TOLL FREE NUMBER
1-800-332-6106

United States Senate

WASHINGTON, DC 20510

February 26, 1992

Mr. Thomas J. Barnard
Deputy Director
Engineering & Operations
Department of Highways
2701 Prospect Avenue
Helena, Montana 59601

Dear Tom:

I am sending the enclosed communication from one of my constituents for your consideration. I would very much appreciate your comments on this matter.

Please direct your reply and any questions to my Missoula field office:

Senator Max Baucus
211 North Higgins
Missoula, MT 59802

(406) 329-3123

Thank you for your assistance.

With best personal regards, I am

Sincerely,

Max Baucus

MSB/cln

BILLINGS (406) 657-6790 | BOZEMAN (406) 586-6104 | BUTTE (406) 782-8700 | GREAT FALLS (406) 761-1574 | HELENA (406) 449-5480 | KALISPELL (406) 756-1150 | MISSOULA (406) 329-3123

Swamp Creek Property Owners Association

P.O. Box 1116
Libby, Montana 59923

1992 FEB 19 AM 9:11

February 12, 1992

FEB 24 1992

Senator Max Baucus
706 Hart Senate Ofc. Bldg
Washington, D.C. 20515

We as concerned members of the Swamp Creek Property Owners Association, protest the preliminary plans for reconstruction of Hwy. 2, Project # F1-1(35)45. We also have a great deal of concern over the movement of Swamp Creek.

The state has been extremely remiss in keeping the property owners informed of future plans. Our contention is, that, based on what information we've been able to gather, several alternative routes could be considered, both to lessen the impact to the property owners, and to the environment surrounding and including their property.
A list of objections will be forthcoming. We expect to work with you as a group to resolve these issues to our satisfaction.

The Swamp Creek Property Owners Association

vks/021292

Swamp Creek Property Owners Association

P.O. Box 1116
Libby, Montana 59923

(60)

9,00.93 P

March 2, 1992

John Rothwell

Director of Transportation

2701 Prospect Avenue

Helena, Mt. 59923

The Swamp Creek Property Owners Association would like to submit the following list of concerns to be addressed in the upcoming Swamp Creek East (project F1-1(29)45) highway reconstruction proposal. The comments were generated from several discussions in which the landowners expressed concerns abouts the impacts the proposed highway construction would have on their lives and property. This letter serves as preliminary input into the environmental planning process, and is not intended to be all-inclusive. Additional concerns may surface later as the planning process continues. Regarding the initial proposal, identified concerns and questions include those identified on the attachments.

Thankyou

The Swamp Creek Property Owners Association

vks

Concerns are as follows:

1. Devaluation of remaining property not purchased by the state. How will the state address these concerns?
2. Moving the highway closer to homes...the safety of families and pets needs to be considered.
3. Highway access if roadway is moved closer to homes and raised higher than existing roadway.
4. loss of valuable level land in an area surrounded by mountains and trees.
   a. loss of pasture land
   b. loss of income property, such as hayland
5. movement of Swamp Creek
6. How will you address the problem of septic systems and drain fields in relation to creek movement and highway right-of-way?
7. all the property owners feel you have already affected the marketability of their property, with the stigma of not knowing what your plans are, or when you plan to put them into effect. Do you plan to put a time limit on yourselves to purchase land, and inform landowners of plans, regardless of when you begin construction?
8. How will you handle the telephone and power interruptions to minimize effects on homeowners?
9. How will school bus routes be affected?
10. What kind of delays will we experience getting to and from work in town?
11. Does all right-of-way have to be cleared of trees? Some depend on the trees as a "buffer zone" between the highway and their homes.
12. How will the transportation of noxious weeds be controlled during construction?

PROFESSIONAL CORPORATION
OF
GEORGE A. CROMER
ATTORNEY AT LAW
3061 WESTWOOD DRIVE
LAS VEGAS, NEVADA 89109
(702) 733-3044

March 12, 1992

Edrie L. Vinson, Chief
Environmental and Hazardous Waste Bureau
Montana Department of Transportation
2701 Prospect Avenue
Helena, Montana 59620

RE: F 1-1(29)45, Proposed Swamp Creek-East Highway Improvements, U.S. Highway 2, Lincoln County Montana

Gentlemen:

Your notice of Public Scoping Meeting was forwarded to me and received after your March 10, 1992 meeting.

I anticipate returning to my summer home in Montana sometime in the middle part of April.

Prior to my return I would appreciate it if you would advise me of your current estimated target date for commencement of your work as it would relate to my particular property. In addition I would like for you to advise me of the anticipated extent of impact upon both of my properties along Highway 2 including any contemplated taking under Eminent Domain laws, including the approximate size of the property you will be taking along the highway. For your reference I am enclosing copies of documents describing the property I am referring to.

Very truly yours,

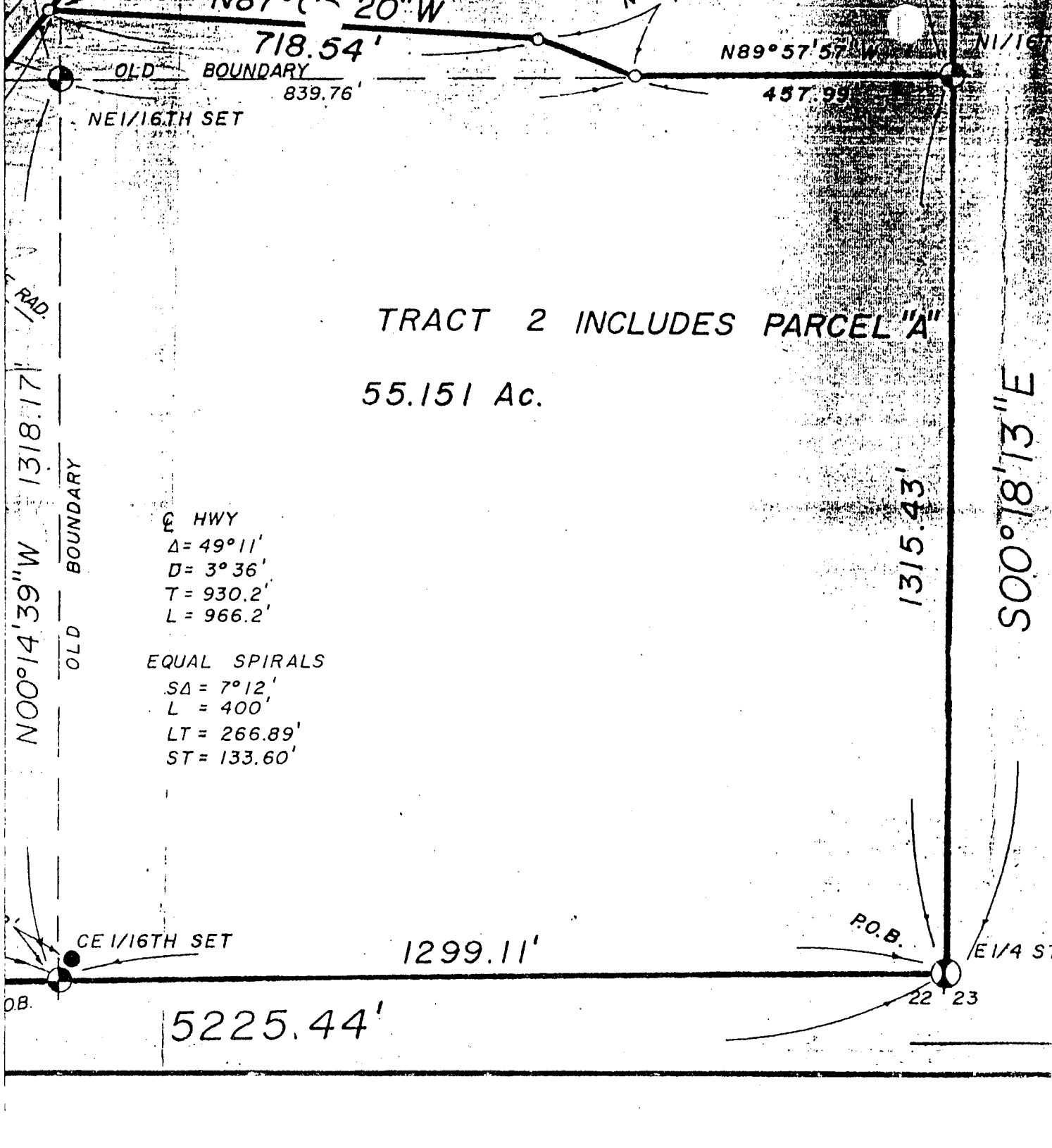
GEORGE A. CROMER

GAC:p
enclosures
RE: 0010 56-3955-22-1
01-05-000
Tract 2C in NE 1/4
15.90 acres

TRACT 2 INCLUDES PARCEL "A"

Beginning at the E¼ Corner of Sec 22, T28N, R30W, P.M.M., Lincoln County; thence S89°54'48"W along the Mid Section Line of said Sec 22 a dist of 2025.10 feet to the Easterly R/W of US Hwy No. 2 and a P.O.C. of a 1551.55 foot Radius curve concave Southeasterly having a radial bearing of S89°44'02"E; thence Northeasterly along said curve thru a central angle of 00°50'43", an arc length of 22.89 feet to a R/W Break; thence S88°53'19"E (Radial) 80.00 feet to a P.O.C. of a 1471.55 foot radius curve concave Southeasterly; thence Northeasterly along curve thru a central angle of 30°32'56", an arc length of 784.60 feet to the P.C.S. having a spiral angle of 7°12'; thence Northeasterly along said spiral 149.09 feet to a R/W Break; thence N53°55'15"W (Radial) 80.00 feet; thence Northeasterly along spiral 246.76 feet to the P.T.; thence N38°51'45"E a dist of 373.27 feet; thence S87°05'20"E leaving said R/W 718.54 feet; thence S67°11'59"E a dist of 154.84 feet to the North boundary of the SE¼NE¼ of said Sec 22; thence S89°57'57"E a dist of 457.99 feet to the N1/16th Corner of asid Sec 22; thence S00°18'13"E a dist of 1315.43 feet to the place of beginning and containing 55.161 Acres of land more or less. Subject to and together with US Hwy No. 2. Subject to and together with all existing easements of Record.

Parcel "A" - Beginning at the CE 1/16th Corner of said Sec 22; thence S89°54'48"W along the Mid Sec Line of said Sec 22 a dist of 725.99 feet; to the Easterly R/W of US Hwy No. 2 and a P.O.C. of a 1551.55 foot Radius curve concave Southeasterly having a radial bearing of S89°44'02"E; thence Northeasterly along said curve thru a central angle of 00°50'43", an arc length of 22.89 feet to a R/W Break; thence S88°53'19"E (Radial) 80.00 feet to a P.O.C. of a 1471.55 foot radius curve concave Southeasterly; thence Northeasterly along said curve thru a central angle of 30°32'56", an arc length of 784.60 feet to the P.C.S. having a spiral angle of 7°12' thence Northeasterly along said spiral 149.09 feet to a R/W Break; thence N53°55'15"W (Radial) 80.00 feet; thence Northeasterly along spiral 246.76 feet to the P.T.; thence N38°51'45"E a dist of 373.27 feet; thence S87°05'20"E leaving said R/W 718.54 feet; thence S67°11'59"E a dist of 154.84 feet to the North boundary of the $SE\frac{1}{4}NE\frac{1}{4}$ of said Sec 22; thence N89°57'57"W a dist of 839.76 feet to the NE1/16th Corner of said Sec 22; thence S00°14'39"E a dist of 1318.17 feet to the place of beginning and containing 15.900 Acres of land more or less. Subject to and together with US Hwy No. 2. Subject to and together with all existing easements of Record.


718.54'
OLD BOUNDARY
839.76'
NE 1/16TH SET
N89°57'57"W
457.99'
TRACT 2 INCLUDES PARCEL "A"
55.151 Ac.
℄ HWY
Δ = 49°11'
D = 3°36'
T = 930.2'
L = 966.2'
EQUAL SPIRALS
SΔ = 7°12'
L = 400'
LT = 266.89'
ST = 133.60'
N00°14'39"W 1318.17'
OLD BOUNDARY
1315.43'
S00°18'13"E
CE 1/16TH SET
1299.11'
P.O.B.
E 1/4 S
22
23
5225.44'

9700.23 820 B

M&M

Swamp Creek Property Owners Association

P.O. Box 1116
Libby, Montana 59923

RECEIVED

MAR 31 1992

ENVIRONMENTAL BUREAU

Environmental Bureau		
Date Received:		
ACT	INFO	Distribution:
		Adm. Engineering
		G. Larson
		D. Johnson
		J. Weaver
		Right-of-Way
	✓	Marrison Maier
		Legal
		File

Edrie Vinson, Chief
2701 Prospect Avenue
Helena, Mt. 59620

Dear Ms. Vinson.

We, the members of the Swamp Creek Property Owners Association would like to thank you and your team for your participation in the Scoping meeting held in Libby on March 10, 1992. We felt as though you, Dr. Reichmuth, and most of your engineers were sympathetic to our concerns, and honestly making an effort to listen to our concerns. However, the majority of our members felt that a few of the engineers, and highway department personnel were somewhat condescending.

In that regard, we're not entirely sure that our concerns were written down, or if they were, that they were displayed in the context intended by the property owners.

In conclusion, we the members would like to reaffirm our support of the Geomax plan.

Thankyou,

The Swamp Creek Property Owners Association
vks

9100.73 P

M & M

March 29, 1992

Sam Maseem
Consultant Design Engineer
Montana Department of Highways

Mr. Massem:

I do appreciate you looking at this alternative proposal. It may call for buying more highway right-of-way but I believe that it will be less expensive and safer in the long run.

Please let me know what the final decision is when it is made.

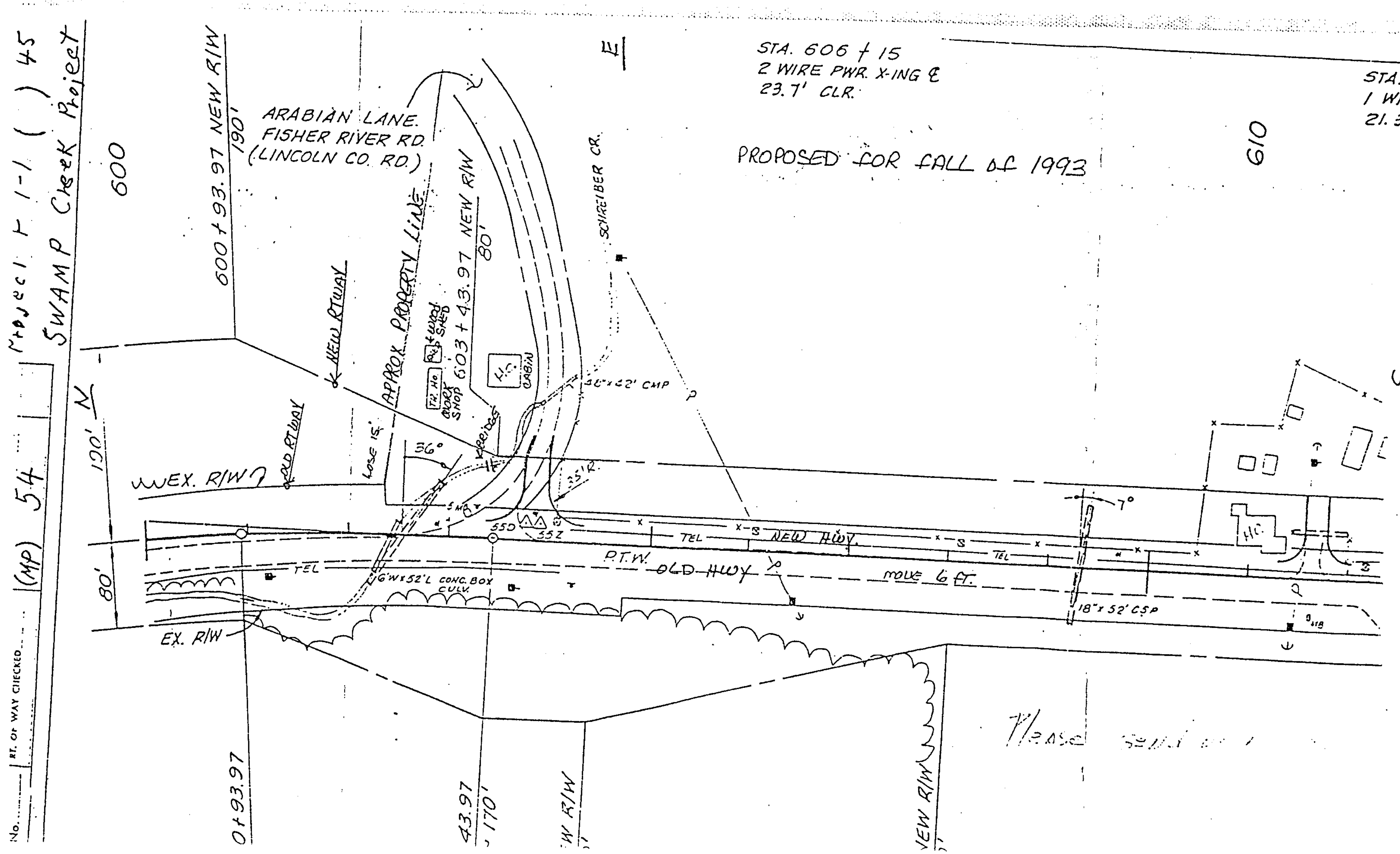
William W. Archer

P. O. Box 354

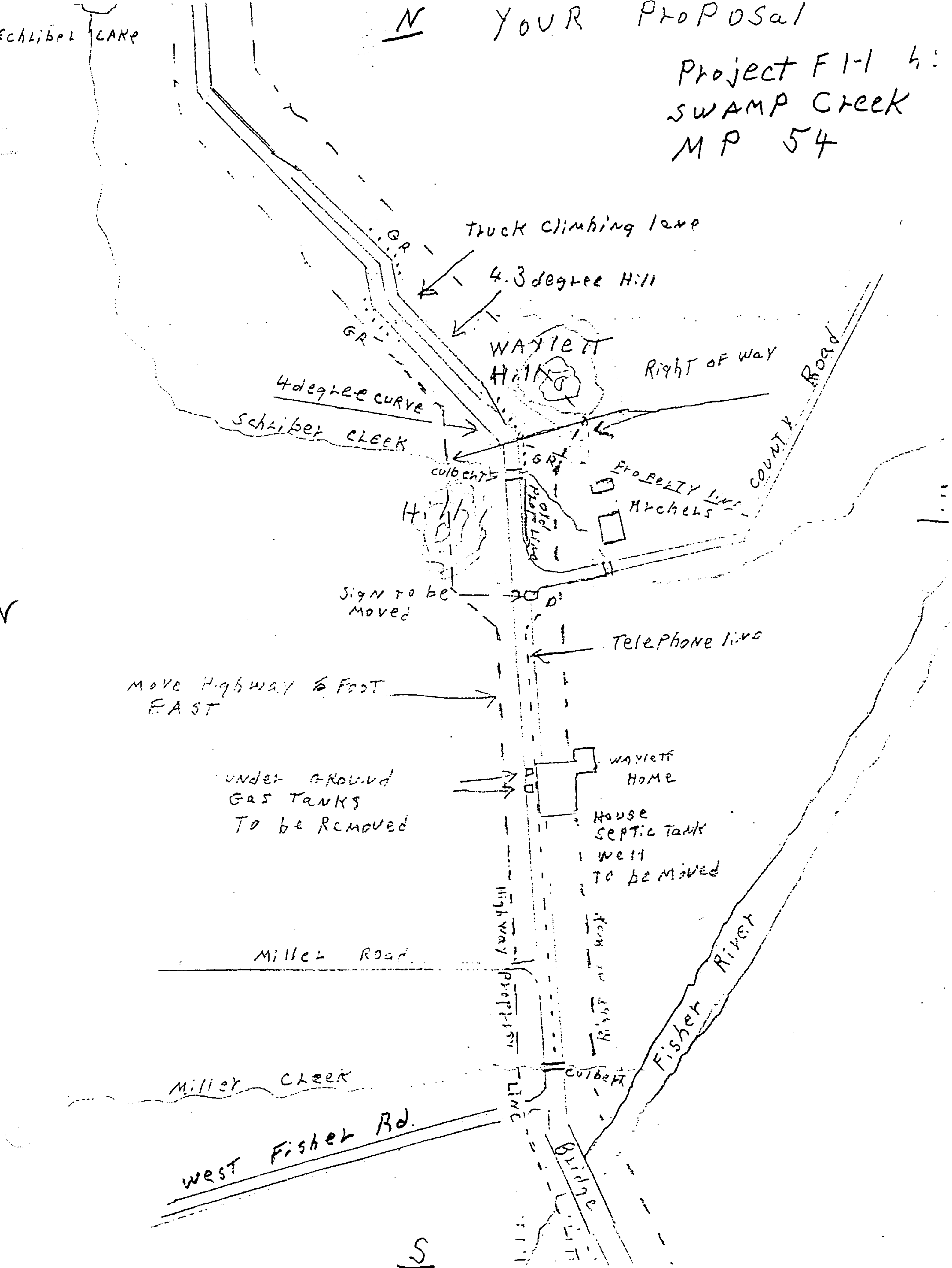
Kila, Mt. 59920

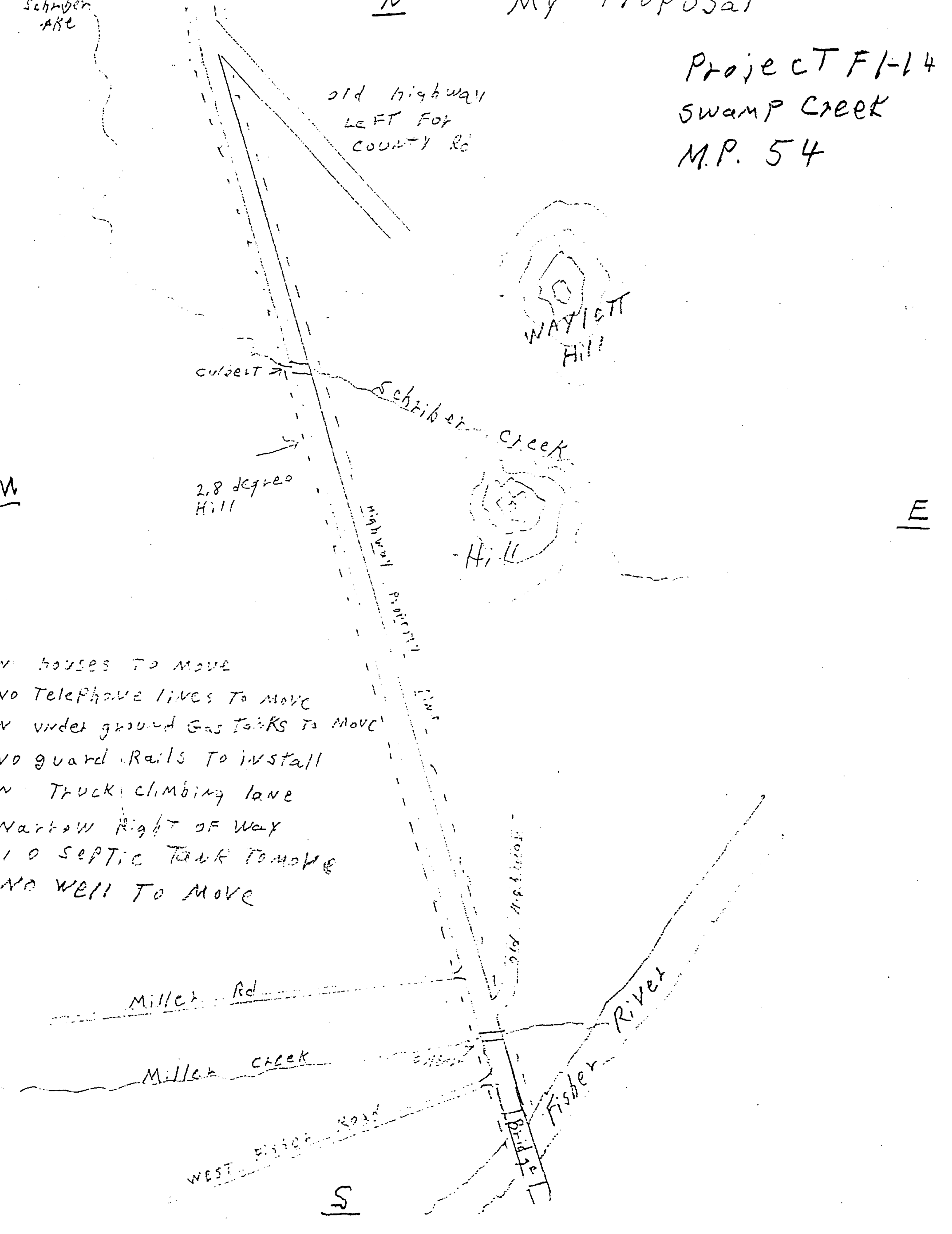
Phone 257-3433

William W. Archer



Project F 1-1 ( ) 45
SWAMP Creek Project
(MP) 54
RT. OF WAY CHECKED
STA. 606 + 15
2 WIRE PWR. X-ING ℄
23.7' CLR.
PROPOSED FOR FALL of 1993
ARABIAN LANE.
FISHER RIVER RD.
(LINCOLN CO. RD.)
600 + 93.97 NEW R/W
190'
603 + 43.97 NEW R/W
80'
APPROX. PROPERTY LINE
NEW RTWAY
OLD RTWAY
EX. R/W
EX. R/W
SCHREIBER CR.
CABIN
36"x 52' CMP
6'W x 52'L CONC. BOX CULV.
18" x 52' CSP
NEW HWY.
OLD HWY
P.T.W.
TEL
MOVE 6 FT.
LOSE 15'
36°
7°
600
610


