Part VI: Comments and Coordination

A. Early Coordination

Recognizing that this project interests many people in the Columbia Falls and Hungry Horse areas, several opportunities for comment were provide at early stages of the project and throughout the development of the EIS. The major public notices, meetings, and opportunities for comments are listed below.

- Notice of Intent to Conduct an EIS was published in the Federal Register on July 20, 1989. (Included on page VI-18)
- A Letter of Intent was issued to interested public agencies, organizations, and individuals on August 21, 1989. (Included on page VI-17)
- A scoping meeting to identify major issues and discuss generalized design alternatives was held on October 3, 1989.
- An informational meeting to discuss design alternatives and preliminary findings of EIS analyses was held on June 26, 1990.
- An "open forum" workshop and Highway Location and Design Public Hearing were held in Columbia Falls, Montana at the North Valley Community Center on December 10, 1992.
- An "open house" informational meeting to discuss design modifications to the preferred alternative made as a result of comments received on the Draft EIS and provide new information about the project was held on November 9, 1994.

B. Meetings With Community Groups

There were no special meetings held with community groups affected by the proposed action. The EIS consultant and an MDT representative met with a member of the Kootenai Culture Committee on June 26, 1990 in Badrock Canyon to determine if the proposed action would affect culturally sensitive sites. Members of the Blackfeet and Flathead Tribes were invited to the meeting but did not attend. Follow-up contacts and requests for comments on the proposed action were made with the other two Tribes. A memo describing coordination efforts with Indian Cultural Committees on file in Helena.

C. Scoping Meetings

Scoping meetings were held on October 3, 1989 at the High School Auditorium in Columbia Falls, Montana. The primary purpose of the meetings was to identify issues and concerns that are important to the proposed action.

The meetings were advertised in three local newspapers including the Kalispell Weekly News, the Daily Interlake, and the Hungry Horse News. The newspaper advertisements consisted of bordered notices placed in the classified sections of each paper two weeks prior to the meeting. Notices of the meeting were sent to more than 100 agencies and individuals with interests in the project.

A workshop session, held from 6:00 to 7:30 p.m., gave the public an opportunity to meet those responsible for preparing the EIS and to informally discuss project concerns with them. Approximately 20 people
attended the one and one-half hour long session. Questions and comments at the workshop focused on:

- the time schedule for the project
- pedestrian and traffic safety in Columbia Heights
- impacts to Berne Memorial Park
- impacts of right-of-way acquisition in Columbia Heights
- the redesign of the US 2/FAS 206 intersection.

Forms were provided for workshop participants wishing to submit written comments on the proposal.

The evening scoping meeting began at 7:30 p.m. and was attended by about 55 people. The meeting included opening remarks followed by a brief presentation by the EIS consultant describing the purpose of the proposed action and the EIS process. The presentation also provided a tentative schedule for the EIS and summarized issues potentially important to the proposed project. An information packet with a preliminary list of issues generated through contacts with other agencies was made available to the public. After the presentation, comments were received from the audience. Forms for submitting written comments on issues and design alternatives were provided at the meeting.

A total of 142 written comments were received as a result of the scoping meetings. The majority of the written comments (101 of 142 comments) on the proposed action were generated through efforts of the Coalition for Canyon Preservation (CCP), a local environmental group. The group provided preprinted comment forms and urged its members and other affiliates to comment on specific issues and support two-lane design alternatives. The CCP forms were developed to closely resemble the forms provided at the scoping meeting. A total of 81 of the group’s preprinted scoping comment forms were received through June, 1990. Additional letters and/or postcards, often containing remarks similar to those on the preprinted forms, were received from 20 of the individuals who also submitted scoping forms supplied by the CCP. Twenty comments were received on the preprinted forms provided at the scoping meeting.

Copies of the comments received following the October meeting and before an informational meeting held in June, 1990 are on file in Helena.

1. DEVELOPMENT OF PROJECT ISSUES

The 142 initial comments received after the scoping meeting were reviewed and used to identify the issues important to the proposed action. The comments submitted by the public were analyzed and categorized into broad issues for consideration in the EIS or supplementary studies. Specific concerns relating to each broad issue were then grouped for further analysis.

The issues and concerns generated through the initial scoping activities were reviewed for their importance to the proposed action. This evaluation was necessary to determine the issues that should be examined in detail by the EIS. Less important issues were addressed briefly in appropriate sections of the document.

The ranking of project issues was based on the following considerations:

- requirements to address specific impact categories,
- the number of public comments received on the issue, and
Part VI: Comments and Coordination

- the strength of convictions raised in each comment.

Equal consideration was given to the previously mentioned factors during the ranking of issues. Since many issues are subjective by nature, it is difficult if not impossible to rank them without incorporating some degree of subjectivity into the process.

2. MAJOR PROJECT ISSUES

The following table identifies the major issues for the proposed reconstruction of US 2 between Columbia Heights and Hungry Horse. TABLE VI-1 summarizes the origin of the issues, the number of comments received, and how the EIS addresses each item. Please note that this summary is based on the 142 comments received after the initial scoping meetings. Major comments received after the June 26, 1990 meeting are summarized in Section D. of this Part. The scope of the EIS was subsequently revised to address these comments.