N
YOUR ProPosal
Project F1-1 4:
SWAMP Creek
MP 54
Truck climbing lane
4.3 degree Hill
GR
GR
WAYlett Hill
Right of Way
County Road
4 degree curve
Schriber creek
culbert
GR
Property line
Archers
Hill
old line
Sign to be moved
Telephone line
Move Highway 6 Foot EAST
Waylett Home
under Ground Gas Tanks To be Removed
House Septic Tank well To be moved
Highway
Miller Road
Property Line
Fisher River
Miller Creek
culbert
West Fisher Rd.
Bridge
S


My Proposal
N
Project F1-14
Swamp Creek
M.P. 54
old highway
Left For
County Rd
Waylett
Hill
culvert
Schriber Creek
2.8 degree
Hill
W
E
Highway Property line
Hill
houses To Move
No Telephone lines To Move
No under ground Gas Tanks To Move
No guard Rails To install
No Truck climbing lane
Narrow Right of Way
No SepTic Tank To Move
No Well To Move
Old Highway
Miller Rd
Miller creek
Fisher River
Bridge
West Fisher Road
S

9100.73 020 p

Swamp Creek Property Owners Association

P.O. Box 1116
Libby, Montana 59923

Morrison/Maierle
P.O. BOX 6147
Helena, Mt. 59604

A letter sent to Edrie Vinson, March 27, 1992

We, the members of the Swamp Creek Property Owners Association, would like to thank you and your team for your participation in the Scoping meeting held on March 10 in Libby. We felt as though you, Dr. Reichmuth, and most of your engineers were sympathetic to our concerns and wer honestly making an effort to listen to our concerns. However, the majority of our members felt that a few of the engineers, and highway department personel were somewhat condescending.
In that regard, we're not entirely sure that our concerns were written down, or if they were, that they were displayed in the context intended by the property owners.
In conclusion, we the members would like to reaffirm our support of the Geomax plan.

Thankyou.

The Swamp Creek Property Owners Association
vks

9200.73 028 f

M & M

RECEIVED

APR 09 1992

ENVIRONMENTAL BUREAU

MASTER FILE COPY

Edrie L. Vinson, Chief
Environmental and Hazardous Waste Bureau
Montana Department of Transportation
2701 Prospect Avenue
Helena, Montana 59620

April 6, 1992

cc: D. Larson
D. Johnson
J. Weaver
M & M

Dear Ms. Vinson,

I am writing this as a follow-up to the public scoping meeting held in Libby March 10, 1992, regarding the Swamp Creek--East highway reconstruction project.

First of all, I would like to commend you for your efforts in re-evaluating the proposal, and in soliciting public input in a meaningful fashion. It is my hope that everyone's comments were written down by your team and in a fashion in which the comments were intended.

Additionally, I would like to commend you and the Montana Department of Transportation for your decision to hire Dr. Don Reichmuth of Geomax. He has been enormously helpful to the landowners in his contacts with us and has provided much-needed explanations and information. His services, I believe, are invaluable to a project such as this.

To reiterate my primary concerns with this project, I would like you to consider the following:

1. First and foremost from a personal concern regarding our property, we would appreciate losing as absolute little as possible to right-of-way. To be fair to both us and our neighbors across the street (Luscher's), I would recommend maintaining the centerline of the proposed highway over that of the existing highway. Also, clearing as little as possible of the right-of-way would benefit us in maintaining our buffer strip of trees, which currently offers a sight-and-sound barrier and some measure of seclusion.

2. The market value of property lost to right-of-way is a concern. I maintain that the market value of a right-of-way strip will not reflect what the property is actually worth when viewed as a whole, or when viewed in the context that it's not for sale in the first place and is worth much more to the property owner to keep it than to sell it. I believe that if we were to lose most or even some of our

timbered buffer strip near the highway, a decrease in the property value of our remaining property would result. I especially feel this to be true considering that our property is one of the few parcels that is somewhat secluded from the highway, making it unique among Highway 2 properties.

3. An item that most of the landowners are struggling with is noxious weed control. I would like to see mitigation detailed in the E.A. addressing this topic.

4. I would hope that the Montana Department of Transportation could work with Lincoln County in developing an aesthetically pleasing location and design for the garbage dumpsters. The dumpsters currently are an eyesore and a health hazard. I would hate to lose the convenience of having them located along the highway, but I think much could be done to improve their appearance.

5. A general concern of mine is the treatment of Swamp Creek, its water quality, and its fishery. I would strongly recommend bridges for all crossing structures rather than culverts. As I have stated previously, there is a resident fishery throughout the length of Swamp Creek, and bridges would best serve fishery needs. At the very minimum, I would hope that you consider open-arch culverts. I also would hope that construction activities make every effort to minimize sedimentation into Swamp Creek. While I recognize that disturbances and sedimentation will occur, I also believe that mitigation can be employed to help lessen the effects of construction on water quality. Observations of previous projects (Libby/Troy, Lyon Springs/Elk Hill) indicate that water quality concerns were not a high priority during construction.

6. Construction through wetlands, marshes, and bogs is a concern. First of all, I'd like the E.A. to offer some discussion as to how highways are constructed through wet areas (such as type and amount of fill, where the fill would come from, how heaving and potholes will be controlled, etc.). Secondly, I still have a question as to the accounting system used in replacing wetland habitat for "no net loss." I would like to see a disclosure in the E.A. regarding wetland loss mitigation.

Those highlight my primary concerns at this point. With your sincere efforts to incorporate and address public comments in the E.A., and the inclusion of Dr. Reichmuth's efforts into the process, I would hope that a proposal can be obtained that's at least partially satisfactory to all.

Thank you again for your re-evaluation and the opportunity to comment.

Sincerely,

Maggie Craig

Maggie Craig
19845 U.S. Highway 2 South
Libby, Montana 59923

9100.73 020 P

M & M

April 10, 1992

Edrie L. Vinson, Chief
Environmental and Hazardous Waste Bureau
Montana Department of Transportation
2701 Prospect Avenue
Helena, MT 59620

cc: G. Larson
D. Johnson
J. Weaver
M & M
File

Dear Ms. Vinson,

April 9 we received from Morrison Maierle a copy of maps showing alternative alignments under consideration for the Swamp Creek East, F1-1 (29) 45 reconstruction project. Alternative C came as a total surprise to us. Evidently, this alternative was reached during the March 10 Scoping Meeting held in Libby at the Kootenai National Forest Supervisor's Office.

We are property owners between milepost 51 - 52 where it appears that Alternative C plans to make a jog and bisect our property to enable the highway alignment to go back to the original alignment. It just happens to pass through a pasture that we have just spent 2 years clearing, planting and fertilizing to make a productive area. As far as we can determine, this alternative plans to follow what is called "the old railroad grade." This also means Alternative C crosses Rhinehart Creek at our source of water for our home and livestock. This area is also a well established crossing for elk and deer. Alternative C will also mean massive relocation of Swamp Creek between milepost 49 - 50. I thought our object was to lessen the impact to Swamp Creek? Also, how do we make the sharp corner just before milepost 49? That is a rock face and will mean blasting and added expense.

Needless to say, we are writing to emphatically protest this Alternative C. Of course, our main concern is our own little piece of property as it appears that we would be major "losers" with this alternative. If Alternative C can make its way back to the original alignment before it reaches our property, then we have no objection to it other than my concerns for Swamp Creek which I have already stated. I realize the plan is trying to bring the roadway up out of the hay meadows but this will create major problems in other areas and it seems the hay meadows can be avoided by keeping to the present alignment of the highway. Under Alternative C where do the utilities go? What happens to the present highway? Acquiring entirely new right-of-way will be expensive.

Had we realized at the Scoping Meeting that this alternative was being introduced, we would have spoken with a representative at that time to voice our objections. Since no maps were presented showing this alternative, it came as a real shock to us to see this map.

I hope our letter does not arrive too late to be considered in the comment period. I am really disappointed that Alternative C was not brought to our attention at the Scoping Meeting. It should have been obvious that we would want to comment on this alternative given the way it slices through our property. If the people presenting this alternative gave the impression that it met with everyone's approval, they were sadly mistaken.

Thank you for reading and considering our comment. We want to again thank you, Ms. Vinson, for all your efforts to handle this process correctly and allowing the public to speak.

Sincerely,

Eileen A. Vinion
Michael J. Vinion
19413 Hwy. 2 South
Libby, MT 59923

Eileen A. Vinion
Michael J. Vinion

9100.75 020 P

F1-1 (29) 45
Swamp Creek

Morrison Maierle
Dave Johnson
Jim Weaver
Gordon Lauser

Eileen Vivion called 4-15-92 to say she was opposed to Alternate C, it would not be safer, and would require creek relocation. The hillside would slide onto it, and it would destroy their home. Alternate D, however, she does approve, even though it does take part of her property.

Edna Vivion

M & M

April 13, 1992

Edrie L. Vinson, Chief
Environmental and Hazardous Waste Bureau
Montana Department of Transportation
2701 Prospect Avenue
Helena, Montana 59620

cc: T. Larson
D. Johnson
J. Weaver
M & M
File

Dear Ms. Vinson,

I would like to submit the following comments for your consideration in the Swamp Creek-East highway reconstruction proposal regarding the original Biological Assessment, Wetlands Evaluation, and Cultural Resource Survey. My knowledge in these fields is limited, but perhaps my comments can serve to guide the direction of further analysis.

Biological Assessment

Regarding the Biological Assessment (B.A.), the original document is seriously lacking in any meaningful content. An updated B.A. is now warranted, to include a current listing of T&E species. It would seem mandatory to include more specific information regarding habitat needs, project area habitat suitability, population trends, and sighting information.

Better information regarding bald eagles, in particular, is warranted in the assessment since sighting information suggests year-round use (and potential nesting activity) in or near the project area. In any case, the impacts of construction activities on seasonal or year-round use by eagles could be addressed more thoroughly than was done in the original document. For example, where would potential roosting or nesting sites be located? How would construction activities impact roosting or nesting eagles at these sites? Would timing constraints on activities such as blasting be warranted? What else could be done to mitigate potential impacts?

A letter from the U.S. Fish and Wildlife Service (USFWS) dated July 8, 1987 to Stephen C. Kologi of the Montana Department of Highways recommends avoiding impacts to large trees in riparian areas and to fisheries, resulting in no expected adverse impacts to the listed species of bald eagles and peregrine falcons. Based on this letter, it seems a strong argument along the same lines could be made in the Biological Assessment as well; i.e., the need to protect large trees and fisheries values (such as maintaining fish passage throughout the stream).

Further, the B.A. does not make other than passing mention of possibly raptor-proofing power lines as the same USFWS letter says should be done.

Along those lines, the "Proposed Mitigation" section of the original assessment is totally inadequate, in my opinion. A B.A. should allow the author to make some concrete recommendations; in effect, "if these things are done, the project can proceed as proposed." A separate section can be made to allow for the wishy-washy, "if time and money allow" recommendations, which are seldom heeded. For example, the construction of an 8-foot high woven wire fence along both sides of the highway is not feasible, but raptor-proofing power lines is not only feasible, but should be mandatory. Separate the two.

Further, the original B.A. makes a statement about improved safety characteristics resulting from the reconstruction of the highway that will inherently reduce the present impacts to big game and bald eagles. I would like to see some references cited for that statement, since I don't "inherently" see the connection between increased traffic, higher traffic speeds, and reduced impacts to big game. Road-kills along reconstructed segments of the highway seem as prevalent as anywhere else.

In conclusion, I would prefer to see the Biological Assessment written such that the content is meaningful, potential impacts are adequately addressed, mitigation is offered, and recommendations are obtainable.

Wetlands Evaluation

I have reviewed the evaluation forms but I'm not in much of a position to comment about the specific numeric rating system. In general, it appears that the investigators recognized the high wildlife values that exist along the project route, many of which are tied to Swamp Creek and its adjacent wetlands. It would appear that the forms fairly accurately portray conditions along the creek.

However, the wetlands section of the original Environmental Assessment (E.A.) left some unanswered questions as to the treatment of wetlands and mitigation for wetlands loss. I would hope the re-evaluated E.A. would be more specific in regard to explaining construction impacts on wetlands, both on- and off-site; what measures will be "implemented during construction to assure protection of water quality and aquatic habitat" (EPA memo dated July 13, 1987); how wetlands loss will be mitigated (i.e., replaced: how, where, and when); and how different alternatives affect the identified wetlands.

The potential loss of wetlands, in my opinion, deserves a more detailed analysis than was offered in the original E.A.

Cultural Resources

Cultural Resource surveys are entirely out of my league, but the document provided by Historical Research Associates entitled, "Cultural Resource Survey of Montana Department of Highways Project F1-1(29)45...Lincoln County, Montana" seemed to be complete and informative. The narrative, photos, and references cited lead me to believe the area was thoroughly researched and the information was well documented. It would seem to me this document should be more than adequate for use in the re-evaluated E.A.

I am not familiar with "Programmatic Section 4(f) Evaluations," but it seems to me one section of the evaluation could be strengthened. Some discussion, it seems, was generated regarding the Swamp Creek Timber Bridge (Site 24LN766); reference the State Historic Preservation Office (SHPO) memos of August 1, 1989; and September 21, 1989. While I'm sure it's agreed the site will be lost, the "Mitigation" section of the evaluation did not address true mitigation for that particular site. Public education and the preparation of an historic preservation plan has nothing to do as mitigation for this bridge. As SHPO's memos suggest, the very least consideration afforded the site would be "recordation for future research or interpretive projects" (9/21/89 memo). Perhaps this should be more thoroughly discussed in the 4(f) evaluation?

Again, as I stated previously, my knowledge regarding these documents is limited. I am hopeful, however, that my comments can perhaps serve some useful purpose in producing better information for the E.A.

Thank you for the opportunity to comment.

Sincerely,

Maggie Craig

Maggie Craig
19845 U.S. Hwy. 2 South
Libby, Montana 59923

9100.75 M & M

Dennis and Valerie Souther
14120 U. S. Hwy 2 South
Libby, Mt. 59923

F1-1(29)45
Swamp Creek - East
#1027

cc: Jim T. Weaver
D. S. Johnson

June 25, 1992

Edrie Vinson, Chief
Environmental and Hadardous Waste Bureau
2701 Prospect Avenue
Helena, Mt. 59620

Dear Ms. Vinson:

Recently, we attended a second scoping meeting for the reconstruction of Hwy. 2, milepost 44.9 to milepost 57.1. We were advised at that time that the route proposed by the Swamp Creek Property Owners, specifically Alternative A, B, and D are feasible routes. Our personal concerns are with Alternative B, as this is the section which involves our property. It is our understanding that Alt. B is believed to be a better alternative because of safety reasons, and would most likely result in a better, longer lasting highway.

We have listed our reasons for preferring Alternative B in previous letters, but we feel this needs to be expressed once again.

1. a safer highway
   a. it moves the highway further away from the residents who now live along Hwy 2, increasing the well-being and safety of residents, pets and livestock
   b. Reduces the number of private approaches to the highway from nine to two.
   c. Postal delivery would be removed from highway to the frontage road.
   d. it would move the highway out of the shaded canyon, resulting in more sunlight, decreasing ice and snowy conditions.
2. Alternative B would be an improvement to the environment
   a. 1500 ft. of channel changes to Swamp Creek would be eliminated
   b. it would raise the highway to a higher elevation so it is out of the wet-lands
   c. the Fish and Game Dept. agrees that this would improve the fish habitat in Swamp Creek

3. We feel in determining the estimated cost the folowing items were not addressed
   a. reducing private approaches from nine to two
   b. reducing amount of culverts needed from 248 ft. to 70 ft.
   c. right-of-way purchses would be considerably less due to the type of land to be purchased.
   d. reduced damage to septic systems, water wells and springs
   e. devaluation of many parcels of land privately owned would be eliminated
   f. power lines would not have to be moved nor would there be a need for temporary service, easement purchases, new construction, or an inconvience to property owners
   g. excess fill would result, eliminating a need to purchase fill in other areas.
   h. traffic would not have to be detoured through this area of construction
   i. considerably less private land to be purchased

In conclusion, we want to state that it is our strong belief that as the Montana Dept. of Highways, you have a responsibility to the people of our state. That responsibility, is to build the safest roads possible, and to affect as few homeowners as possible in doing so. Our section of Montana has in the past, been cheated in both of those areas. Our highways have not been built for safety, they have remained in very poor condtion for many years, and seldom is the best interest of the homeowners been taken into consideration. We think your trying to take steps toward alleviating those problems, so don't let cost alone put you back to where we were 60 years ago.

Sincerely,

Dennis Souther

Valerie Souther

2ND PUBLIC SCOPING MEETING, 18 JUNE 1992
RE-EVALUATED ENVIRONMENTAL ASSESSMENT (EA)
U.S. HIGHWAY 2, SWAMP CREEK - EAST, F 1-1(29)45

Please write your comments or suggestions below concerning the proposed project. Your comments will provide valuable input for the preparation of the environmental assessment for the proposed project. Comments can be left at the meeting or can be mailed to:

Edrie L. Vinson, Chief
Environmental and Hazardous Bureau
Montana Department of Transportation
2701 Prospect Avenue, Helena, Montana 59620
Telephone: (406) 444-7632

We would appreciate receiving your comments by 17 July 1992.

Where Schrieber Cr crosses Hwy 2
When installing a larger culbert on
the Hiway, a larger culbert must
be installed down stream also

Please indicate your name, address and affiliation on the lines below. Thank you for your interest in this project.

Name and Address: Bill Archer
P.O. Box 354
Kila MT 59920
257-3433

9100.73 02C

P

cc: MLM

PUBLIC SCOPING MEETING, 10 MARCH 1992
RE-EVALUATED ENVIRONMENTAL ASSESSMENT (EA)
U.S. HIGHWAY 2, SWAMP CREEK - EAST, F 1-1(29)45

Please write your comments or suggestions below concerning alternatives that should be considered. Your comments will provide valuable input for the preparation of the environmental impact statement for the proposed project. Comments can be left at the meeting or can be mailed to:

Edrie L. Vinson, Chief
Environmental and Hazardous Bureau
Montana Department of Transportation
2701 Prospect Avenue, Helena, Montana 59620
Telephone: (406) 444-7632

We would appreciate receiving your comments by 10 April 1992.

We Purchased the ranch at 17481 Hwy 2S, From a neighbor in November & have just received word on 3/18/92 of the impending project. Purchase of our property is for our use as a business (Hay) & all land is ours. We have No details of this project -- Please send all info: (eg maps, surveys, proposals as to what State, Federal & County officials have proposed to Ranch & land/home owners. We are extremely Concerned regarding ~~on both~~ proposal & the fact that you have NOT ~~con~~ contacted US.

Please indicate your name, address and affiliation on the lines below. Thank you for your interest in this project.

Name and Address: Robert & Christen Taylor
17481 HWY 2S
Libby, MT. 59923
— Mailing ADDRESS —
2221 Francisco Dr.
Newport Beach, Ca.
92663
(714)-631-1958

purchased from
Jack Deshazer
406-293-7706
15481 Highway 2
S 27 T28N R30
TR3 NW1/4NE
E1/2 NE1/4
S22 R28
NE1/4 SE1/2 ...
of Highway 2 W1/2
SE1/4 Tract 3 B

Swamp Creek Bridge
for about 1 mile

RECEIVED
MAR 26 1992
ENVIRONMENTAL BUREAU

Chuck Wolfe

plus Schneiders property plans

M & M

RECEIVED

MAR 24 1992

ENVIRONMENTAL BUREAU

PUBLIC SCOPING MEETING, 10 MARCH 1992
RE-EVALUATED ENVIRONMENTAL ASSESSMENT (EA)
U.S. HIGHWAY 2, SWAMP CREEK - EAST, F 1-1(29)45

Please write your comments or suggestions below concerning alternatives that should be considered. Your comments will provide valuable input for the preparation of the environmental impact statement for the proposed project. Comments can be left at the meeting or can be mailed to:

Edrie L. Vinson, Chief
Environmental and Hazardous Bureau
Montana Department of Transportation
2701 Prospect Avenue, Helena, Montana 59620
Telephone: (406) 444-7632

Date Received:

ACT	INFO	Distribution
		L. Larson
		D. Johnson
		J. Weaver
✓		Morrison + Maierle
		File

We would appreciate receiving your comments by 10 April 1992.

Dear Ms. Vinson -

We want to thank you for all you have done to make it possible for people like us to be heard concerning this highway project. We are property owners in the project area and also have channel changes on our property so we do feel impacted. We did want to say again that we support the Geomax proposal for channel relocation thru our property (milepost 51-52) as long as the department can hold down the taking of private property thru us. Needless to say, we want to lose the least amount of property and have done what is best for the creek. It upsets me over

Please indicate your name, address and affiliation on the lines below. Thank you for your interest in this project.

Name and Address:

Eidun Vinson - property owner
Mike Vinson - property owner
1943 Hwy 2 South
Libby MT 59923 293-3209
prop located between milepost
51 and 52

greatly that these channel changes are being treated as no big deal. Messing with water is "a big deal" and it must be done correctly. We greatly appreciate all the time Geomax has spent trying to do what is best for Swamp Creek.

We would like to see a policy where the Highway Department must come back to the project, even after it is finished, if there are problems. They must be accountable for stream bank problems ① seeding of banks however many times it may take until it is done correctly, not just a one time seeding ② erosion ③ sedimentation ④ sediment ponds must be maintained ⑤ water table changes due to moving of creek channel ⑥ how will the channel changes be dug?

Another big concern must be weed control. I know you are probably sick of hearing about knapweed, so are we, but it must be addressed. The fill used must be weed free, equipment clean before it comes on the property. We have spent thousands of dollars (counting our own labor since our sprayer is small and we must walk every area we spray) and don't want to see our work and Lincoln County's work undone.

In closing, we request that the highway department engineers give serious consideration to the Geomax proposal, not just a passing glance. Thank you very much for your time, ~~and~~ consideration and patience with everyone at the meetings.

Sincerely,
Eileen Union

Morrison & Maierle

RECEIVED
JUL 17 1992
ENVIRONMENTAL BUREAU

Swamp Creek Property Owners Association

P.O. Box 1116
Libby, Montana 59923

MASTER FILE COPY

cc: G.L. Larson
D.S. Johnson
c/ Morrison & Maierle

July 1, 1992

Edrie Vinson, Chief
Environmental and Hazardous Waste Bureau
2701 Prospect Avenue
Helena, Montana 59620

Dear Ms. Vinson:

The Swamp Creek Property Owners Association would like to express our continued support of the Alternatives A,B,and D, to the Swamp Creek East FI-(29)45 Project.

It is our belief, that in making the final determination as to which route will be taken, the written and verbal concerns of the property owners, county commissioners, representatives of the state, and other concerned citizens, should by all standards take presidence over and above the economics of this project.

Your research has found that Alternatives A,B, and D, are feasible, therefore, they should be considered the preferred route in building this 12 mile section of highway.

In conclusion, we want to state that it is our belief that the Montana Department of Highways has a responsibility to the people of our state. That responsibility, is to build the safest roads possible, and to affect as few homeowners as possible in doing so. Our part of the state has, in the past, been cheated in both of those areas. Our highways have not been built with safety in mind, they have been in a very poor, deteriorated condition for many years, and seldom has the best interest of the homeowners, or the effects to the environment been taken into consideration. We believe that you are trying to alleviate those problems, so don't let cost alone put us back to where we were 60 years ago.

Sincerely,

The following is a list of reasons that we believe would justify the increased cost if Alternative B were the chosen route in building the new highway.

1. It would move the highway further away from residences, increasing the well-being and safety of residents, pets and livestock.
2. It decreases the number of approaches to the highway from nine to two.
3. Postal delivery would be moved from the highway to the frontage road.
4. It would move the highway up, out of the shaded canyon, resulting in more sunlight, decreasing ice and snowy conditions.
5. There would be less impact to the environment as 1500 ft. of channel changes to Swamp Creek would be eliminated.
6. It would raise the highway to a higher elevation, so it is out of the wet-lands.
7. The Fish and Game Dept. agrees that this would improve the fish habitat.
8. There would be a reduction in the amount of culverts needed from 248 ft. to 70 ft.
9. It would reduce damage to septic systems, water wells and springs.
10. It would eliminate the devaluation of many parcels of land, in which the homeowners would have to be compensated.
11. Power lines would not have to be moved, nor would there be a need for temporary service, easement purchases from the power company, or new construction by the power company as Cliffside is at the end of the area seviced by PP&L.
12 Excess fill would result, eliminating the need to purchase fill from other areas.
13. Right-of-way purchases would be considerably less due to the type of land to be purchased.
14. Traffic would not have to be detained for long periods during construction.

Considering the many reasons listed above, the support given by property owners, county commissioners, State Senators and representatives, and special interest groups, through letters and comments at meetings, we feel that cost alone should not be enough in determining the preferred route to take.

The following is a list of property owners, county commisioners, state representatives and legislators, and also, concerned citizens who support our views.

NAME	ADDRESS
John K Beebe	9590 FARM TO MKT Rd LIBBY, MT 59923
[illegible] Beebe	9590 Farm to Mkt Rd. Libby Mt 59923
[illegible]	13723 U.S. HWY 2 SO LIBBY, MT 59923
[illegible] L Marden	13723 US HWY 2 SO LIBBY, MT 59923
Edwin W Jewell	14243 U.S. HWY 2 SOUTH LIBBY MONTANA 59923
Martha M. Jewell	14243 US Hwy 2 South Libby, Montana 59923
[illegible]	14261 Hwy 2 So. Libby Mt. 59923
[illegible]	"
Maggie Craig	19845 U.S. Hwy. 2 South Libby, MT. 59923
John [illegible]	19845 US Hwy 2 South Libby MT 59923
Gerald R. Cuner	412 Calif Ave - County Commissioner Libby, MT 59923
Dennis South	14120 US Hwy 2 South LIBBY, MT 59923
Valerie South[illegible]	14130 US Hwy 2 South Libby Mt 59923
Jeanne Butler	14179 US Hwy 2 South Libby MT 59923
[illegible] Butler	" "
[illegible]	[illegible]

The following is a list of property owners, county commisioners, state representatives and legislators, and also, concerned citizens who support our views.

NAME	ADDRESS
[illegible] Southern	608 Fairmont Rd Kalispell, MT 5990
Orin R Falk	17026 Hy 2 So., Libby, MT. 59923
Linda M. Falk	17026 Hwy 2 South, Libby, MT. 59923
Grace M. Falk	17026 Hiway 2. S. Libby, Mt. 59923
Carol D. Falk	17026 Hiway 2 South Libby, Mt. 59923
Scott M. Fuscher	19850 S Hwy #2 Libby, MT 5992
Eileen A. Vinion	19413 Hwy. 2 South Libby MT. 59923
Neil J. Vinion	" " " " " " "
George A Cromer	16055 Hwy 2 So. Libby Mt 59923
Charles Portzer	14120 US Hwy 2 So Libby MT 5992
Jerene Brown	214 Bache Lane (Box 476) Libby, MT 599
Ronald Davis	16050 Hwy 2 So. Libby MT. 59923
Judy Elsey	8175 Koo. Rur. Rd. Libby
Barbara Andrews	320 Rustic Rd Libby MT. 599
Lisa Kaufhold	Box 271 Libby MT 59923
Tom Roll	P.O. Box 1120 Libby MT. 59923

The following is a list of property owners, county commisioners, state representatives and legislators, and also, concerned citizens who support our views.

NAME	ADDRESS
Ralph J. Hildreth	Libby Mont 72 Crest St 59923
Rina Hildreth	Libby, MT. 72-Crest St
Irene Basham	Libby MT 44 Conifer Rd.
Pat Mann	Libby MT 504 Montana Ave
Stacy Rowley	446 Spencer Rd Libby MT.
David Lelm	398 Spencer Rd. Libby MT
Kristen Lelm	398 Spencer Rd. Libby, MT.
John L B Beebe	11312 Hwy 2 So Libby
Mabel L Beebe	11312 Hwy 2 So. Libby
Mary E Smith	9578 Farm to Mkt Road
Michael J Otte	17124 Hwy 2 S LIBBY MT 59923
Karol Spas-Otte	17124 Hwy 2 S Libby Mt 59923
Vicki L Schneider	21662 U.S. Hwy. 2 S. Libby, MT
[illegible] C Schneider	21662 U.S. Hwy. 2 S. Libby 5992[illegible]
Lucas A Smith	9578 Farm to MKT Rd Libby mt 599[illegible]
[illegible] A. [illegible]	P.O. Bx 371 Libby Mt. 59923

The following is a list of property owners, county commisioners, state representatives and legislators, and also, concerned citizens who support our views.

NAME	ADDRESS
NOEL E. WILLIAMS [signature]	512 CALIF AVE - LIBBY MT LINC. CO. COMMISSION
LAURENCE A. DOLEZAL L. A. Dolezal	512 Ca. Ave. Libby Mt. Chairman, Linc. Co. Commissioner
[signature] DAVID A. NATVIK	16506 US Hwy 2 So Libby MT
Sherry L. Smith	16506 US Hwy 2 So. Libby
Tammy D Fisher [signature]	56 Rainbow Lane, Libby, MT 59923
Claudia K Williams	117 E Oak Libby, Mt 59923
[signature]	P.O. Box 960 Libby, Mt. 59923
[signature]	65 Kobbe Rd. Libby, Mt. 59923

AGENCY COMMENTS

DEPARTMENT OF COMMERCE

TED SCHWINDEN, GOVERNOR

STATE OF MONTANA

(406) 444-3494

HELENA, MONTANA 59620-0401

Act	Info	MAIL ROUTE	Attach	Initial
		20		
	✓	30 Eng. Specialties		
		31 Contract Plans		
	✓	32 Loc. Road Design		
		33 Environment		
	✓	34 Hydraulic		
		35 Surveying		
	✓	36 Traffic		
		37 Pub. Hearing		
		38 Photogrammetry		
		39 Consultant Design		
	✓	Bodin		
	✓	File		

June 19, 1987

Mr. Stephen C. Kologi, P.E., Chief
Preconstruction Bureau
Montana Department of Highways
2701 Prospect
Helena, Montana 59620

File: 1-18-18

Subject: Proposed Highway Project F 1-1(29)45 12 miles S.E. of Libby S.E.

Dear Mr. Kologi:

The Transportation Division of the Montana Department of Commerce has completed a review of the subject highway project per your correspondence dated June 11,1987. Comments resulting from review of this highway project are presented as follows:

1. The subject highway project, as proposed, would not appear to impact any rail facilities in the project area covered by the translite. Our review indicates the subject highway project is in conformance with the Montana Rail Plan - 1984 Annual Update dated May 1985.

2. Commercial truck traffic volumes on the FAP 1 PTW through the subject project area have ranged between 107 AADT in 1983 to 182 AADT in 1985. Between 1981 and 1985 truck volumes increased by 29 vehicles per day. It is estimated a large portion of this truck traffic is associated with the wood products industry.

   According to the publication "Montana Department of Highways-Montana Traffic by Sections" the highway project PTW all vehicles AADT remained somewhat constant between 1981 and 1985.

3. Improvement should be considered as part of this project with respect to any road or access drive which has or will have a hazardous intersection angle of approach to the

proposed alignment or sight distance problem in light of potential increased vehicle speeds.

4. Access control, as proposed, should be considered for incorporation into this project.

Other possible considerations include:

5. Efforts should be made to conserve agricultural lands along the valley floor adjacent to the PTW from: Project Beginning to MP 45.5, MP 48.7 to MP 51.1, MP 53 to MP 53.9 and MP 55.5 to MP55.7

6. Deliberation should be given to the disposition or use of the irregular parcels of land remaining as a result of straightening out the PTW curves from MP 47.5 to MP 48.8, and MP 54 to MP 55.3.

Due to the age, poor alignment and narrow width of the current P.T.W. facility it is our opinion the proposed highway project is needed.

This concludes our comments on this preliminary phase of the subject project. Thank you for this opportunity to comment.

Yours Truly,

Richard A. Howell, Manager
Special Projects
Transportation Division

BURLINGTON NORTHERN RAILROAD

ENGINEERING DEPARTMENT

2200 First Interstate Center
Seattle, WA 98104-1105

Mr. Stephen C. Kologi, P.E.
Chief, Preconstruction Bureau
Department of Highways
State of Montana
2701 Prospect
Helena, MT 59620

June 23, 1987

Dear Mr. Kologi:

This will refer to your June 11, 1987, letter, file F 1-1(29)45, relative proposed highway project on U.S. 2, 12 miles southeast of Libby, extending approximately 11 miles therefrom.

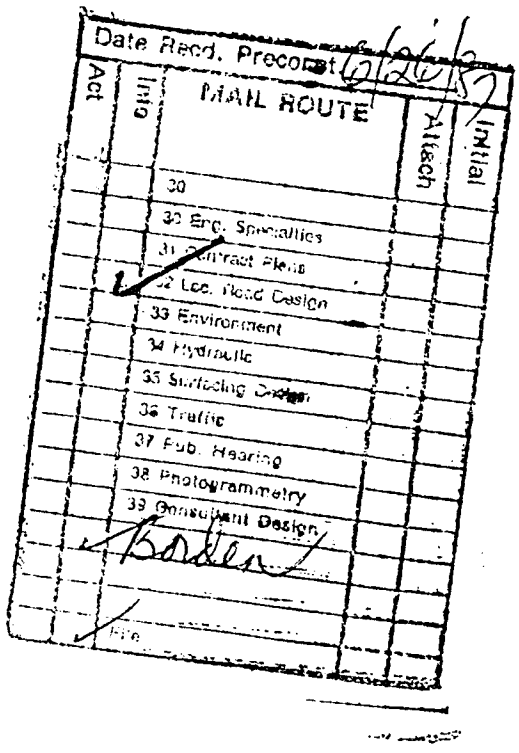
Thank you for informing us of this particular project. At the present time, it does not appear that the railroad would be adversely affected, nor do we have any projects scheduled which would affect your program. Of course, if you have any plans directly affecting the railroad, we will handle those matters at the time they are brought up.

Sincerely,

V. J. Ostrander

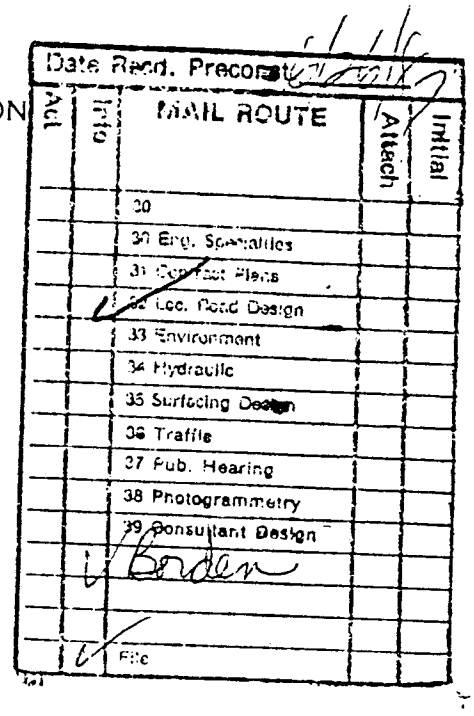
V. J. Ostrander
Assistant Engineer Public Works

VJO/jn2387ac06



DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

Airports District Office
FAA Building, Room 2
Helena Regional Airport
Helena, Montana 59601



June 25, 1987

Mr. Stephen C. Kologi, P.E
Chief, Preconstruction Bureau
Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

Ref: F 1-1(29)45 12 miles
S.E. of Libby S.E.

Dear Mr. Kologi:

We have reviewed the proposed development of a federal aid highway project on U.S. 2 (FAPI) in Lincoln County. The proposed project will consist of reconstruction of the existing roadway to provide a new 2-lane facility approximately 11.7 miles along U.S. 2 in Lincoln County, Montana.

The proposed development will not have an adverse effect on any existing or future airport development.

The opportunity to review and comment on such proposals is appreciated.

Sincerely,

Susan S. Alexander

Susan S. Alexander
Planning/Program Officer

DEPARTMENT OF COMMERCE
AERONAUTICS DIVISION

TED SCHWINDEN, GOVERNOR

P.O. BOX 5178
2630 AIRPORT ROAD

STATE OF MONTANA

(406) 444-2506

HELENA, MONTANA 59604

June 25, 1987

Mr. Stephen C. Kologi, P.E.
Chief, Preconstruction Bureau
State of Montana
Department of Highways
2701 Prospect Avenue
Helena, MT 59620

FILE: F 1-1(29)45
12 MILES S.E. OF LIBBY S.E.

Dear Mr. Kologi:

The Montana Aeronautics Division has reviewed the above-mentioned project, and in our opinion this project will not have any adverse effects on aeronautical activities in this area.

Thank you for the opportunity to comment on this project.

Sincerely,

Michael D. Ferguson, Administrator
Aeronautics Division

David C. Kneedler, Chief
Airport/Airways Bureau

bp

Date Recd. Preconst 6/26/87

Act	Info	MAIL ROUTE	Attach	Initial
		30		
		30 Eng. Geotechnical		
		31 Construction Plans		
		32 Location & Design		
		33 Environmental		
		34 Hydraulic		
		35 Surfacing Design		
		36 Traffic		
		37 Right-of-Way		
		38 Photogrammetry		
		39 Contract Plans		

BURLINGTON NORTHERN RAILROAD

ENGINEERING DEPARTMENT

2200 First Interstate Center
Seattle, WA 98104-1105

Mr. Stephen C. Kologi, P.E.
Chief--Preconstruction Bureau
Department of Highways
State of Montana
2701 Prospect
Helena, MT 59620

June 25, 1987

Dear Mr. Kologi:

This will refer to your letter dated June 11, 1987, file F 1-1(29)45, concerning the proposed project on U. S. 2 beginning 12.3 miles southeast of Libby, Montana, proceeding 11.7 miles southeasterly.

From what we are able to determine based on the aerial photos sent with your above-mentioned letter, it does not appear we have any projects, concerns or opinions that would affect your proposed project.

Sincerely,

V. J. Ostrander

V. J. Ostrander
Assistant Engineer Public Works

VJO/jn2587ac08

Date Recd. Precons 6-26-87

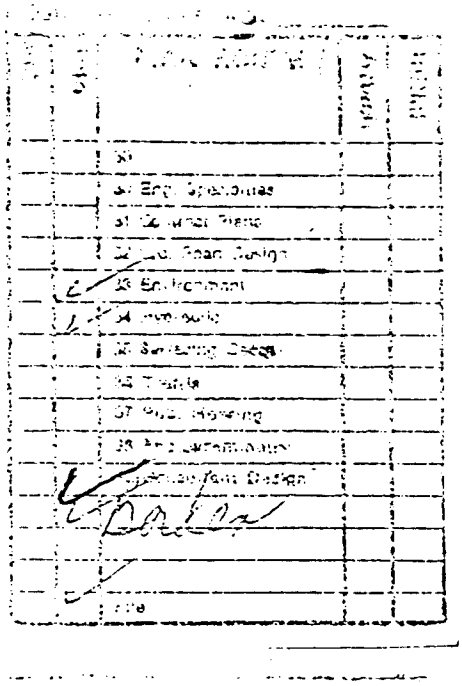
Act	Info	MAIL ROUTE	Attach	Initial
		30		
		30 Eng. Specialties		
		31 Contract Plans		
✓		32 Loc. Road Design		
		33 Environment		
		34 Hydraulic		
		35 Surfacing Design		
		36 Traffic		
		37 Pub. Hearing		
		38 Photogrammetry		
		39 Consultant Design		
		K Borden		
		File		

DEPARTMENT OF THE ARMY
OMAHA DISTRICT, CORPS OF ENGINEERS
1612 U.S. POST OFFICE AND COURTHOUSE
OMAHA, NEBRASKA 68102-4978

REPLY TO
ATTENTION OF

Planning Division

July 1, 1987



Mr. Stephen C. Kologi
Chief, Preconstruction Bureau
Department of Highways
State of Montana
2701 Prospect Avenue
Helena, Montana 59620

Dear Mr. Kologi:

We have reviewed your letter dated June 11, 1987, concerning the proposed highway improvement project on U.S. Highway 2, 12 miles southeast of Libby, Montana. We offer the following comments for your consideration.

If construction activities involve the placement of dredged or fill material into Swamp Creek or any other water body or wetland area, a permit pursuant to Section 404 of the Clean Water Act will be required. Final project plans should be sent to Mr. Robert McInerney, U.S. Army Corps of Engineers, c/o DNRC/CDD, 1520 East 6th Avenue, Helena, Montana 59620-2301, for a detailed review of permit requirements.

The design of the proposed project should ensure that the project is in compliance with flood plain management criterion of Lincoln County and the State of Montana. As a minimum, the design should ensure that the 100-year flood water surface elevation of any stream affected is not increased more than one foot relative to pre-project conditions. It is desirable, however, that water surface elevations either remain the same or decrease as a result of this project.

Since Federal funding is involved, it may be necessary to have a cultural resources investigation for the project area. Your consultation with the Montana Historical Society should resolve this issue.

The proposed highway improvement project falls within the boundaries of the Kootenai National Forest. Consultation with the National Park Service and the U.S. Forest Service is

recommended to determine special permit needs, if you have not done so already.

Thank you for this review opportunity.

Sincerely,

Richard D. Gorton
Chief, Environmental
Analysis Branch
Planning Division

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

AIR QUALITY BUREAU

TED SCHWINDEN, GOVERNOR

STATE OF MONTANA

COGSWELL BUILDING

(406) 444-3454

HELENA, MONTANA 59620

July 6, 1987

Mr. Stephen Kologi, Chief
Preconstruction Bureau
Montana Department of Highways
Capitol Station
Helena, MT 59620

Dear Mr. Kologi:

This is in response to your letter of notification regarding the highway improvement project designated as U.S. 2 (FAP1) including 12 miles S.E. of Libby in Lincoln County.

In general, any project which will smooth out the traffic flow, and reduce stopping and idling time will also reduce the amount of air pollution emissions from transportation sources. From this standpoint the Air Quality Bureau would like to support your efforts to upgrade the Montana highway system. Asphalt plants and gravel crushers are the primary emission sources for highway construction, and they must obtain an air quality permit from our office to operate in the state.

Sincerely,

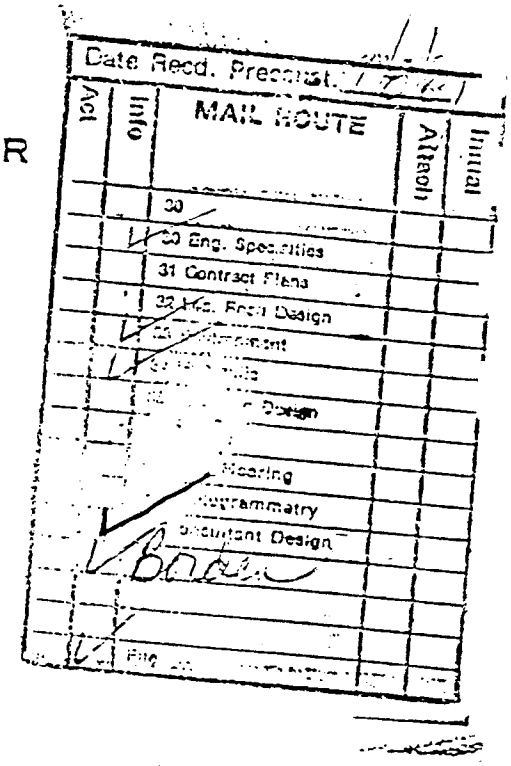
Warren Norton
Environmental Specialist

WN:sj

cc: Ron Anderson, Lincoln Co.

UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

Fish and Wildlife Enhancement
1501 14th Street West, Suite 230
Billings, Montana 59101



IN REPLY REFER TO:

FWE-61410

July 8, 1987

Mr. Stephen C. Kologi
Preconstruction Bureau
Montana Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

Dear Mr. Kologi:

We received your letter dated June 11, 1987, requesting our comments regarding the development of a federal-aid highway project on U.S. 2 (FAP-1) in Lincoln County. The proposed project will consist of reconstructing the existing road starting 12.3 miles southeast of Libby, Montana, and extending southeasterly for about 11.7 miles along U.S. 2. Junction.

In order to facilitate planning of the project, we recommend you consider the following items: 1) encroachment into any streams, lakes, or intermittent drainages should be kept to an absolute minimum; 2) new drainage structures, if needed, should be designed to assure that these will have no affect on adjacent wetlands, fish passage, and surface water run-off patterns; 3) fill placed in gullies, swales, or other "low" areas which function to carry overland flow during storm events should be immediately seeded to reduce erosion; and 4) mitigation of unavoidable wetland losses should be considered as planning progresses. In this regard, we should be advised of any known unavoidable impacts to wetlands, as soon as possible, so we can work with you to determine needed mitigation measures and to expedite any subsequent comments on Section 404 permits that may be required.

Section 7(a) of the Endangered Species Act requires that all federal agencies, in consultation with the Fish and Wildlife Service (FWS), shall insure that any action funded, authorized, or carried out by such agencies (such as the FHWA) will not jeopardize the continued existence of any threatened or endangered species. The FWS has determined that the endangered species which may occur in the project area are the bald

eagle (Haliaeetus leucocephalus) and peregrine falcon (Falco peregrinus). If impacts to large trees in riparian habitats and to fisheries are avoided, we would not expect adverse impacts to these listed species.

The limited information provided us does not indicate if the project will involve moving powerlines. However, to aid in your planning of the project, if existing powerlines are to be relocated, the reconstructed lines should be designed to prevent possible electrocution of peregrine falcons, bald eagles, and other raptors. Electrocution problems are generally most likely to occur in open habitats such as grasslands and shrublands where natural perches are scarce, and in wetlands and along rivers. Reconstruction of existing lines should assure that clearances between conductors, and conductors and ground wire, are sufficient to preclude raptor electrocutions. We recommend that power pole construction be designed as illustrated in: "Suggested Practices for Raptor Protection of Power Lines" (Raptor Research Report No. 4, Raptor Research Foundation, Inc., 1981). A copy of this report can be obtained by writing: Mr. Jim Fitzpatrick, Treasurer, Raptor Research Foundation, Carpenter St. Croix Nature Center, 12805 St. Croix Trail, Hastings, Minnesota 55033.

If you determine that federally-listed species may be adversely affected by highway reconstruction or should you have other questions in the future concerning matters addressed herein, please contact:

Field Supervisor
Fish and Wildlife Enhancement
U.S. Fish and Wildlife Service
Federal Building, U.S. Courthouse
301 South Park
P.O. Box 10023
Helena, Montana 59626
Telephone: (406) 449-5225

In that regard, we would appreciate being advised of any alignment changes which may occur as the planning progresses.

We appreciate the opportunity to comment on the project at the present planning stage.

Sincerely,

John G. Wood
Acting State Supervisor
Ecological Services

cc: Director, Montana Department of Fish, Wildlife, and Parks, Helena, MT
Paul Garrett, Montana Department of Highways, Helena, MT
Bob McInerney, U.S. Corps of Engineers, Helena, MT
John Peters, Environmental Protection Agency, Denver, CO
Regional Director, USFWS, Denver, CO (FWE-60120)
Field Supervisor, USFWS, Helena, MT (SE-61130)

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

TED SCHWINDEN, GOVERNOR

1520 EAST SIXTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-6699

59620-2301

Date Recd. Precons. 7/14/87			
Act	Info	MAIL ROUTE	Attach	Initial
		30		
		31 Eng. Specialties		
		31 Contract Plans		
		32 Loc. Road Design		
		33 Environment		
		34 Hydraulic		
		35 Surfacing Design		
		36 Traffic		
		37 Pub. Hearing		
		38 Photogrammetry		
		39 Consultant Design		

July 9, 1987

Mr. Stephen C. Kologi, P.E.
Chief, Preconstruction Bureau
Montana Department of Highways
2701 Prospect
Helena, MT 59620

RE: F 1-1 (29)45
12 MILES S.E. OF LIBBY S.E.

Dear Mr. Kologi:

You recently requested information pertaining to the referenced project. The Department of Natural Resources and Conservation (DNRC) has three concerns.

First, a permit will be required for any work that affects a designated floodplain. The Lincoln County Planner is the appropriate contact with regard to this project.

Second, water may be needed for dust control or some other construction-related purpose. If so, a temporary water use permit will have to be obtained. For information about application forms and procedures, contact the DNRC Water Rights Field Office, PO Box 860, 3220 Highway 93 South, Kalispell (phone 752-2288).

Finally, it appears that this project may affect irrigation facilities. Consequently, care should be taken so that the timing and method of construction do not interfere with the exercise of existing water rights, and any water rights facilities that are involved should be maintained or replaced. Our Kalispell Water Rights Field Office can provide additional information on the water rights that may be affected.

The opportunity to comment on this project is appreciated.

Sincerely,

Carole I. Massman

Carole I. Massman
Administrative Officer

cc: Water Resources Division
(Brasch, Hamill, Guse)
Kalispell Area Office
Intergovernmental Review Clearinghouse

EGP
GAG ✓
WDJ

RECEIVED
AUG 10 1988
MORRISON—MAIER

Montana Department of Fish, Wildlife & Parks

1420 East Sixth Avenue
Helena, Montana 59620
August 4, 1988

Paul A. Garrett
Dept. of Highways
2701 Prospect
Helena, MT 59620

RE: Swamp Creek
F 1-1(29)

Dear Paul:

We have reviewed the subject project and are concerned with the number and amount of channel changes proposed on Swamp Creek. Regional personnel indicate the lower 4 miles of this stream is important for spawning and rearing of rainbow trout from the Kootenai River. Channel changes should be minimized in this area. Wetland areas will be impacted in the upper Meadow section of the project.

I sent my only copy of these plans to our Region One folks for their review so I cannot comment on specific sites. However, we do not approve of these preliminary plans. Lets schedule a field review to see what we can work out to negate some the apparent problems.

Sincerely,

Al Wipperman

Al Wipperman, Chief
Habitat Protection Bureau
Fisheries Division

Date	8/5/88
Act	Info
	30 Eng. Specialties ✓
	31 Contract Plans
	32 Loc. Road Design
✓	33 Environment
✓	34 Hydraulic
	35 Surfacing Design
	36 Traffic
	37 Pub. Hearing
	38 Photogrammetry
✓	39 Consultant Design
✓	
	✓
✓	File

drg
cc: Elser/Vashro
Jeff Herbert
Gary Wood, USFWS, Billings
John Peters, EPA, Denver

Sent to consultant
8-9-88

United States
Environmental Protection
Agency

Region 8, Montana Office
Federal Building
301 S. Park, Drawer 10096
Helena, Montana 59626-0096

EPA

Date Recd. Precons				
Act	Info	MAIL ROUTE	Attach	Initial
		30		
		20 Eng. Specialties		
		31 Contract Plans		
		32 Loc. Road Design		
		33 Environment		
		34 Hydraulic		
		35 Surfacing Design		
		36 Traffic		
		37 Pub. Hearing		
		38 Photogrammetry		
		39 Consultant Design		
		Burden		

REF: 8MO

JUL 13 1987

Mr. Stephen C. Kologi, P.E.
Chief, Preconstruction Bureau
Montana Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

Re: Federal Aid Highway Project
F1-1(29)45
12 Miles S.E. of Libby S.E.

Dear Mr. Kologi:

This is in response to your letter of intent regarding the above-referenced project on U. S. Highway 2 in Lincoln County, Montana.

This project will involve widening and reconstructing 11.7 miles of U. S. Highway 2 southeast of Libby. We request that all appropriate pollution and erosion control measures be provided for during project planning and design. These measures should be implemented during construction to assure protection of water quality and aquatic habitat.

We also request that wetland impacts be identified early in the planning process, and that appropriate mitigation of wetland impacts be provided. We believe that the wetland evaluation and mitigation process being developed by the Montana Department of Highways and the Montana Department of Fish, Wildlife, and Parks for the Interagency Highway-Wetlands Committee should be utilized for this project.

Thank you very much for the opportunity to comment.

Sincerely

Stephen M. Potts

Stephen M. Potts, P.E.
Environmental Engineer

Montana Department of
Fish, Wildlife & Parks

Office Memorandum

August 26, 1987
Ref: JH16

TO: Ralph Soland

FROM: Joe E. Huston

SUBJECT: Reconstruction of U. S. Hwy. 2 Section SE of Libby, F1-1(29)45

The proposed reconstruction of this section of U. S. Hwy. 2 from Miller Creek to Libby Creek could have severe impacts on Swamp Creek. The present highway alignment follows Swamp Creep almost from its mouth to its source. Swamp Creek, although small, is used for spawning by rainbow trout from Kootenai River via Libby Creek.

Swamp Creek from its source near milepost (MP) 54 to about MP48.5 has little fishery value. It has been severely channelized in past years and is primarily a drainage ditch for hayfields. Downstream from this point the stream enters a narrow canyon, gradient increases, and stream channel characteristics improve. Almost all rainbow travel spawning occurs in this canyon section, MP48 to its junction with Libby Creek.

An irrigation diversion that impedes upstream movement of fish is located near MP45 just downstream of the junction of Farm-to-Market Road with US Hwy. 2. The Highway Department should be able to reconstruct this structure to provide better upstream fish movement.

Do we consider overgrown drainage ditches "wetland"? If so, considerable wetland could be affected upstream from MP48.5±

/bj

OFFICE OF THE GOVERNOR
BUDGET AND PROGRAM PLANNING

STAN STEPHENS, GOVERNOR

STATE CAPITOL

STATE OF MONTANA

(406) 444-3616

HELENA, MONTANA 59620

October 13, 1988

David S. Johnson, Chief
Preconstruction Bureau
Dept. of Highways
2701 Prospect Avenue
Helena, Montana 59620

RE: Draft Environmental Assessment/Programmatic Section 4(f) Evaluation
for Project No. F 1-1(29)45, Swamp Creek - East
Montana State IGR Clearinghouse SAI No. MT881013-188-X

Dear Mr. Johnson:

The above-captioned notice has been received. In order to provide notification to parties that may be interested in review and/or comment on the proposal, it will be listed in the next Intergovernmental Review Bulletin issued from this office.

Any inquiries or comments regarding the proposal will be directed to you. Please forward copies of any comments received to the Clearinghouse for our files. We have requested that comments be submitted by November 13, 1988.

The Clearinghouse intends to take no further action on this proposal.

Sincerely,

DEBBIE DAVIS
Clearinghouse Manager

Enclosure

Date Recd. Preconst. 10/16/89

Act	Info	MAIL ROUTE	Attach	Initial
	✓	20 Preconst Engr		
	✓	30 Assistant		
		35 Office Mgr		
		32 Road Design		
		33 Environment		
		34 Hydraulics		
		36 Survey & Mapping		
		[illegible] Consultant		✓
	✓	Weaver		
		File		

"AN EQUAL OPPORTUNITY EMPLOYER"

MONTANA INTERGOVERNMENTAL REVIEW CLEARINGHOUSE

REVIEW AND COMMENT FORM

Applicant: Department of Highways Phone: 444-6244
ATTN: Mr. David S. Johnson
Address: 2701 Prospect Avenue, Helena, Montana 59620

Subject: Draft EA/Programmatic Section 4(f) Evaluation for Project No. F 1-1(29)45, Swamp Creek - East

Clearinghouse SAI No. MT891013-188-X

YOUR COOPERATION IS REQUESTED IN COMPLETING YOUR REVIEW AND RETURNING THIS FORM WITH YOUR COMMENTS TO THE ABOVE ADDRESS, WITH A COPY TO THE CLEARINGHOUSE, NO LATER THAN November 13, 1989

	YES	NO	COMMENTS
Is this proposal consistent with the plans, goals and objectives of your agency?			
Does the proposed action conflict with any applicable statute, order, regulation or rule with which you are familiar?			
Does this proposal overlap, conflict or duplicate other existing programs or agencies?			

Describe any suggestions or means of improving or strengthening the proposed plan.

Please convey your general conclusion by checking the appropriate response(s).

- ☐ Proposal is supported.
- ☐ Support only with conditions described below.
- ☐ Non-supportive for the reasons described below.
- ☐ Additional information is desired as described below.
- ☐ No comment on this proposal.

REMARKS:

Reviewer: _____ Title: _____

Address: _____ Phone: _____

Signature: _____ Date: _____

Return to Applicant listed above, with a copy to: Montana IGR Clearinghouse
Lt. Governor's Office, Room 210
State Capitol
Helena, Montana 59620

UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
Fish and Wildlife Enhancement
Federal Building, U.S. Courthouse
301 South Park
P.O. Drawer 10023
Helena, Montana 59626

IN REPLY REFER TO:
FWE-61130-Billings

Act	Info	MAIL ROUTE	Attach	Initial
	✓	30 Grey		
		32 Eng. Specialties		
		33 Control Plans		
		34 Urban Road Design		
	✓	35 Environment		
	✓	36 Hydraulics		
		35 Surveying Design		
		September 26, 1989		
		37 Pub. Hearing		
		38 Photogrammetry		
	✓	39 Consultant Design		
		Weaver		
	✓	File		

Mr. Stephen Kologi
Montana Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

Dear Mr. Kologi:

This responds to your September 1, 1989 Notice of Combined Highway Location and Design Public Hearing concerning the intent of the Montana Department of Highways (MDOH) to reconstruct approximately 11.3 miles of U.S. Highway 2 (Montana FAP 1) in Lincoln County, Montana. The proposed project would begin several miles southeast of Libby and extend further to the southeast, to a point just north of Miller Creek. The project is identified as F 1-1(29), Swamp Creek.

It is our understanding that this project will impact a significant amount of wet meadow/riparian wetlands and require the relocation of a portion of the Swamp Creek channel. We also are under the impression that a general inventory has been made of the wetlands potentially affected, but no detailed impact assessment has yet been accomplished. We strongly recommend that a wetlands impact assessment be conducted in accordance with the recently signed, "Memorandum of Understanding: Management and Mitigation of Highway Construction Impacts to Wetlands in the State of Montana". If wetland impacts are determined to be unavoidable using that procedure, they should be mitigated, also in accordance with the Memorandum of Understanding.

Regarding any needed stream channel relocation work, we assume fishery concerns will be resolved through close coordination with the Montana Department of Fish, Wildlife and Parks in connection with the state permit required under MCA-87-5-501 (Stream Protection Act). In that regard, we urge that every reasonable effort be made to minimize channel disturbance and to mitigate unavoidable impacts.

Endangered species which may occur in the project area include the grizzly bear (Ursus arctos horribilis), bald eagle (Haliaeetus leucocephalus) and the peregrine falcon (Falco peregrinus). Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, the Federal Highway Administration must determine if the proposed road improvements may affect these species. If it is determined that any of these species may be affected, it will be necessary for the Federal Highway Administration to initiate formal consultation with us. The following information may assist in that determination.

The proposed project is located within an area considered to be occupied grizzly bear habitat by the U.S. Fish and Wildlife Service. However, considering the specific location and nature of the work, we do not believe there will be any impacts to this species.

Several bald eagle nesting territories are known to occur in the general vicinity, generally north and northwest of the proposed project. A wintering concentration of bald eagles also occurs some miles to the north and eagles undoubtedly occur at times in the immediate project location as seasonal migrants. The peregrine falcon may also occur as a seasonal migrant. We do not foresee any substantive concerns with the proposed project, regarding the bald eagle and the peregrine falcon. However, to conserve these species, and other large raptors protected by Federal law, we suggest that any powerlines to be modified or reconstructed as a result of the project be raptor-proofed following the criteria and techniques outlined in the Raptor Research Report No. 4, "Suggested Practices for Raptor Protection on Powerlines - The State of the Art in 1981". A copy may be obtained for $5.00 by writing to:

Jim Fitzpatrick, Treasurer
Raptor Research Foundation .
Carpenter St. Croix Nature Center
102805 St. Croix Trail
Hastings, Minnesota 55033

We appreciate the opportunity to comment on the proposed project.

Sincerely,

John G. Wood

Kemper McMaster
Acting State Supervisor
for Montana State Office

cc: Roger Scott, Federal Highway Administration (Helena, MT)
Jeff Ryan, Montana Dept. of Highways (Helena, MT)
Jeff Herbert, Montana Dept. of Fish, Wildlife & Parks (Helena, MT)
Ken Chrest, Montana Dept. of Fish, Wildlife & Parks (Helena, MT)
Jack Thomas, Montana Dept. of Health, Water Quality Bureau (Helena, MT)
Steve Potts, Environmental Protection Agency (Helena, MT)
John Peters, Environmental Protection Agency (Denver, CO)
Larry Lockard, U.S. Fish & Wildlife Service (FWE-61130-Kalispell)
Suboffice Coordinator, U.S. Fish and Wildlife Service (FWE-61130-Billings)

JGW/dc

DEPARTMENT OF COMMERCE
AERONAUTICS DIVISION

STAN STEPHENS, GOVERNOR

P.O. BOX 5178
2630 AIRPORT ROAD

STATE OF MONTANA

(406) 444-2506

HELENA, MONTANA 59604

September 18, 1989

Mr. Stephen C. Kologi, P.E.
Chief, Preconstruction Bureau
Department of Highways
2701 Prospect Avenue
Helena, MT 59620

Dear Mr. Kologi:

FILE: F 1 - 1 (29)
12 Mi. S.E. of Libby S.E.
(Swamp Creek)

The Montana Aeronautics Division has reviewed the above-mentioned project; and, in our opinion, this project will not have any adverse effects on aeronautical activities in this area.

Thank you for the opportunity to comment on this project.

Sincerely,

Michael D. Ferguson, Administrator
Aeronautics Division

Barbara Burrows

for Gerald C. Burrows, Chief
Airport/Airways Bureau

bp

Date Recd. Preconst. 9/19/89

Act	Info	MAIL ROUTE	Attach	Initial
	✓	30 Mgr		
	✓	30 Eng. Specialties		
		31 Contract Plans		
		32 Loc. Road Design		
		33 Environment		
		34 Hydraulic		
		35 Surfacing Design		
		36 Traffic		
		37 Pub. Hearing		
		38 Photogrammetry		
	✓	39 Consultant Design		
		Wheaver		
	✓	File		

United States Department of Agriculture

Soil Conservation Service

Federal Building, Room 443
10 East Babcock Street
Bozeman, Montana 59715

RECEIVED
NOV 6 1989
RRISON—MAIERLE/CSSA, INC.

October 31, 1989

RECEIVED
NOV 6 1989
MORRISON—MAIERLE/CSSA, INC.

Mr. David S. Johnson
Preconstruction Bureau
Montana Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

Dear Mr. Johnson:

SUBJECT: Swamp Creek-East F.A.P. F1-1(29)45
Lincoln County, Montana, Environmental Assessment

We have reviewed the above environmental assessment and offer the following comment. Every effort possible should be made to hold required construction work in the Swamp Creek channel to a minimum.

Sincerely,

Robert J. Gooby Acting

RICHARD J. GOOBY
State Conservationist

cc:
Ron Batchelor, State Biologist, Soil Conservation Service

Date Recd. Preconst. 11/3/89

Act	Info	MAIL ROUTE	Attach	Initial
	✓	30 Preconst Engr		
	✓	30 Assistant		
		30 Office Mgr		
		32 Road Design		
	✓	33 Environment		
	✓	34 Hydraulics		
		35 Survey & Mapping		
		36 Traffic		
	✓	39 Consultant		
	✓	Weaver		
	✓	File		

SENT TO CONSULTANT
11-3-89 Bob Gooby

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Centers for Disease Control
Atlanta GA 30333

November 2, 1989

GAG 9
BGP BN

Mr. David S. Johnson, P.E., Chief
Preconstruction Bureau
Montana Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

F 1-1(29)

Dear Mr. Johnson:

We have reviewed the Draft Environmental Assessment/Programmatic Section 4 (f) Evaluation for Swamp Creek-East, F.A.P. F1 - 1 (29) 45, Lincoln County, Montana. We are responding on behalf of the U.S. Public Health Service.

This project does not appear to have significant potential public health and safety impacts. As stated by the Montana Air Quality Bureau, the project will smooth out the traffic flow, and reduce stopping and idling time and ultimately reduce the amount of air pollution emissions from transportation sources in the project area. However, during construction, all appropriate pollution and erosion control measures should be implemented and be monitored by project officials.

We note that several relocations may be necessary, however, adequate replacement housing is available in the project area, and a relocation assistance program will assist the affected families.

Thank you for the opportunity to review this document. Please insure that we are included on your mailing list for future DEIS's with potential public health impacts which are developed under the National Environmental Policy Act (NEPA).

Sincerely yours,

Kenneth W. Holt

Kenneth W. Holt, M.S.E.H.
Environmental Health Scientist
Center for Environmental Health
and Injury Control

UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
Fish and Wildlife Enhancement
Federal Building, U.S. Courthouse
301 South Park
P.O. Drawer 10023
Helena, Montana 59626

IN REPLY REFER TO:

FWE-61130-Billings

Date Recd. Preconst. 11/2/89

Act	Info	MAIL ROUTE	Attach	Initial
	✓	30 Preconst Engr		
	✓	30 Assistant		
		30 Office Mgr		
		30 Road Design		
	✓	30 Environment		
	✓	30 Hydraulics		
		November 1, 1989		
		30 Traffic		
		30 Consultant		
	✓	File		

Mr. David S. Johnson, Chief
Preconstruction Bureau
Montana Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

Dear Mr. Johnson:

As requested, we have reviewed the draft Environmental Assessment/Programmatic 4(f) Evaluation for Project F 1-1(29)45, Swamp Creek-East. The U.S. Fish and Wildlife Service (Service) does not own nor manage any lands or properties potentially impacted by the project. The Service also concurs that endangered/threatened species will not be impacted; in that regard, we reiterate our earlier recommendation that any powerlines to be reconstructed should be designed to prevent possible electrocution of bald eagles, peregrine falcons and other large raptors (as discussed on page 20 of the draft EA/4(f) Evaluation).

The Service also strongly recommends that the wetland impacts described in the draft EA/4(f) Evaluation be mitigated under provisions contained in the recently signed, "Memorandum of Understanding: Management and Mitigation of Highway Construction Impacts to Wetlands in the State of Montana", in accordance with earlier recommendations of several agencies, including the Service. We interpret the language in Section 4.9 of the draft Evaluation (pp 12-17) to be a commitment to do so.