D. Comments on Alternatives

1. MEETINGS ON ALTERNATIVES

A secondary purpose of the October 3, 1989 scoping meeting was to present possible design alternatives and receive comments about the type of highway that should be constructed in the project corridor. This meeting provided an opportunity to present a range of possible designs for the highway and solicit comments from the audience about them. A handout describing the major features of each general highway design and comment forms were offered to the public. The handout contained a drawing of the types of highway designs being considered and requested comments on the features needed for this section of US 2.

As indicated previously, 142 comments were received following the scoping meetings on the proposed action. Most comments specified a preference for a design alternative in addition to important issues. Many of the public comments also suggested considerations that should be included in the project’s design. The considerations mentioned most often were:

- reconstructing the highway through Badrock Canyon to provide a lower level of service in the design year,
- reducing travel speeds in Columbia Heights and Badrock Canyon,
- ensuring that the preferred design is the most cost-effective of the alternatives,
- improving winter driving conditions in the corridor,
- providing a facility that will safely accommodate bicyclists and pedestrians, and
- providing a design that is sensitive to the features of Badrock Canyon.

Alternatives for the proposed action were also presented to the public at an informational meeting held on June 26, 1990 at the High School Auditorium in Columbia Falls. Some 40 people attended the meeting and 18 persons presented oral comments. MDT recorded the proceedings of this meeting for its files.

A total of 86 written comments were submitted after the June meeting. Twenty-five of the comments were received on preprinted forms distributed by the CCP which supported for two-lane designs (Alternative 3 in Columbia Heights and Alternative 4 in rural areas). The CCP form only allowed respondents to select
## TABLE VI-1
SUMMARY OF MAJOR PROJECT ISSUES

<table>
<thead>
<tr>
<th>GENERAL TOPIC OF ISSUE</th>
<th>COMMENTS RELATING TO ISSUE</th>
<th>PATHWAY</th>
<th>SOURCE OF COMMENT</th>
<th>IMPORTANCE</th>
<th>HOW WILL ISSUES/COMMENTS BE ADDRESSED IN EIS?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. IMPACTS TO BERNE MEMORIAL PARK</td>
<td>Implement Section 4(f) at Berne Memorial Park</td>
<td>18</td>
<td>Written Comment</td>
<td>1</td>
<td>Section 4(f): Evaluation will be supplemented EIS</td>
</tr>
<tr>
<td></td>
<td>Preserve Berne Memorial Park</td>
<td>67</td>
<td>Scoping Comment Written Comment</td>
<td>1</td>
<td>Preliminary Designs Section 4(f): Impacts Section 4(f): Avoidance Alternatives</td>
</tr>
<tr>
<td></td>
<td>Perpetuate Water Source at Berne Park</td>
<td>25</td>
<td>Scoping &amp; Written</td>
<td>2</td>
<td>Section 4(f): Proposed Action</td>
</tr>
<tr>
<td></td>
<td>Relocate Park and Water Source?</td>
<td>0</td>
<td>MDT/PHWA 8/21/88</td>
<td>2</td>
<td>Section 4(f): Avoidance Alternatives Section 4(f): Mitigation</td>
</tr>
<tr>
<td></td>
<td>Consider Cultural Significance of Park</td>
<td>7</td>
<td>Written Comment</td>
<td>2</td>
<td>Section 4(f): Proposed Action</td>
</tr>
<tr>
<td></td>
<td>Improve Maintenance of Park</td>
<td>2</td>
<td>Scoping Comment</td>
<td>4</td>
<td>Section 4(f): Proposed Action</td>
</tr>
<tr>
<td></td>
<td>Continue Access to &quot;Fisherman's Rock&quot;</td>
<td>1</td>
<td>Scoping Comment</td>
<td>4</td>
<td>Section 4(f): Impacts</td>
</tr>
<tr>
<td></td>
<td>Park Not Important</td>
<td>1</td>
<td>Written Comment</td>
<td>5</td>
<td>Section 4(f): Properties</td>
</tr>
<tr>
<td>2. RELOCATIONS, RIGHT-OF-WAY &amp; UTILITY IMPACTS</td>
<td>Are Residential Relocations Necessary?</td>
<td>0</td>
<td>MDT 8/21/88</td>
<td>1</td>
<td>Preliminary Designs &amp; Cross-Sections</td>
</tr>
<tr>
<td></td>
<td>RW Effects on Commercial Properties in Columbia Heights</td>
<td>0</td>
<td>Scoping Workshop</td>
<td>1</td>
<td>MDT RW Cost Estimates Preliminary Designs/Agreements Preferred Alternative Discussions</td>
</tr>
<tr>
<td></td>
<td>Effects on BPA Power Lines</td>
<td>0</td>
<td>Scoping Meeting MDT 8/21/88 BPA 8/23/88</td>
<td>3</td>
<td>Preliminary Designs Will Determine Impacts MDT Utility Relocation Cost Estimates Coordination with BPA</td>
</tr>
<tr>
<td></td>
<td>Costs of Utility Relocations</td>
<td>0</td>
<td>Scoping Meeting</td>
<td>3</td>
<td>MDT Utility Relocation Cost Estimates Coordination with Utility Companies</td>
</tr>
<tr>
<td>3. DESIGN CONSIDERATIONS</td>
<td>Use &quot;Cost-Effective Design Methodology&quot; (As a Reasonable Alternative)</td>
<td>42</td>
<td>Scoping Meeting Written Comment</td>
<td>1</td>
<td>Evaluation of Alternatives Alternatives - Proposed Action</td>
</tr>
<tr>
<td></td>
<td>Prepare Cost-Benefit Analysis</td>
<td>21</td>
<td>Scoping &amp; Written</td>
<td>1</td>
<td>Evaluation of Alternatives</td>
</tr>
<tr>
<td></td>
<td>Traffic Control Plan for Construction</td>
<td>2</td>
<td>Written Comment Scoping Workshop</td>
<td>2</td>
<td>Construction Impacts Preliminary Designs</td>
</tr>
<tr>
<td></td>
<td>Improve Winter Driving Conditions Through Design</td>
<td>7</td>
<td>Scoping Workshop Written Comment</td>
<td>2</td>
<td>Preliminary Designs Accident History/Traffic Safety Discussions</td>
</tr>
</tbody>
</table>