We appreciate the opportunity to comments on the draft EA/4(f) Evaluation.

Sincerely,

For Kemper McMaster
Acting State Supervisor
Montana State Office

cc: Roger Scott, Federal Highway Administration (Helena, MT)
Jeff Ryan, Montana Department of Highways (Helena, MT)
Jeff Herbert, Montana Dept. of Fish, Wildlife & Parks (Helena, MT)
Ken Chrest, Montana Dept. of Fish, Wildlife & Parks (Helena, MT)
Jack Thomas, Montana Dept. of Health, Water Quality Bureau (Helena, MT)
Steve Potts, Environmental Protection Agency (Helena, MT)
John Peters, Environmental Protection Agency (Denver, CO)
Larry Lockard, U.S. Fish and Wildlife Service (FWE-61130-Kalispell)
Suboffice Coordinator, U.S. Fish and Wildlife Service (FWE-61130-Billings)

JGW/dc

"Take Pride in America"

Sent To Consultant
11-2-89
Bob

MONTANA STATE UNIVERSITY
Extension Service
Lincoln County Extension Office
418 Mineral Avenue, Courthouse Annex
Libby, Montana 59923
406-293-7781 Ext. 211

December 5, 1989

Department's Public Hearings office
2701 Prospect Avenue
Helena, Montana 59620

Dear Friends:

I am writing regarding project: F 1 - 1(29), 12 Mi. S.E. of Libby S.E., (Swamp Creek). Having reviewed a copy of the Environmental Assessment report I find little or no mention of erosion control or noxious weed management considerations.

The Lincoln County Weed and Rodent Board would like some assurance that before project completion, provisions are made which restrict the establishment of noxious weeds. This could be accomplished by control of any existing noxious weeds, the use of weed seed free gravel, insuring establishment with certified weed free seed, and erosion control measures to minimize future disturbed ground.

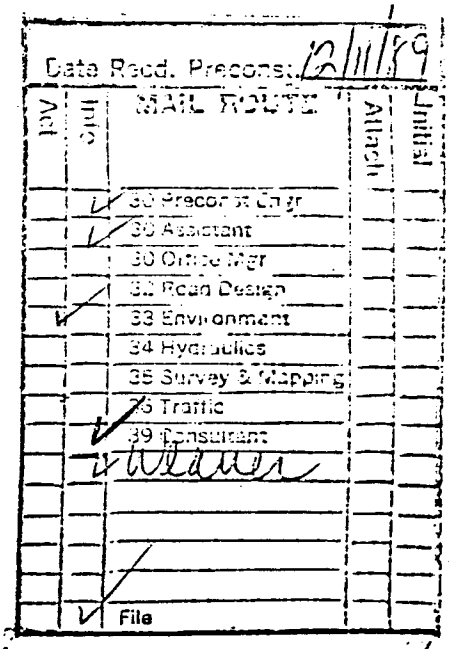
Thank you for giving me an opportunity to comment on this project.

Sincerely;

Robert E. Wilson
MSU Lincoln County Extension Agent

REW:mew

cc: Lincoln County Weed and Rodent Board
Lincoln County Board of Commissioners



Sent to Consultant
12-18-89

Montana Department of Fish, Wildlife & Parks

Sent to Consultant 10-12-90 Bob Gurbury

1420 East Sixth Avenue
Helena, Montana 59620
July 24, 1990

Date Rec'd 7/25/90

Act	Info		Attach	Initial
	✓	30 Preconst Engr		
		30 Assistant		
		30 Office Mgr		
	✓	32 Road Design		
		33 Environment		
		34 Hydraulics		
		35 Survey & Mapping		
		36 Traffic		
		Consultant		
	✓	Weaver		
	✓	File		

Jeff Ryan
Dept. of Highways
2701 Prospect Ave.
Helena, MT 59620

RE:DOH-51-90
Swamp Creek East
F 1-1(~~35~~ 29) 45

Dear Jeff:

After the July 12, 1990 field review, there are still several items of concern with the existing Swamp Creek plans. We discussed several of these items at the site. The following is a brief summary of discussion and concerns that still need to be addressed before the SPA can be approved.

The possibility of constructing the channel change one year prior to the road contract was talked about. This would give the slopes a chance to revegetate and stabilize before Swamp Creek is turned into the constructed channel. The suggestion was to have FW&P's and DOH's biologist actually stake the proposed stream channel change configuration. This job should be accomplished in late fall when the vegetation had died back. In areas where mechanical excavation will be used to construct the channel, all excavated material will be required to be removed from the site or place in a position that will not increase sediment into the existing or new channel. In the areas where the channel is to be blasted, the slopes are to be left in a rough condition and reseeded with a native grass seed mixture and seeded by broadcasting. In the area where the stream is mechanically excavated, revegetative recommendations should be determined by DOH's agronomist. The regional FWP biologist must be notified 72 hours in advance before turning the existing channel into any section of the new excavated channel.

To prevent any headcuts in the new channel, we request approximately 25 instream hard points to be placed in the channel. It is suggested the hardpoints be constructed 2' wide x 3' deep and rocked to the top of both banks using appropriate size rock.

At station 60 + 73 exist an irrigation structure. When this structure is removed and replaced, it will be necessary to ensure fish passage at this station.

All culverts proposed in this project should be placed at the proper grade and depth so they will not restrict fish passage.

RECEIVED
OCT 15 1990
MORRISON—MAIERLE/CSSA, INC.

The temporary erosion control measure sheet should incorporate gravel checks into the design.

A copy of the special provisions for outlining the procedure for blasting the channel and a copy of revegetative plan should be supplied to FW&P for our review.

Although we did not come up with a definite sediment retention plan, such a plan could be designed at the mouth of Swamp Creek. I'm sure we'll need to get together again to review the changes that are made or discuss other ideas that may come up.

Sincerely,

Ken Chrest

Ken Chrest
Stream Protection Coordinator
Fisheries Division

drg
C: Vashro/Huston

4100.43 020 Q

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES
AIR QUALITY BUREAU

STAN STEPHENS, GOVERNOR

COGSWELL BUILDING

STATE OF MONTANA

FAX # (406) 444-2606

HELENA, MONTANA 59620

(406) 444-3454
FAX # (406) 444-1374

Environmental Bureau Date Received: 1-29-92		
ACT	INFO	Distribution:
1992		Adm. Engineering
		Adm. Operations
	✓	Preconstruction
		Construction
		Bridge
		Right-of-Way
		Materials
		Legal
	✓	Missoula
	✓	
		Dist

F1-1(29)45
Swamp Creek - East
C# 1027

January 27, 1992

Ms. Edrie L. Vinson
Environmental and Hazardous Waste Bureau
Division of Highways
Montana Department of Transportation
2701 Prospect Avenue
Helena, MT 59620

Dear Ms. Vinson:

The Air Quality Bureau has no comments on the re-evaluated environmental assessment for the proposed reconstruction of US Highway 2 designated as F 1-1(29)45, Proposed Swamp Creek - East, located approximately 12.3 miles southeast of Libby. Only the general concerns regarding fugitive dust control for residential areas, and the necessary air quality permits for asphalt plants and rock crushers will apply.

Sincerely,

Warren Norton

Warren Norton
Environmental Specialist

cc: Environmental Sciences Division

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

STAN STEPHENS, GOVERNOR

LEE METCALF BUILDING
1520 EAST SIXTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-6699
TELEFAX NUMBER (406) 444-6721

HELENA, MONTANA 59620-2301

February 25, 1992

RECEIVED

FEB 26 1992

Edrie L. Vinson, Chief
Environmental and Hazardous Waste Bureau
Montana Department of Transportation
2701 Prospect
Helena, MT 59620

Re: F 1-1(29)45
Swamp Creek-East

You recently invited comments pertaining to the referenced project. The Department of Natural Resources and Conservation has these concerns.

First, water may be needed for dust control or some other construction-related purpose. If the contractor uses surface water or over 35 gallons per minute or 10 acre-feet of ground water, a temporary water use permit will have to be obtained. For information about application forms and procedures, contact the DNRC Water Resources Regional Office, P.O. Box 860, Kalispell, MT 59903 (phone 752-2288).

Second, this project may affect irrigation facilities. Care should be taken during construction not to interfere with existing water rights and any facilities that may be involved should be maintained or replaced. Our Kalispell Regional Office can provide information on any water rights that may be affected.

Third, the project may cross portions of the designated 100-year floodplain for Lincoln County. Please see attached memorandum from Karl Christians.

Thank you for the opportunity to comment.

Sincerely,

Jim Bond

Jim Bond
Information Officer/
Citizen Participation Advocate

attach: memo

copy: Ron Guse, Water Rights Bureau
Karl Christians, Engineering Bureau
Kalispell Regional Office
Intergovernmental Review Clearinghouse

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

STAN STEPHENS, GOVERNOR

LEE METCALF BUILDING
1520 EAST SIXTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-6699
TELEFAX NUMBER (406) 444-6721

HELENA, MONTANA 59620-2301

MEMORANDUM

February 19, 1992

TO: Jim Bond
Information Officer

FROM: Karl Christians
CAP Manager

RE: Project: F 1-1(29)45
Proposed Swamp Creek-East Highway Improvements

The above proposed project for the reconstruction of highway 2 in Lincoln County is located in and crosses various portions of the designated 100-year floodplain for Lincoln County as shown on Flood Insurance Rate Map (FIRM) panels #900 B, #1000 B.

Lincoln county is regulated by the Administrative Rules of Montana as well as the minimum NFIP requirements. Therefore, construction shall conform to the Administrative Rules of Montana, sections:

36.15.602.2
36.15.602.3, (a & b)
36.15.604
36.15.701.3c

This project will require a floodplain development permit and shall adhere to the floodplain regulations administered by the Lincoln County floodplain administrator who can be reached at the following address:

Mr. Ken Peterson
418 Mineral Avenue
Annex Building
Libby, Mt 59923
Phone: 293-7781, ext. 229
228-8221, ext. 64

The Floodplain Management Section is always available to offer any technical assistance that may be needed.

GENERAL COMMENTS

The main concern would be that they design bridges and install culverts that will convey water flows equal to or greater than a 100-year discharge rate and minimize flow obstruction.

If I can be of further assistance, please contact me at 444-6654.

FISH AND WILDLIFE ENHANCEMENT
FEDERAL BUILDING, US COURTHOUSE
301 S PARK
P O BOX 10023
HELENA MT 59626

FWE-61130-Billings
M.17-FHWA (Swamp Creek - E)

February 6, 1992

Edrie L. Vinson, Chief
Environmental and Hazardous Waste Bureau
Division of Highways
Montana Department of Transportation
2701 Prospect Avenue
Helena, Montana 59620

Dear Ms. Vinson:

This responds to the Notice of Intent dated January 21, 1992, concerning proposed Montana Department of Transportation Project No. F1-1(29)45, Swamp Creek - East. We have your reviewed this particular project in the past, the last time in a November 1, 1989 letter to Mr. David S. Johnson, Chief, Preconstruction Bureau, Montana Department of Transportation, in connection with the draft Environmental Assessment/Section 4(f) Evaluation. We reiterate those comments.

In addition, we wish to note that we are concerned about the extensive Swamp Creek channel modifications that will be necessary with this particular project. We understand, in this regard, that the project continues to be the subject of discussion between your agency and the Montana Department of Fish, Wildlife and Parks in connection with permitting under the Montana Stream Protection Act. We assume adequate stream protection (for water quality and fish habitat) will emerge from this process. We also note that if Section 404 permits from the Corps of Engineers are eventually determined to be necessary, the U.S. Fish and Wildlife Service may be required by law (Fish and Wildlife Coordination Act: 16 U.S.C. et. seq.) to recommend to the Corps such fish and wildlife protection or mitigation measures as appear reasonable and prudent based on information available at that time.

We appreciate your efforts to consider and conserve fish and wildlife resources, including threatened and endangered species. If you have questions regarding this letter, please contact Mr. Gary Wood of our Billings Suboffice (406) 657-6750.

Sincerely,

Dale Harms
State Supervisor
FOR Montana State Office

JGW/jf

Environmental Bureau Date Received:		
CT	INFO	Distribution:
	✓	Adm. Engineering
		Adm. Operations
	✓	Preconstruction
		Construction
		Bridge
		Right-of-Way
		Materials
		Legal
	✓	Missoula
	✓	File

✓ cc M & M

cc: Suboffice Coordinator, USFWS, Fish & Wildlife Enhancement (Billings, MT)
Larry Lockard, USFWS, Fish & Wildlife Enhancement (Kalispell, MT)
Ken Chrest, Montana Department of Fish, Wildlife and Parks (Helena, MT)

cc: Dave Johnson
~~Eddie~~ Vinson
Lajoie
Brazda
5-21-92 CL

NORTHWEST REGIONAL RESOURCE
CONSERVATION & DEVELOPMENT
P.O. Box 766
Polson, MT 59860

April 30, 1992

James T. Weaver, P.E.
District Engineer
Department of Transportation
Box 7039
Missoula, MT 59807-7039

RE: Swamp Creek East Project
Lincoln County

Dear Mr. Weaver:

The Northwest Regional Resource Conservation and Development (RC&D) requests that you give serious consideration to the alternative routes presented to you by the Swamp Creek Property Owners Association.

The NW Regional RC&D understands that you have reviewed most of these alternatives on the ground and have issued preliminary approval for additional survey and design for some proposed alternatives. Certainly, we are unable to take a firm position as to the specifics of this project without having the technical data to determine the ultimate feasibility of all of these alternatives, but the NW Regional RC&D does support the democratic process of gathering site specific input from local private citizens, as you have done in your public meetings.

In many instances private taxpayers can provide valuable information that can yield viable options that may not have been previously considered for a variety of reasons. These options may give you more environmentally prudent alternatives

than your original design. It may even prove valuable to generate more local public input prior to the initial design to avoid unnecessary work later.

The NW Regional RC&D is comprised of Lake, Lincoln, and Sanders Counties and therefore has a serious, as well as curious, interest in the Swamp Creek East Project. Accordingly, we would appreciate receiving a detailed analysis that carefully lays out the logic and basis which justifies your decisions when you have completed your comparison and review.

Thank you for your cooperation and serious consideration to these comments and those of the private land owners of the Swamp Creek area.

Respectfully,

L. A. Dolezal

Larry Dolezal
Chairman

ld:mrt

United States Department of Agriculture
Soil Conservation Service
Field Office
655 Hwy 93 North
Eureka, MT 59917

August 4, 1992

Gerald Graham
Morrison-Maierle Engineers
P.O. Box 6147
Helena, MT 59604

Dear Mr. Graham:

This letter is to acknowledge the fact that there is no land classified as Prime or Unique Farmland in Lincoln County, Montana.

Sincerely,

Angel R. Rosario

Angel R. Rosario
District Conservationist

Montana Department
of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Marc Racicot, Governor

February 5, 1993

Inez Herrig
Heritage Museum
P.O. Box 628
Libby, MT 59923

Subject: F 1-1(29)45
Swamp Creek
Control No. 1027

This is to confirm your conversation with Jon Axline on February 2, 1993 concerning the Swamp Creek Bridge (24LN766) and the Swamp Creek Community Hall (24LN825). In response to public comment and State Historic Preservation Office recommendation, the Montana Department of Transportation (MDT) proposes to relocate the reinforced concrete guardrails of the Swamp Creek Bridge and the Swamp Creek Community Hall to the Heritage Museum in Libby.

The MDT will remove the concrete guardrails of the Swamp Creek Bridge and move them to the grounds of the Heritage Museum. The bridge is located on U.S. Highway 2 approximately 22 miles northwest of Happy's Inn at Cliffside. The MDT will provide the interpretive marker for the guardrails (Attachment 1).

The MDT will also dismantle the Swamp Creek Community Hall located south of Libby on U.S. Highway 2. The disassembled building will then be transported to the grounds of the Heritage Museum. The logs, roof and trim will be labeled and recorded for reassembly. The museum will be responsible for the reconstruction of the building. The MDT will also provide an interpretive marker describing the history and significance of the community hall to the Heritage Museum (Attachment 2).

The contractor will contact your organization prior to moving the guardrails and disassembled community hall to the Heritage Museum.

This letter is to confirm your acceptance of this proposal. This is an excellent opportunity to preserve and interpret two historical properties in Lincoln County. We would welcome the input of any interested individuals from your organization for this project.

If you have any questions, please contact me at 444-7632 or Jon Axline at 444-6258.

Edrie L. Vinson, Chief
Environmental & Hazardous Waste Bureau

I accept this proposal:_____

ELV:JA:D:ENV:200.gg

Attachments

cc: Gordon L. Larson, P.E., Project Development Engineer
Highways Division
David S. Johnson, P.E., Preconstruction Engineer
James T. Weaver, P.E., District Engineer-Missoula

DRAFT

Swamp Creek Bridge

These reinforced concrete guardrails were once distinctive elements of a bridge located on U.S. Highway 2 south of Libby. The bridge was one of four timber bridges located on the highway with balustraded concrete guardrails. They were designed by the Bureau of Public Roads as part of a forest highway construction project in 1936. The bridges were built by Spokane contractor James Crick with the timber components supplied by the West Coast Wood Preserving Company of Seattle. It is not known who furnished the reinforced concrete. The guardrails were an unusual design feature to the bridges which usually had paired wood guardrails. These guardrails were removed when the bridge was replaced by the Montana Department of Transportation in the 1990s.

123 words

DRAFT

Swamp Creek Community Hall

Constructed in 1931, this log building functioned as a social gathering place for Swamp Creek area families for nearly two decades. Elwin Manicke offered the use of his property for the community hall because of its central location and proximity to the road. He also organized the volunteer construction crew, which included several local families who volunteered their time and labor to build the hall. After the log walls had been raised, the Swamp Creek community held a fund raiser to purchase finished lumber for the floor of the building. The Swamp Creek Community Hall remained in use until about 1945 when the Manicke's sold the property and moved out of the area. The building served as an important gathering and meeting place for the residents around in the Swamp Creek area for nearly two decades. The Montana Department of Transportation dismantled the building in the 1990s and moved it to the museum. It was reassembled through the efforts of the Heritage Museum and, ironically, local volunteers.

169 words

Morrison & Maierle

Montana Department of Fish, Wildlife & Parks

1420 E 6th Ave
PO Box 200701
Helena MT 59620-0701
June 4, 1993

Edrie Vinson, Chief
Environmental & Hazardous Waste Bureau
Dept. of Transportation
PO Box 201001
Helena MT 59620-1001

RE: F 1-1 (29) 45
Swamp Creek - East
Reevaluated Environmental Assessment
CN# 1027

The Department is in agreement with the preferred alternative as stipulated on page 3-3 of the Reevaluated Environmental Assessment. Alternative P with the variations of replacement of Alternative A, B, and D is acceptable and should reduce any unnecessary impacts to Swamp Creek. Actual stream modifications and reconstruction due to the proposed channel change will be handled within the Stream Protection Act permitting process.

Thank you for the opportunity to comment on this project.

Al Wipperman
Habitat Bureau Chief
Fisheries Division

C: Region 1 - Vashro
Project File

United States Department of the Interior
FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES
100 N PARK, SUITE 320
HELENA MT 59601

IN REPLY REFER TO:

August 5, 1993

Ms. Edrie Vinson
Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, Montana 59620-1001

Dear Ms. Vinson:

This is in response to your letter received July 7, 1993 requesting Fish and Wildlife Service (Service) review of the Swamp Creek Biological Assessment (Project F 1-1(29)45, C#1027).

The Service has reviewed the Biological Assessment and concurs with your determination that the proposed project is not likely to adversely affect the endangered bald eagle (Haliaeetus leucocephalus) and the endangered peregrine falcon (Falco peregrinus). However, the Biological Assessment fails to address the recently proposed water howellia (Howellia aquatilis). Although unlikely, the plant or its habitat may occur within the project area. Therefore, please contact this office by letter or phone to inform us of your findings concerning the potential impacts of the proposed project to water howellia.

In addition, the Service does not anticipate any incidental take of listed species as a result of the proposed project. Therefore, pursuant to S402.13 (a) of the 50 CFR, formal consultation is not required. If, after public review and comment, the final project design is changed so as to have effects on threatened and endangered species other than those described in the July 1992 Biological Assessment, a revised Assessment will need to be prepared. The Service will then issue a concurrence-nonconcurrence letter addressing the revised Biological Assessment.

We appreciate your efforts to ensure the conservation of these endangered species as a part of your responsibilities under the Endangered Species Act, as amended.

Sincerely,

for Dale R. Harms
State Supervisor
Montana State Office

Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Marc Racicot, Governor

August 16, 1993

Dale R. Harms
State Supervisor - Montana State Office
U.S. Fish & Wildlife Service
Ecological Services
100 North Park, Suite 320
Helena, MT 59601

Subject: F 1-1(35)45 Control #1027
Swamp Creek - East
Sensitive Plants

This is in response to your letter received August 6, 1993 requesting a "Statement of Findings" for water howellia (Howellia aquatilis), a plant recently proposed for listing as a threatened and endangered species.

A rare and sensitive plant survey was completed for this project on July 23, 1993. Prior to the field survey, the consultant determined that there was potential for water howellia to occur in the study area based on available habitat. During the field survey, special attention was given to those habitats having high potential for rare and sensitive plant occurrences, including water howellia.

The field survey did not confirm the presence of water howellia or any of the 41 sensitive plant species which had potential to occur in the study area.

Based on the information presented, it has been determined that this proposed project will have **NO EFFECT** on water howellia or its critical habitat.

Please call 444-7228 if you have any questions or further concerns regarding water howellia or any other T&E species.

Edrie Vinson

Edrie L. Vinson, Chief
Environmental & Hazardous Waste Bureau

ELV:MAT:env

cc David S. Johnson, P.E., Preconstruction Engineer
James T. Weaver, P.E., District Engineer - Missoula
Jim Sauser, Realty Forester, Libby - U.S. Forest Service
Brad Peterson, Morrison - Maierle Environmental Corp.
Doug Morgan, P.E., Consultant Design Engineer

Edrie Vinson
original G. Stickstone

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
215 NORTH 17TH STREET
OMAHA, NEBRASKA 68102-4978

REPLY TO
ATTENTION OF

August 30, 1993

MASTER
FILE
COPY

U.S. Corps of Engineers
1520 East 6th Avenue
P.O. Box 202301
Helena, Montana 59620

RECEIVED

AUG 31 1993

ENVIRONMENTAL BUREAU

cc: G.L. Larson
Jim Weaver
John Mayhew
D.S. Johnson
Jim Hill
Morrison & Maierle

Edrie L. Vinson, Chief
Environmental & Hazardous Waste Bureau
Montana Department of Transportation
2701 Prospect Ave.
P.O. Box 201001
Helena, Montana 59620

Dear Ms. Vinson:

This is in response to the Preliminary Reevaluated Environmental Assessment (EA) for the Swamp Creek East Project, F 1-1(29)45, Lincoln County, Montana. The proposed project begins at Milepost 44,8 and extends southeasterly approximately 12,3 miles to Milepost 57.1 near the new Fisher River Bridge.

Based upon our review of the EA, the following information should be provided before our office can determine that the preferred alternative will not result in more than minimal impacts and that the preferred alternative is the least damaging practicable alternative. This information will also be required to evaluate the proposed project in accordance with the 404(b)(1) Guidelines (40 CFR Part 230).

a. The EA indicates that four existing wooden bridges will be replaced with new bridges or large culverts (para. 2.1.2.). Data should be provided which identifies the dimensions of such structure and any bank protection/realignment necessary.

b. The EA indicates that several other projects are located in the immediate vicinity of the proposed action (para. 2.4). To evaluate cumulative effects, a table summarizing effects, if any, of these projects to those wetlands, rivers and creeks affected by the Swamp Creek East project should be included in the final document.

c. Section 3, "Alternatives Under Consideration", identifies several alternatives that have been evaluated. In accordance with the 40 CFR Part 230, the least damaging practicable alternative must be selected, so long as the alternative does not have other significant adverse environmental consequences. It is suggested that information be presented in a format (perhaps tabular) which compares the effects of each alternative. The information should identify the effects for parameters such as acres of wetland

affected, area of river affected, linear feet of channel modification, degree and type of effects to fish resources, degree and type of effects to wildlife, amounts and types of fill to be discharged, etc. This will enable reviewers to more quickly determine and compare effects of the alternatives evaluated.

d. Paragraph 4.6.1. indicates that channel modifications, sediment traps, hardpoints, riprap and other measures will be employed where appropriate. Information should be provided on all of these items which will enable evaluation of their potential impacts to aquatic resources.

e. Paragraph 4.6.2. indicates ... "other small streams involved on this project are all considered to be above the headwaters and they will be addressed under the Nationwide Permit--individual permits will not be required". Information on the potential effects on these smaller systems should also be identified in the final document. These effects/impacts will be considered as part of the overall project and cumulative effects on these systems evaluated to determine if significant impacts will occur to the aquatic environment, determination of least damaging practicable alternative, and mitigation requirements. Section 4.12.2. also identifies that cumulative impacts to fishery resources in the project area may potentially result from timber sales, rural home developments, mining and agricultural practices. Those effects that will occur within the reach the proposed project should also be identified.

f. Paragraph 4.8 identifies measures to mitigate unavoidable losses resulting from construction of the proposed project. It appears that several of the sites selected for mitigation may contain wetland or some other aquatic resource. Evidence of the potential function or value of existing aquatic resources should be presented. Data should clearly identify the aquatic resources that exist at each mitigation site as compared to how the site will be affected via mitigation/enhancement development. Mitigation proposals should also identify functions and values to enable a comparison of pre- and post-conditions.

g. Those concerns identified during the public scoping process and which pertain to aquatic resources (paragraph 5.2) should be addressed.

Thank you for the opportunity to review this proposed project. We apologize for the late response. If you have any questions, please contact me at 444-6670.

Sincerely,

doug mcdonald

Doug McDonald
Project Manager
Helena Regulatory Office

United States Department of Agriculture
Forest Service
Kootenai NF
506 US Highway 2 West
Libby, MT 59923

Reply to: 2730
F 1-1(28)45
Swamp-Creek East
Control No. 1027

OCT 20 1993

Date: October 18, 1993

MASTER FILE COPY

Edrie L. Vinson, Chief
Environmental and Hazardous Waste Bureau
Montana Department of Transportation
2701 Prospect Avenue
Helena, Montana 59620

The Kootenai National Forest has reviewed the Re-Evaluated Environmental Assessment (REA) for the Swamp Creek Highway Project prepared by the Montana Department of Transportation (MDT) and concurs with the findings in the document as they pertain to affected National Forest System lands.

In the REA it states "Another location and design public hearing is planned to discuss this re-evaluated environmental assessment and receive additional public comments. After the hearing and after written comments have been received, necessary revision to this REA will be made ...." The Forest's concurrence is conditioned on no significant changes to the REA which affect National Forest System lands. Should significant changes be made, it will be necessary for the Forest to review these changes.

In addition, the Forest provides the following comments for clarification:

1. The Forest has reviewed the Montana Department of Transportation Highway Construction Standard Erosion Control Work Plan. Further discussion in the REA of the erosion control plan is unnecessary.

2. 4.12.3 Vegetation, Pgs. 4-38 & 4-39. "MDT currently maintains an agreement with the Lincoln County Weed Control District.... The agreement further stipulates that herbicide application follow and abide by applicable statutes pertaining to pesticide use." Also, "The U.S. Forest Service also maintains an agreement with the Lincoln County Weed Control District. Where construction occurs on forest lands, this agreement will be adhered to."

   The agreement between the Forest and the County states "...This may include cooperating on a herbicide application program...." As a point of clarity, herbicide application in the portion of the Kootenai National Forest where this project is located would not be allowed without an Environmental Impact Statement (EIS). Currently, only the Rexford and Fortine Ranger Districts, in the northern portion of the county, are covered by an EIS which allows herbicide application as part of a noxious weed treatment program. Current Department of Transportation Easements, such as that issued for RS 269-1(2)0 (Libby NW) contain the following condition: "The GRANTEE shall maintain the right-of-way clearing by means of chemicals only after specific written approval has been given by the Forest Service. Application for such approval must be in writing and specify the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated."

If you have any questions please contact Jim Sauser, Forest Highway Project Coordinator. He can be reached at (406) 293-6211.

Lawrence R. Cron

for ROBERT L. SCHRENK
Forest Supervisor

cc: B. Allen, RO
T. Hammack, SO
D. Pederson, D-5

APPENDIX B - GEOMAX CHANNEL CHANGE FIELD WORK SUMMARY

Geomax
GEOLEGAL & GEOMECHANICAL & GEODESIGN
PROFESSIONAL ENGINEERS & SURVEYORS
622 SOUTH SIXTH AVENUE • BOZEMAN, MONTANA • 59715
TELEPHONE: (406) 586-0730 (406) 586-1011

June 8, 1992

To: Morrison-Maierle/CSSA
P.O. Box 6147
Helena, MT 59604
attn. Brad Peterson, Project Manager

Re: Field Work Summary - Swamp Creek East
Prime Agreement F-1-1(29)45, Swamp Creek East
Project Number: 91.0073 020 1132

Dear Brad:

From mid-January to mid-May I visited the project area to attend meetings, conduct seminars and meet individually with residents who had concerns with Swamp Creek or would be impacted by the project. The purpose of these visits was to learn what individual concerns were and to discuss specific ways that the highway and stream could be realigned in the most beneficial manner.

The following pages contain three sections which summarize my field activities at the project site. The material is drawn from my notes, field observations and information provided by the landowners. The sections include:

Section 1 - **Site Specific Observations** is a description of problems and solutions observed at specific locations along the highway.

Section 2 - **Field Log of Contacts** - is a record of the various meetings which took place (with individuals and groups), and the issues that were discussed.

Section 3 - **Seminar & Meeting at Souther's Home** is an attendance record of the February 26, 1992 seminar-meeting at Dennis Souther's home.

Enclosed also are two map sheets covering Swamp Creek/Highway 2 project area. Shown on these maps is a compilation of the proposed alternatives for stream and highway alignments made by Geomax, P.C.

Sincerely,

Jack Mahaney FOR D.R.R.

Dr. Donald R. Reichmuth, P.E., P.L.S.

jbm/DRR
encl

Section 1
Site Specific Observations

The following list summarizes the most significant benefits and concerns which are derived from the proposed alternatives and observations.

Stations 50 - 75

- Benefit of returning the stream to its' original channel so that dewatering problems can be minimized.
- Improved roadbed stability with highway built on alluvial fan.
- Benefit of a sediment pond which could be incorporated for sediment control.
- Increased winter sun on the highway which will improve safety.
- Benefit of crossing the creek at a narrow point in the valley which will minimize the distance traveled across boggy area.
- Availability of stable material for highway construction from Sta. 73 - 78.
- Safety benefit of increased highway sight distance from flatter curve geometry.

Stations 75- 105

- Benefit of eliminating two creek crossings.
- Benefit of more stable soil conditions under realigned highway.
- Fill source could be developed between Sta. 88 - 105.
- Safety benefit of limiting driveway access to highway by putting homeowners on a frontage road.
- Benefits of providing greater separation between creek and highway.
- Benefits of minimizing disturbance to normal traffic during construction.
- Benefits of decreased noise by placing highway further from existing homes.
- Benefits of removing only one home at west side of existing highway instead of removing four buildings as in the original plan. The owner of the effected home has given preliminary approval for the realignment which would pass through his house.

Stations 188- 219

- Benefits of providing greater separation between creek and highway.
- Benefits of routing the creek through a vertically stabilized natural channel.
- Benefits of a pond which would provide over-wintering fish habitat and act as a sediment trap to protect downstream areas.

Stations 245 to 285, 325 - 330 and 340 - 366

- Importance of draining numerous springs and special construction techniques.

Stations 390 - 405

- Benefit of returning creek to original channel which will help minimize the creek drying out in the summer.
- Benefit of minimizing the depth of cut for the stream
- Benefit of minimizing headcutting in Reinhart Creek

Section 2
Field Log of Contacts

January 15 - 17

Visited the following residents living along U.S. Highway 2 in the project area:

Beebe, John & Teddy - Discussed the Farm to Market Road area.
Butler, Mrs. - Spoke with Mrs. Butler about the project.
Coursien, Jim - Discussed problems with the creek and the advisability of moving the channel and buildings. The garage and office could be vulnerable to channel encroachment.
Craig, Maggie - Had long discussion on the entire project.
Cromer, G. - out of town. Jim & Margie Lippert acting as caretakers.
Jewell, Ed - not available
Luscher, Scott & Holly - Holly said that they were experiencing no impact or problem associated with the creek and highway realignment.
Martin, Tom & Lillian - Spoke with Lillian about Swamp Creek Acres. May want to consider straightening the channel.
Schneider, Jim & Vickie - not available but wants to discuss the project.
Schulke, Earl - Spent considerable time discussing and touring the area near the houses between Sta. 100 - 140.
Smith, Dave & Sherry - Spoke with Dave about channel erosion at his pasture, channel realignment and the advisability of fencing.
Souther - Met Mr. Souther at work and discussed particular problems he may encounter. His buildings are in close proximity to Swamp Creek
Vinion, Mike & Eileen - Discussed problems with road and creek alignment which would effect their house. Also headcutting (creek bed erosion) problem in Reinhart gulch.
Wulf, Chuck - not available

February 25

Seminar & Meeting at Dennis Souther's home - Gave a seminar on general stream mechanics, the effects of sediment imbalance, sediment trapping, grade control, erosion control measures and fish habitat. The importance of a comprehensive approach to mitigating problems was stressed. Received input about individual concerns. The cause and effects of various activities on the creek and adjacent properties was discussed as well as various options which would enhance the residential and riparian environment.

February 26 & 27

Visited the following residents living along U.S. Highway 2 in the project area:

Jewell, Ed - Discussed at length his access problems and the project in general.
Lippert, Jim & Margie (acting as caretakers for **G. Cromer**) - Showed Margie & Jim how the changes would affect the property. They will discuss the design with Mr. Cromer.
Martin, Tom & Lillian - Discussed the channel change near their property.
Snelder, Jim - Spoke with Jim and his brother while touring the creek in the vicinity of their ranch. Looked at various problems along this reach.
Souther, Dennis - Walked the entire lower alignment change with Dennis to get his input
Wulf, Chuck - not home

March 10

Attended scoping meetings and talked to most of the attendees about their concerns and Geomax's proposals.

Section 3
Seminar & Meeting at Souther's Home

Seminar & Meeting at Soather's Home 2/25/92

In Attendence:

Val & Dennis Souther	293-8108
Earl Schulke	293-7005
Mel Parker	293-9705
Mike & Eileen Vinion	293-3209
John & Maggie Craig	293-9180
Dave Malnik + Henry Smith	293-9460
[illegible]	293-3566
Susan Stubbs	293-3788
Edwin H Jewell	293-5917
Martha M Jewell	293-5917
JOHN K BEEBE	293-5187
DENNIS SOUTHER	293-8108 WORK 293-8886
John L. BEEBE	293-5285
James C Schneider	293-4508
Charles Butler	293-4628

APPENDIX C - COURSIEN PROPERTY INVESTIGATION AND RECOMMENDATIONS.

Huntingdon
Consulting Engineers Environmental Scientists

Chen-Northern, Inc.
1610 8 Street
Box 4699
Helena, Montana 59604
(406)443-5210
Fax: (406)449-3729

June 2, 1993

Ms. Edrie L. Vinson
Environmental and Hazardous Waste Bureau
Montana Department of Transportation
2701 Prospect Avenue
Helena, Montana 59620

RE: Addendum to *Limited Environmental Investigation Report*, May 26, 1993
Coursien Property, Swamp Creek - East
Lincoln County, Montana
Task Order No. 6, F 1-1(29)45

Dear Ms. Vinson:

This letter is in response to your request on April 27, 1993 that we clarify recommendations presented in Chen-Northern's *Limited Environmental Investigation Report, Coursien Property, Swamp Creek - East,* dated May 26, 1993, and provide additional recommendations specific to future construction activities at the Coursien site. The information presented in this letter is meant to supplement our previously issued report as an addendum.

Our recommendations presented in the report are based on the fact that the source of on-site contamination (two underground storage tanks (USTs)) has been removed and that there are no potential receptors of contamination in the vicinity of the site. Therefore, we did not recommend that additional investigative activities (e.g. borehole drilling) be completed at the site, but we did recommend that monitoring wells CMW-1, CMW-2 and CMW-3 along with surface water sampling stations CSW-1 and CSW-2, be sampled on a quarterly basis for one year.

Our recommendations did not clearly address site contamination in relationship to MDT's future reconstruction plans for U.S. Highway 2. Morrison-Maierle CSSA, Inc. is presently preparing an Environmental Assessment (EA) of the U.S. Highway 2 Swamp Creek - East project area which includes alternative construction routes. Two proposed alternative routes for Highway 2 (Alternative B and Alternative P) with associated Swamp Creek channel changes and right-of-way (R/W) acquisition in the immediate area of the subject site are included in the EA. Figure 3 (Attachment A) shows the two proposed Swamp Creek channel changes in relationship to the subject site. Construction through the area is not likely to begin until three to five years from now.

We met with Mr. Brad Peterson of Morrison-Maierle on May 28, 1993 to discuss our recommendations, the effects site contamination may have on construction plans and how information presented in our report can be incorporated into Morrison-Maierle's EA. We

also spoke to Mr. Monte Smith of the Montana UST Program regarding recommendations presented in our report and possible approval of those recommendations. The results of our discussion with Mr. Peterson and how findings of the investigation directly affect each alternative route are discussed below. The letter concludes with a discussion of our site monitoring recommendations as presented in our May 26 report and Mr. Smith 's reaction to those recommendations.

Alternative P

Alternative P involves a Swamp Creek channel change with culvert installation approximately 100 feet south of the former UST area. U.S. Highway 2 will follow its present day route according to this alternative but will be widened and improved. Monitoring well CMW-1 was purposely drilled in the approximate location of the Alternative P Swamp Creek channel change (Figure 3, Attachment A) and hydraulically upgradient of the former UST area. As presented in our May 26 report, soil and groundwater contamination were not detected during drilling and sampling CMW-1. Therefore, we feel that construction activities during the Alternative P channel change will not encounter soil and/or groundwater contamination. Information regarding well CMW-1 is contained in the drilling log (Appendix A), laboratory reports (Appendix C) and data summarized in Table 1 (page 9) of the May 26 report.

Monitoring well CMW-2 was drilled very near to the former USTs location. Soil contamination was detected in a split spoon sample collected from a depth of 7 to 9 feet below ground surface and extended to the total depth of the boring. Contamination was also detected in the groundwater sample collected from CMW-2 and groundwater rose to a depth of 3.80 feet below ground surface following development of the well. Monitoring well CMW-3 was drilled approximately 60 feet downgradient of CMW-2. Although soil contamination was not detected in the CMW-3 boring, groundwater contamination was detected. Depth to groundwater in well CMW-3 was 5.74 feet. Groundwater depths likely fluctuate between three to six feet below ground surface in response to changing seasonal flows in Swamp Creek. It is likely groundwater has smeared contamination over the interval of fluctuation.

Alternative P construction plans include excavation to a depth of one to three feet below the existing roadway and shoulder surface in the area of monitoring wells CMW-2 and CMW-3. Because the anticipated excavation will be to a depth near the groundwater surface, soil and/or groundwater contamination may be encountered and may facilitate soil removal. Cost estimates for contaminated soil removal and disposal/treatment have been prepared for Alternative B and would be similar for Alternative P if soil contamination is encountered.

Alternative B

The proposed Alternative B Swamp Creek channel change would be constructed near the former UST area and the location of monitoring well CMW-2 (Figure 3, Attachment A). According to Alternative B, U.S. Highway 2 would be located west of the site and the existing Highway 2 roadway would serve only as an access road to local residents. It is likely that construction activities associated with this alternative's channel change will encounter soil and/or groundwater contamination. Because of Alternative B's predicted location of Swamp Creek, we recommend that removal of contaminated soil remaining at the site be attempted during the channel change. This soil removal would likely mitigate the chances of petroleum contamination affecting water quality in Swamp Creek.

The estimated quantity of contaminated soil that could be removed during construction of this alternative is approximately 300 cubic yards. This estimate is based on an area approximately 1,600 square feet in and around the former UST area and service station building excavated to a depth of approximately five feet (approximate depth to groundwater). Contaminated soil could be removed during the highway or channel change construction activities. The quantity of contaminated soil could prove to be substantially less due to natural attenuation of the contaminating gasoline constituents during the next three to five years prior to construction. Trained personnel equipped with a field monitoring instrument should be on-site during soil removal to delineate the extent of the soil contamination and to confirm its removal.

Two options for disposal of contaminated soil removed from the site are possible. These include disposal at the Lincoln County landfill or land treatment of the material on MDT property in the Libby area which would meet the necessary site criteria. The costs associated with each of these options are presented in Attachment B and are based on the approximated quantity of removed soil being 300 cubic yards. These soil disposal/treatment options are based on the assumptions that land treatment is still an acceptable practice and the Lincoln County landfill will still accept this type of waste three to five years from now.

Groundwater and Surface Water Monitoring

As discussed above, our recommendations contained in our May 26, 1993 report included future groundwater and surface water monitoring at the site. We discussed those recommendations with Mr. Smith (Montana UST Program) on May 28, 1993. Mr. Smith was in general agreement with the recommendations and will provide written approval in the near future. We have included a cost estimate in Attachment B for four quarterly monitoring events at the site. Costs for these events are based on mileage and time from Chen-Northern's Missoula office and analysis of groundwater and surface water samples for benzene, toluene, ethylbenzene and xylenes (BTEX).

The contents of this letter hopefully address your concerns regarding the Coursien site. Please feel free to contact me at your convenience if you have additional questions or comments regarding the findings or recommendations of the investigation.

Sincerely,

David R. Jacobson

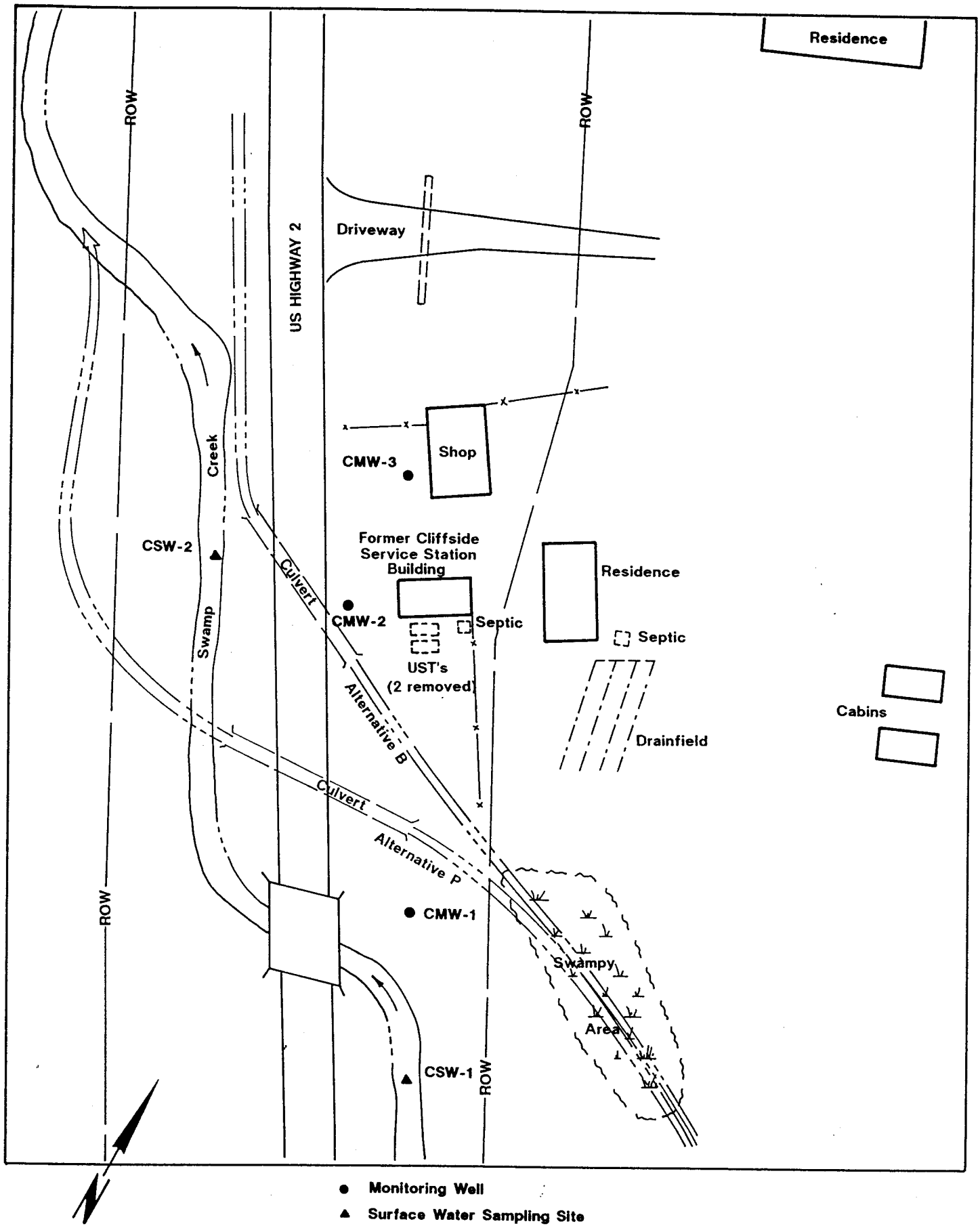
David R. Jacobson
Geologist

Attachments A: Figure 3
B: Cost Estimates

cc w/ Attachment A: Mr. Brad Peterson/Morrison-Maierle/Helena
Mr. Monte Smith/MDHES UST Program/Helena

ATTACHMENT A

FIGURES



Chen-Northern 92-3319

Coursien Site
MDT Swamp Creek-East
Lincoln County, Montana
FIGURE 3

APPENDIX D - SUMMARY OF THE LOCATION AND DESIGN PUBLIC HEARING

PROJECT F 1-1(29)45
SWAMP CREEK - EAST
LOCATION AND DESIGN PUBLIC HEARING
01 FEBRUARY 1994

A location and design public hearing was held on 01 February 1994 in the McGrade Elementary School Gymnasium, 899 Farm to Market Road in Libby, Montana. The meeting was held to discuss the proposed project and the Reevaluated Environmental Assessment (REA) that has been prepared.

The meeting was conducted by Larry F. Brazda of the Montana Department of Transportation (MDT). Other MDT representatives in attendance included, Richard T. Munger and Sam Naseem.

Mr. Brazda opened the meeting and explained the purpose and desired results. He also discussed right-of-way requirements, the right-of-way acquisition process and property owner rights. He then introduced Brad Peterson and Gerald Graham of Morrison-Maierle/CSSA (the engineering firm contracted to complete the environmental document and project design).

Mr. Peterson and Mr. Graham then made a brief presentation to explain the proposed project and alternatives, work that has been completed to-date and future work to be completed. The REA was briefly explained and summarized.

The meeting was then opened for public comment and discussion.

M. Switzer asked what will happen to the existing highway where it is replaced by Alternative B.

L. Brazda indicated that it will remain in-place to serve local residents with approaches to the new highway at each end. The County has agreed to maintain the road.

J. Criner, Lincoln County Commissioner, agreed that the County will maintain the road.

J. Beebe questioned why the Alternative A is aligned as it is.

G. Graham explained the alignment was designed to avoid the Swamp Creek channel as much as possible and still allow room for constructing detour roads while pipe culvert crossings are constructed.

E. Jewell expressed concern that too much wetland has been designated for this project and questioned whether wetland delineations had followed the 1987 COE guidelines.

B. Peterson indicated that delineations have been done by competent biologists in accordance the 1987 COE guidelines.

T. Martin asked what will happen to the proposed project after this public hearing.

L. Brazda indicated that comments from this hearing will be addressed in the REA and a finding of no significant impact (FONSI) will be completed which will complete the environmental analysis of the project. Final design can then begin.

T. Martin asked if the Montana Highway Commission would have input.

L. Brazda indicated that the Commission will make the final decision on which alternatives are constructed.

T. Beebe asked what is being done to address the safety of school children waiting for buses during construction.

L. Brazda indicated that, as with all construction projects MDT completes, provisions will be made for safe access for school children and other highway users during construction. He indicated that it has not been a problem on past projects because it has been dealt with properly.

J. Schneider asked what will be done about weed control during construction.

L. Brazda indicated that the construction contractor will be required to adhere to requirements of the agreement between MDT and the Lincoln County Weed Board.

M. Switzer pointed out an existing roadway approach to the highway that is at a bad angle and grade and asked if it would be corrected.

L. Brazda indicated that it will be corrected as part of the construction project.

L. Bardole asked about the location of and what will be done with two existing underground storage tanks.

L. Brazda pointed out the locations and indicated that they have been or will be removed and that any remaining contamination will be dealt with in accordance with the requirements of the Montana Department of Health and Environmental Sciences before construction begins.

T. Coursien asked what kind of access will be provide at her property.

L. Brazda explained how the approach will be constructed and where.

J. Shotzberger asked where the proposed truck climbing lane will be constructed and indicated concern about an existing approach at the bottom of the truck climbing lane and suggested that a left-turn lane may be appropriate.

L. Brazda pointed out the beginning and ending points of the lane and indicated that a left-turn lane will be very difficult to construct at that location and may not be warranted because of low traffic volumes. He pointed out, however, the new roadway will have improved horizontal and vertical alignments and wider shoulders which will help alleviate the problem.

M. Cody asked why so much right-of-way is required to constructed the new roadway.

L. Brazda indicated that the right-of-way width is required to provide for the wider roadway, flatter cut and fill slopes, utility lines and safety. He indicated that normal right-of-way widths can be decreased where there is a good reason.

J. Schneider asked what will happen to small, unusable parcels of land that are created by right-of-way acquisition.

L. Brazda indicated that these parcels will be purchased by MDT.

Unidentified asked when the project is scheduled for construction and what will be done to maintain the roadway until then.

L. Brazda said 1999 and the roadway will be patched as well as maintenance funds will allow. He said that funding has been reduced statewide -- if funding becomes available, the project can be constructed sooner.

S. Axiles pointed out two existing corners that he feels are dangerous and asked if something can be done in the interim.

L. Brazda indicated that the curves will be evaluated by MDT and placed in the priority system for available funding. If they receive a high enough ranking compared with other competing projects, they can be improved.

Various individuals expressed very strong displeasure with the proposed 1999 construction date for the project and indicated their belief that this project is more important than other projects in other areas of the County and the State.

M. Craig indicated that the REA needs more information concerning noxious weed control, litter control, road kill removal, erosion control plan, garbage dumpsters, clearing of timber and right-of-way acquisition. Some of the questions were answered briefly by L. Brazda. M. Craig indicated she will follow up with a letter outlining these specific concerns. The letter will be included and addressed in the next version of the REA.

Approximately 30 members of the public attended the hearing and signed the attendance list.

APPENDIX E - CORRESPONDENCE IN RESPONSE TO THE REA AND HEARING

Morrison + Maierle

Swamp Creek Property Owners Association

P.O. Box 1116
Libby, Montana 59923

January 2, 1994

Julie Glavin, Chief

Environmental and Hazardous Waste Bureau
Montana Department of Transportation
2701 Prospect Avenue
Helena, Mt. 59620

RE: F 1-1(29)45, Proposed Swamp Creek East
Reevaluated Environmental Assessment
U.S. Highway 2, Lincoln County Montana

Dear Ms. Glavin:

The Swamp Creek Property Owners Association would like to express our continued support of the Preferred Alternatives, as stated in the Re-Evaluated Environmental Assessment, with reference to 3.3 of the table of contents, which makes reference to the Preferred Alternatives.

As Stated in a previous letter you received from our association, we believe that in making the final determination as to which route will be taken, the written and verbal concerns of the property owners, County Commissioners, Representatives of the State and other concerned citizens should by all standards take precidence over and above the economics of this project.

Sincerely,

Swamp Creek Property Owners Association

VKS

Comments noted.

JAN 11 1994

January 10, 1994

Gordon J. Stockstad
Environmental & Hazardous Waste Bureau
Mont Dept of Transportation
P.O. Box 201001
Helena, MT 59620-1001

In the reevaluated environmental assessment for Swamp Creek - East F-1-1 (29) 45 Lincoln County, Montana on page 4-16 it states that relocated channels will be on approximately the same gradients and elevations on my property. I would not want them raised one foot. What does approximately mean here?

On page 4-21 it is stated surface elevations will not be raised over one foot. Again, on my property, I do not want them raised at all.

On page 4-19 you state that the final design of channel location will be coordinated with MDFWP and USFS. Should not the land owner have as much to say as these agencies? Perhaps when you were staking my land for these changes it would have helped if you had had me along or notified me of what

This paragraph is intended to indicate that relocated channels will not be significantly different, with regard to elevations and grades, than existing channels. Though the channels will be moved out of their existing locations, they will be constructed, as much as possible, at elevations and grades equal to existing so that groundwater and surface water elevations will not be affected.

The one foot rise in water surface elevations is the maximum allowed by state and federal floodplain regulations. It is planned the new Swamp Creek highway crossings will be constructed to provide more flood flow capacity than existing crossings and it is likely that water surface elevations during flood flows will stay the same or decrease below existing conditions.

The referenced paragraph has been revised to indicate that final channel locations will also be coordinated in the field with the land owners.

Channel changes have not yet been staked in the field and final design has not been completed. Field surveys have been conducted only to measure existing site topography for use in preliminary and final design. Written permission to complete these surveys was received from Mr. Jewell on 07 August 1987. Before any construction staking begins, the land owner will again be contacted.

you were doing. Incidently the land was posted.

As for meandering and moving the dock against the base of the mountain on my property mentioned on pages 4-20 and 4-28 any agreement I gave at that time was based on misinformation I received from Geobrat, I am not saying I would oppose the changes, but I do not approve of it without futher information which I am having difficulty getting from state agencies.

Sincerely Yours
Edwin W. Jewell
Martha M. Jewell
14243 U.S. HWY 2 South
Libby Montana
59923

The requested information has now been provided to Mr. Jewell. Final design and staking of the channel changes will be coordinated with him.

MASTER FILE COPY

MONTANA DEPARTMENT OF TRANSPORTATION
F 1-1(29)45

Swamp Creek - East

#1027

You are invited to make your comments on this form and leave it with the Hearing Officer or take it with you and mail it to Carl S. Peil, P.E., Montana Department of Transportation, P.O. Box 201001, Helena, MT 59620-1001. Please indicate your name, address, and affiliation (if any) below. Thank you for your interest and comments on this project.

NAME AND ADDRESS: Susan Smith, 9578 Farm to Mkt. Rd., Libby, Mt. 59923 (406-293-5788)

COMMENTS:

I live at the begining of the project 0+00
I have hay land that lay in the project.
I don't see why Alt. A has to have such
a wide arc to get started up the mt.
also being at the mouth of Swamp Ck.
I am consered about the sediment traps
will they catch all of the silt. the
last part of Sw. Ck is still (No movement) aprox 1500 ft.
Will more of my hay land be under water?
Will I loose hay land to the highway Cont.
and also (More Hay land) poor judgemnt on moving the
Creek. This is my livelyhood. EACH ACRE Taken is money out of my pocket for ever. Not one year. But forever.
Susan Smith

Date Recd. Precons. 2-14-9

MAIL ROUTE

Act	Info		Attach	Initial
	✓	30 Precons. Engr.		
		30 Assistant		
		30 Office Mgr.		
		31 Safety Mgmt.		
		32 Road Design		
		33 Environment		
		34 Hydraulics		
		35 Survey & Mapping		
		36 Traffic Eng.		
		37 Traffic Operations		
		39 Consultant Dsn.		
✓		J.T. Weaver		
		File		

RTM:D:PAF:13.kmc-1

Being at the start of the project and the start of Alternative A, this landowner will be impacted nearly equally with either Alternative A or P because, in this area, the two different alignments have not yet diverged significantly. The arc in Alternative A is designed to allow, as much as practical, Swamp Creek to be placed back in its original, pre-1930's channel.

Proposed sediment traps will be designed to not affect ground or surface water elevations. They should effectively prevent significant amounts of silt from entering Swamp Creek or Libby Creek during construction and, long-term, may be used to improve water quality in these creeks.

The impacts on the project on hay lands, the potential economic losses and the importance of these lands to local land owners and residents have been recognized in Section 4.4. AGRICULTURAL LANDS. During the right-of-way appraisal and negotiation process, these impacts will be explained in-detail to each land owner and appropriate compensation will be made which should recognize the value of the land and its income potential.

MASTER FILE COPY

RECEIVED FEB 22 1994 MORRISON—MAIERLE/CSSA, INC

Responded 2/17/94 SAN

MONTANA DEPARTMENT OF TRANSPORTATION
F 1-1(29)45
Swamp Creek - East
#1027

MAIL ROUTE — Date Recd. Preconst. 2/21/94 — Initial / Attach / Info / Take — 30 Preconst Engr, 30 Assistant, 30 Office Mgr, 31 Safety Mgmt., 32 Road Design, 33 Environment, 34 Hydraulics, 35 Survey & Mapping, 36 Traffic Eng., 37 Traffic Operations, 39 Consultant Dsn. — Weaver

You are invited to make your comments on this form and leave it with the Hearing Officer or take it with you and mail it to Carl S. Peil, P.E., Montana Department of Transportation, P.O. Box 201001, Helena, MT 59620-1001.

Please indicate your name, address, and affiliation (if any) below. Thank you for your interest and comments on this project.

NAME AND ADDRESS: Michael J. Switzer (2Feb94)
550 Arabian Lane, Libby, MT. 59923

COMMENTS: I think the State has come back with a very workable plan for reconstructing the 11.3 mile section on Hwy 2 (FAP-1). However, your officials at the Feb 1, meeting in Libby indicated it would probably be 1995 before construction begins. So be it! But there are two very serious flaws in two areas (curves banked the wrong way or falling off half-way thru the curve that are causing numerous auto accidents & deaths each year. They need to be fixed now. They are at approximately milepost 45.8 and 48.8. I'm sure that for less than $50,000. these two small spots could be corrected, saving future lives

RTM:D:PAF:13.kmc-1

Please advise me on your comments, finding

Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Marc Racicot, Governor

February 17, 1994

Michael J. Switzer
550 Arabian Lane
Libby, MT 59923

Subject: F-NH 1-1(29)45
Swamp Creek - East
Control Number 1027

This is to advise you that we have investigated the two horizontal curves that you brought to our attention in your comments of February 2, 1994. We have looked into the accident history at these two locations and results are as follows.

The horizontal curve at milepost 45.8± is a 5° curve. There have been 5 accidents at this location during the past 10 years (January 1, 1984 through December 31 1993). One accident involved an animal. The other four correspond to road conditions and, therefore, could be classified as correctable.

The horizontal curve at milepost 48.8± is a 3° curve. Only two accidents have been recorded during the above study period. This location does not indicate any serious problems.

We will direct the Department's District Maintenance personnel to take a close look at both of the above locations and implement corrective actions as best as possible and as quickly as manpower and funding allows.

Again, we thank you for bringing this matter to our attention.

Doug

Doug Morgan, P.E.
Consultant Design Engineer

39-RDM:SAN:sn.b5

cc: Carl S. Peil, P.E., Preconstruction Engineer
James T. Weaver, P.E., District Engineer-Missoula
Gary Larson, Safety Management
Doug Morgan, P.E., Consultant Design Engineer
Preconstruction File

Brad Peterson, Project Manager
Morrison-Maierle/CSSA
P.O. Box 6147
Helena, MT 59604

February 9, 1994

Dear Brad,

These are my comments regarding the Re-Evaluated Environmental Assessment (REA) for the Swamp Creek-East, F 1-1(29)45 highway reconstruction project.

First of all, let me say that the REA made tremendous strides incorporating public input. I'd like to say thank you for everyone's efforts to that end. I again especially want to thank Edrie Vinson and Don Reichmuth, both of whom I feel were instrumental in involving the public in a meaningful fashion. The result, I feel, is a greatly improved environmental document.

However, I do have some comments and questions resulting from my thoughts after reading the REA. For whatever they're worth, I'll offer them here for your consideration.

Overall, I thought the REA still lacked some detail. Specifically:

1. Bridges and Culverts. Throughout, the REA alludes to bridges or culverts being installed (pages 2-3, 2-4, 4-4, 4-19) without specifying which. In a couple places, a reference is made to the installation of culverts (pages 3-5, 4-20). At this point, I suspect the decision has been made to install some form of culvert, and if that is the case, I think you should say so.

It is now indicated, in the REA, that large culverts are the most likely alternative for replacement of existing bridges.

2. Right-of-Way (ROW) Clearing. As you know, this issue is of great importance to my husband and me. In several areas the REA states that ROW clearing will be kept to a minimum (pages 3-6, 4-9, 4-13, 4-40), but that still doesn't tell us how wide a strip will be cleared on our property. I realize you probably can't go into this kind of detail in the REA, but on-going communication with us prior to construction would be appreciated. I'd also like to say thanks to Jerry Graham for the clearing information he sent us after the last meeting, which is the information I was after and gives us an idea of what to expect, at least as the plan stands now.

Comments noted. It will be important to coordinate design with adjacent property owners.

My concern about ROW clearing also stems from a statement made on page 4-39, which says an average disturbance of 60 feet on either side of the final paved surface will require reseeding. This would involve the entire 160 foot right-of-way (12' driving surface plus 8' paved shoulder plus 60' disturbance x 2 = 160 feet) as being "disturbed," but if clearing is not being done the entire width of the ROW, there should be no disturbance that requires seeding. The next page, 4-40, then states that land clearing and disturbance will be kept to a minimum, which leaves me confused when compared with the preceding paragraph.

As indicated in Section 4.6., the minimum right-of-way width is 160' but will be wider in many areas. It is estimated the average right-of-way width will be approximately 200 feet wide and the area where clearing is not required within the right-of-way is expected to average 20 feet wide on each side of the roadway. This width will vary from a minimum of 0 to a maximum of approximately 40 feet.

Also, where vegetation removal is deemed necessary to reduce snow and ice accumulation on the roadway (pages 1-5, 4-40), that topography first be considered in its contribution to shading before vegetation removal is implemented.

Comment noted.

But most importantly, thanks for being willing to reduce the clearing width as a result of our concern.

3. Right-of-Way Acquisition. Section 4.6 discusses ROW by listing existing and required widths, with acreages involved, but a detailed listing by property owner, or a map showing existing and required widths, would be helpful. I think this would be beneficial in preparing property owners for what to expect.

   The section talks about U.S. Forest Service (USFS) and Champion right-of-way, and then says the remainder of ROW will come from approximately 50 private land owners (page 4-10). Then, it states that 14 of the ownerships will require five acres or less. Is that to say the remaining 36 land owners will have greater than 5 acres of right-of-way purchased? Do these land owners know this?

4. Litter. I admit this is not a critical issue, but I'd like to reiterate that MDT does not generally remove obnoxious litter such as dead deer, promptly or otherwise (pages 4-5, 4-35, 4-42). My feeling is that if it's not being done and probably won't be done, don't say it will.

5. Water Quality. Section 4.10 (page 4-14) states that insignificant effects will occur to Libby and Miller Creeks and the Fisher River. What are the effects, and why are they insignificant?

6. Erosion Control. Section 4.10.4 lists the principles of erosion control and says a plan will be developed. Can some specifics be detailed here? For example, listing the Best Management Practices that will be utilized?

7. Fisheries. Page 4-31 says the alternatives "may" affect the stream channel and fish habitat. I think it's safe to say the highway reconstruction "will" affect the stream and fish.

8. Wildlife Mitigation and Threatened and Endangered Species. Pages 4-35 and 4-42 state that plant species used for right-of-way revegetation will be species not palatable to ungulates. Can you say which plant species will be used?

   Pages 3-6, 4-35, and 4-42 state that road-killed animals will be removed as quickly as possible to avoid attracting bald eagles. Will this really happen?

   Also, pages 3-6 and 4-42 state that unnecessary removal of large trees in riparian habitats will be avoided to accommodate eagle use. What assurance can you offer that this will occur, especially in light of the highway maintenance done in September of 1992? This maintenance, after several years (decades for the cottonwoods) of not being done, suddenly removed several huge cottonwoods and all of the riparian vegetation along the creek for approximately ⅔ mile in the vicinity of milepost 46, which happens to be through the western half of the Alternative B relocation segment (this alternative was identified at the time). The reason given to me for this "maintenance" was to open the roadway during the winter months to reduce ice and snow accumulation. I think deciduous vegetation

Detailed right-of-way plans are being prepared and will be available for review by landowners.

The referenced paragraph indicates that 14 of the parcels are small parcels and currently contain 5 acres or less. The paragraph does not indicate the amount of right-of-way that will be required from each of these parcels.

MDT maintenance personnel indicate that road killed animals are removed as promptly as possible.

These streams will not be affected because new bridges have recently been constructed over them and no construction activities will occur within or encroaching upon them.

The plan will be developed following specific guidelines of MDT's "Highway Construction Erosion Control Work Plan". This document lists the Best Management Practices that will be utilized.

This paragraph has been revised.

The plant species that will be used have not been determined.

MDT maintenance personnel indicate that road killed animals are removed as promptly as possible.

The Montana Department of Transportation is required, by state and federal laws and regulations, to adhere to mitigation measures committed to in the REA.

does not contribute much to road shading in the winter, and there is no other apparent reason for this disturbance to the creek. The vegetation was totally obliterated in this stretch, and in a segment that probably will be relocated away from the creek, no less. What follow-through will occur to make sure this doesn't happen during construction or afterward during maintenance?

9. Vegetation. Page 4-36 says that riparian and wetland vegetation is described in detail in section 4.11, which it isn't. Perhaps reference the reader to an appendix, or the project file, or else describe the vegetation in section 4.11? (Also, the last paragraph on page 4-36 is incomplete, as is the "reconnaissance survey" sentence on page 4-38).

The Wetlands Evaluation completed for the proposed project has now been referenced.

10. Garbage Dumpsters. Page 4-48 states that a new dumpster site will need to be developed. As I stated at the meeting, my concern is that the county could just as easily decide to abandon the site. Perhaps a letter from the county sanitarian, or a reference in the REA of his statement, would be helpful to assure the public that a new site in the vicinity will indeed be developed.

Relocation is the responsibility of Lincoln County. No assurances have been made that a new site in the vicinity of the existing dumpster site will be developed.

11. Noxious Weed Control. This was a point of contention during the last meeting, and I must say I also thought the REA was vague on this point. Page 4-5 says noxious weeds will be controlled as discussed in section 4.4, Agricultural Lands, but it's not discussed there. Pages 4-39, 4-40, and 4-41 discuss the need for control and some conceptual means of controlling knapweed, but no details. For example, on page 4-40 it states that hand pulling or hoeing will be employed for scattered plants. Who will do this? Page 4-41 speaks of monitoring and removal of individual weeds for two to three years following disturbance. Will this be contracted to a private firm, or will MDT do this? Also, I'm confused how weeds will be controlled on the National Forest portion of the project, since an Environmental Impact Statement would be required (reference the Kootenai National Forest letter dated October 18, 1993). Page 4-40 makes a reference to a seed mix on National Forest lands, but the reference letter is not included in the appendix. Will the same seed mix be used throughout the project, and what is the mix? Does this seed mix correspond to the avoidance of plant species not palatable to ungulates as stated on pages 4-35 and 4-42? Finally, a reference is made to MDT having an agreement with the Lincoln County Weed Control District to control weeds. Some indication of what that agreement entails might be helpful. Essentially, I think it would be helpful to have more details about weed control so the public knows what specific actions can be expected, by whom, and when.

This paragraph has been corrected to reference Section 4.12.3. instead of Section 4.4.

12. Coordination. Finally, as a point of clarity, I would like to say that coordination efforts may have been initiated by MDT in 1987 (page 5-1), but not with the affected public. The public, to my knowledge, was not involved until the public hearing held in October of 1989, when the first EA was presented.

The notice of intent was sent, on 11 June 1987, to all record land owners adjacent to the project. A few responses were received. In addition, landowners were contacted during the same to obtain permission to complete field surveys.

These comments may sound more critical than they are meant to be. In essence, my biggest question involves the ability to follow through with the intent implied throughout the REA without more detail or documentation, especially when viewed in the time frame currently scheduled

(1999 was the date given at the meeting). The potential for turnover in personnel working on this project (retirements, transfers, etc.) is great over a several-year time frame, and effective follow-through will depend on detailed notes and documentation.

Anyway, thank you once again for the opportunity to comment and I do appreciate the efforts of the Highway Department to involve the public and incorporate their input. I think the preferred alternative (a composite of land owners' preferences), and the other mitigation referred to throughout the REA reflects real progress in the planning of this project. Thank you.

Sincerely,

Maggie Craig

Maggie Craig
19845 Hwy. 2 South
Libby, Montana 59923

APPENDIX F - PROGRAMMATIC SECTION 4(f) EVALUATION

PROJECT NO. F 1-1(29)45, U.S. Highway 2

SWAMP CREEK - EAST
(12 miles Southeast of Libby Southeast)

PROGRAMMATIC SECTION 4(f) EVALUATION

U.S. Department of Transportation
Federal Highway Administration

and

State of Montana
Department of Highways

TABLE OF CONTENTS

LIST OF FIGURES

I. DESCRIPTION OF THE PROPOSED ACTION

The proposed action consists of the reconstruction of a portion of U.S. Highway 2 (FAP 1) in Lincoln County, Montana to updated standards of design and safety. The proposed project, known as Swamp Creek - East (12 Miles SE of Libby SE), will begin approximately 12.3 miles southeast of Libby at the southeast end of Project BRF 1-1(23)45 (Libby Creek Bridge) and will extend southeasterly approximately 12.2 miles. The project limits and vicinity are shown on Figures 1 and 2.

Construction is tentatively planned for 1993.

The roadway will be fully reconstructed in accordance with updated standards to meet a 60 mph design speed. The roadway will be graded to accommodate a 40 foot wide surface, however, only a 32 foot wide paved top surface will be constructed initially--two 12-foot wide traffic lanes with 4-foot shoulders as shown on the typical section on Figure 3. A truck climbing lane for west bound traffic is planned between mileposts 54.5 and 56.0. The new alignment will follow the existing alignment as closely as possible while flattening substandard horizontal and vertical curves.

The highway corridor runs through a rural area consisting of fairly flat bottom lands along Swamp Creek and Schreiber Creek. Outside the drainage bottoms, the terrain is steep and timber covered. The flat lands adjacent to the stream are used mainly for hay production and grazing. Timber production is an important commercial activity in the area. Scattered residences are located along the project.

Reconstruction will include widening, grading, drainage, surfacing, signing, pavement markings, guardrail, topsoiling, seeding, and necessary utility relocation.

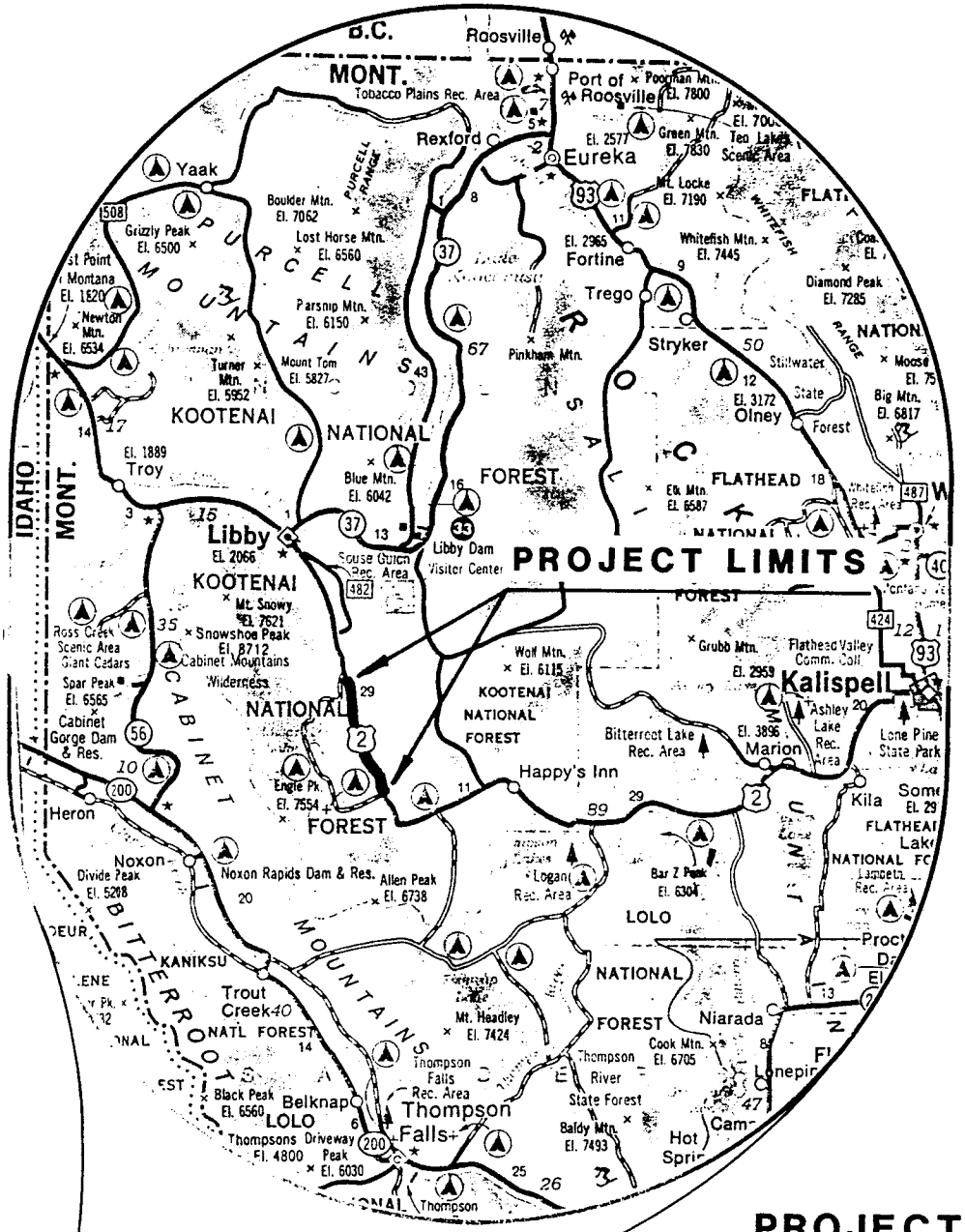
Other related projects in the vicinity of the proposed action include:

Project 1-1(19)38, Libby Southeast, from near Libby to Libby Creek near the northwest end of this project. The project was completed in 1988;

Project BRF 1-1(23)45, replacement of the Libby Creek Bridge, located adjacent to the northwest end of this project, completed in 1988;

Project BRF 1-1(23)45, replacement of the Miller Creek Bridge, located at approximate Milepost 56.7 (Sta. 662+00) and within the limits of this project, completed in 1988;

U.S. HIGHWAY 2
SWAMP CREEK
F1 - 1 (29) 45



PROJECT LOCATION MAP

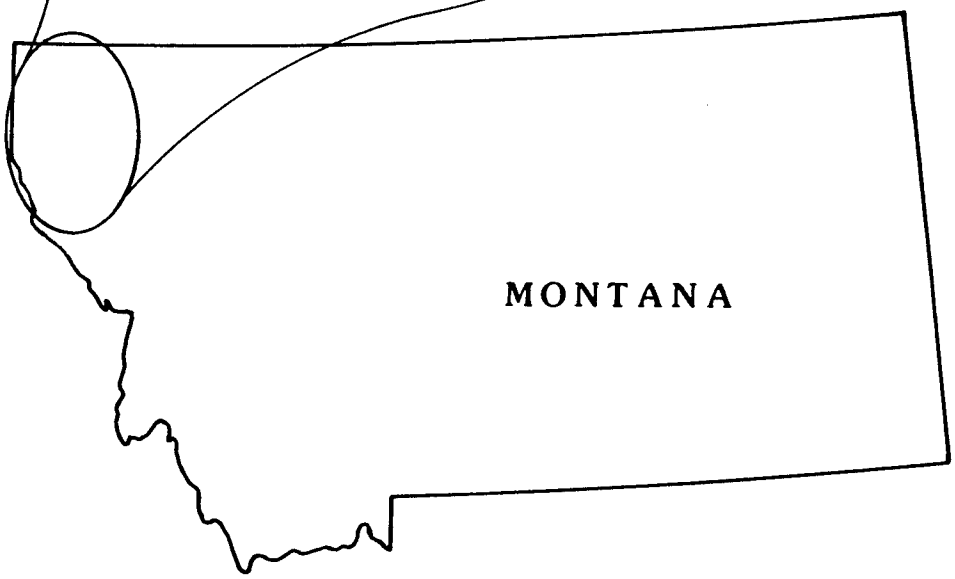
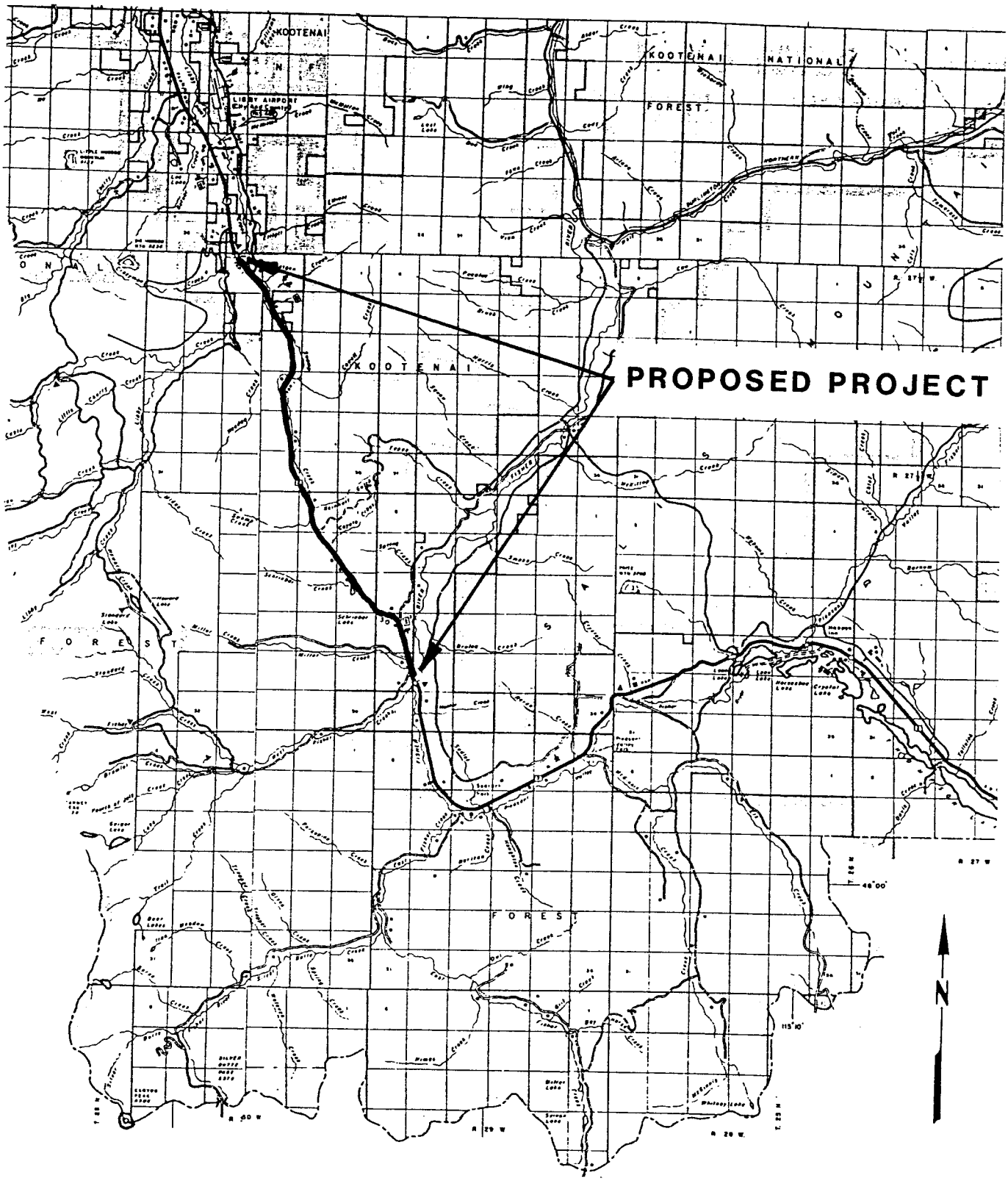


FIGURE 1

U.S. HIGHWAY 2 - SWAMP CREEK
F1 - 1 (29) 45

MP 44.8 To MP 57.0
12.2 MILES

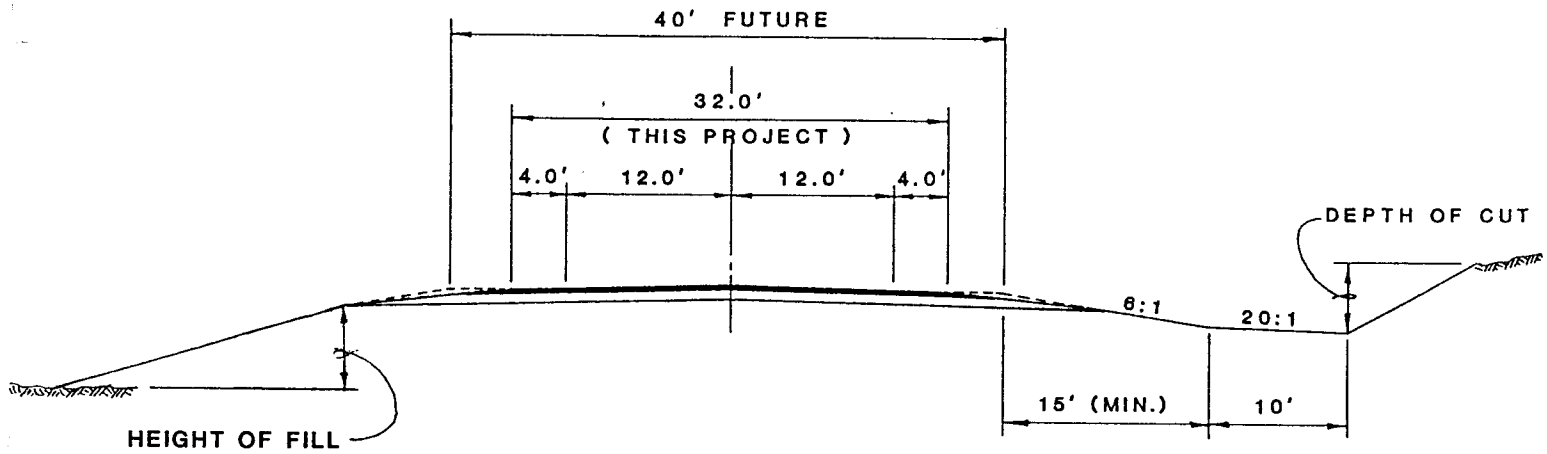


VICINITY MAP

FIGURE 2

U.S. HIGHWAY 2 - SWAMP CREEK
F1 - 1 (29) 45

MP 44.8 To MP 57.0
12.2 MILES



TYPICAL SECTION

FIGURE 3

Project BRF 1-1(27)57, replacement of the Fisher River Bridge, located adjacent to the southeast end of this project, completed in 1988; and,

Project F 1-1( )57, Pleasant Valley, from the Fisher River Bridge Project mentioned above to the east, scheduled ready date is May 1995.

No limited access control will be acquired along this project. Existing access will be perpetuated where necessary.

II. PURPOSE AND NEED

U.S. Highway 2 in the project area is on Federal Aid Primary Route 1. It is part of an extensive system of rural arterial routes important to interstate, statewide and regional travel. This route is a vital element contributing to the local and regional economy which is heavily oriented toward timber, agriculture and recreation activities. This route connects the communities of Libby and Kalispell.

The primary objectives of the proposed action are as follows:

- to improve highway convenience and safety and reduce accidents;

- to improve horizontal curves, vertical curves and roadway width to meet current standards;

- to provide a modern highway facility compatible with the human and natural environment; and

- to connect similar projects being constructed at each end of this project (see Section I. DESCRIPTION OF THE PROPOSED ACTION).

The highway was built as part of the Forest Highway Program under several different projects. Most of the existing road was built in 1935 and 1936 and was improved in 1939. It is generally a 20 foot wide, two lane facility--two 10 foot driving lanes with no shoulders. There are 3 horizontal curves with design speeds less that 60 mph--the curves are 5° or about 58 mph design speed. There are approximately 12 vertical curves with sight distance at absolute minimum or less.

III. SECTION 4(f) RESOURCES

III.A. Swamp Creek Timber Bridge (Site 24LN766), located at Station 134+50. This bridge was determined eligible by the National Register of Historic Places[1]. This bridge is significant as a rare example of depression-era construction activity conducted by the Bureau of Public Roads in rural Montana areas,

especially those adjacent to National Forest land. Figure 4 shows the location of the existing and proposed roadways and bridges.

IV. IMPACTS ON SECTION 4(f) RESOURCES

IV.A. Swamp Creek Timber Bridge (Site 24LN766)

Construction of the proposed project will require removal of the existing bridge. It will be replaced with an arch pipe culvert.

V. ALTERNATIVES CONSIDERED

The following alternatives to removal of the Swamp Creek Timber Bridge have been considered:

1. No-Action. Under this alternative the existing bridge would remain in-place with no significant reconstruction taking place. This alternative is not feasible because the bridge is only 26 feet wide -- design standard for this roadway is 40 feet.

2. Widen Existing Bridge. This alternative is not considered acceptable because widening the structure would destroy its integrity as an historic bridge.

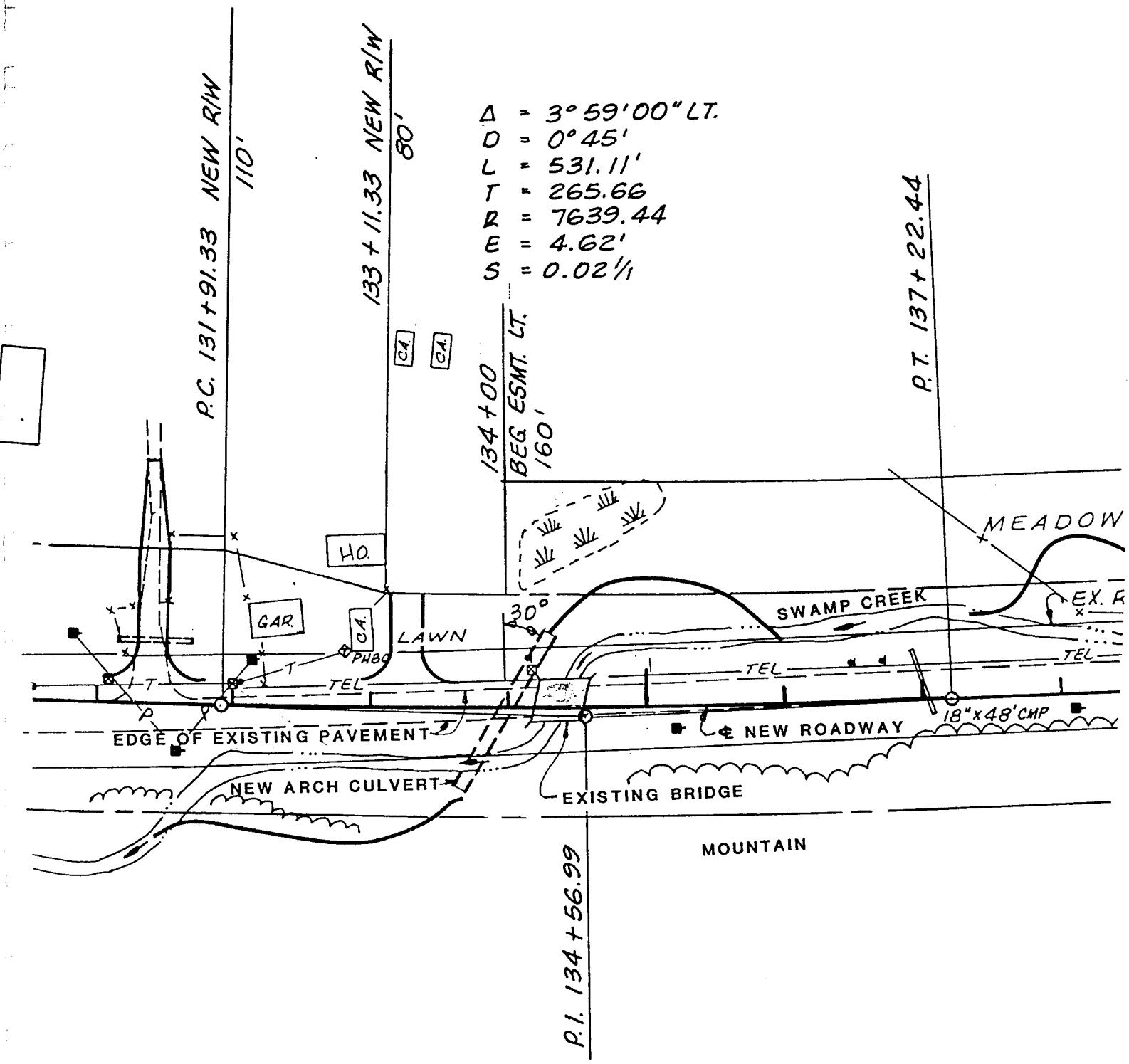
3. Move the Roadway and Construct a New Bridge in a New Location. Throughout most of the project length, steep mountains are on one side of the roadway and Swamp Creek and wetlands are on the other side. In other areas, the existing roadway passes through farmland. Moving the roadway from its existing corridor would cause significant additional environmental impacts and is not considered an acceptable alternative.

4. Move and Reuse the Bridge in Another Location. The type of construction and condition of the existing bridge make relocation impractical.

VI. MITIGATION

VI.A. Swamp Creek Timber Bridge (Site 24LN766)

Mitigation will be as outlined in the Programmatic Agreement on Historic Roads and Bridges. This agreement provides that, in lieu of regular Section 106 procedures, a program will be enacted to enhance the preservation potential of historic roads and bridges and to promote management and public understanding of and appreciation for these cultural resources[2].



SWAMP CREEK TIMBER BRIDGE

SITE 24LN766

FIGURE 4

The program includes:

A public education program.

Preparation of an historic preservation plan for roads and bridges.

VII. COORDINATION

A cultural resource survey for this project was completed 04 December 1987(3).

The project, and specifically the Swamp Creek Timber Bridge (Site 24LN766) have been coordinated with the following agencies with regard to cultural resources:

Carol D. Shull
Chief of Registration
National Register of Historic Places
Interagency Resources Division
National Park Service
P.O. 37127
Washington, D.C. 20013-7127

Marcella Sherfy
State Historic Preservation Office
Montana Historical Society
225 North Roberts Street
Helena, MT 59620-9990

VIII. REFERENCES

Copies of all references listed below are available for inspection at the offices of the Montana Department of Highways, 2701 Prospect Avenue, Helena, Montana 59620.

1. Carol D. Shull, Chief of Registration, National Register of Historic Places, Interagency Resources Division, National Park Service, letter dated 19 May 1989.

2. Federal Highway Administration, Montana State Historic Preservation Officer, Advisory Council on Historic Preservation and the Montana Department of Highways, Programmatic Agreement on Historic Roads and Bridges, 11 May 1989.

3. Historical Research Associates, Cultural Resource Survey of Montana Department of Highways' Project F1-1(29)45, 12 Miles SE of Libby SE, Lincoln County, Montana, 04 December 1987.