* * Indicates number of times specific comment was mentioned in scoping forms or letters. Several issues were identified in most scoping correspondence.
<table>
<thead>
<tr>
<th>GENERAL TOPIC OF ISSUE</th>
<th>COMMENTS RELATING TO ISSUE</th>
<th>SOURCE OF COMMENT</th>
<th>IMPORANCE</th>
<th>HOW WILL ISSUES/COMMENTS BE ADDRESSED IN EIS?</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. DESIGN CONSIDERATIONS (CONTINUED)</td>
<td>Design for Lower Level of Service</td>
<td>6 Written Comment</td>
<td>3</td>
<td>Capacity/Level of Service Discussions</td>
</tr>
<tr>
<td></td>
<td>No Need for Opposite Four-Lane Road</td>
<td>46 Written Comment</td>
<td>3</td>
<td>Capacity/Level of Service Discussions</td>
</tr>
<tr>
<td></td>
<td>Traffic Counts Not Representative</td>
<td>21 Written Comment</td>
<td>3</td>
<td>Traffic Discussions</td>
</tr>
<tr>
<td></td>
<td>Concerned About Cost</td>
<td>2 Written Comment</td>
<td>3</td>
<td>Evaluation of Alternatives</td>
</tr>
<tr>
<td></td>
<td>Use Left Turn Lanes Where Needed</td>
<td>7 Scoping Meeting Written Discussion</td>
<td>3</td>
<td>Capacity/Level of Service Discussions Preliminary Designs</td>
</tr>
<tr>
<td></td>
<td>Design &amp; Location of New Bridge Over the South Fork of the Flathead</td>
<td>1 Scoping Comment Written Comment</td>
<td>3</td>
<td>Preferred Alternative Discussions MDT Bridge Bureau Guidance</td>
</tr>
<tr>
<td></td>
<td>Reconstruct US 291/US 504 Junction</td>
<td>1 Scoping Meeting MDT 8/21/89</td>
<td>3</td>
<td>Preliminary Designs of Intersection</td>
</tr>
<tr>
<td></td>
<td>Reconstruct Weigh Station In Columbia Heights?</td>
<td>2 Scoping Meeting Written Comment MDT 8/21/89</td>
<td>4</td>
<td>MDT Agency Decision Preferred Alternative Discussions</td>
</tr>
<tr>
<td></td>
<td>Develop Alternate Route Entirely</td>
<td>3 Written Comment</td>
<td>5</td>
<td>Identification of Reasonable Alternatives</td>
</tr>
<tr>
<td></td>
<td>Construct Tiered Road Through Canyon</td>
<td>0 Scoping Meeting</td>
<td>5</td>
<td>Identification of Reasonable Alternatives</td>
</tr>
<tr>
<td>4. TRAFFIC SAFETY</td>
<td>Want Safest Road Possible</td>
<td>8 Written Comment</td>
<td>2</td>
<td>Traffic Safety Comparisons of Alternatives</td>
</tr>
<tr>
<td></td>
<td>Reduce Speeds In Canyon or Columbia Heights</td>
<td>22 Scoping and Written</td>
<td>2</td>
<td>MDT Traffic Unit Determination</td>
</tr>
<tr>
<td></td>
<td>Bus Stop and Crosswalk Provisions for School Children In Columbia Heights</td>
<td>3 Scoping and Written</td>
<td>3</td>
<td>MDT Traffic Unit Determination</td>
</tr>
<tr>
<td></td>
<td>Consider Needs of Pedestrians and Bicyclists</td>
<td>10 Written Comment</td>
<td>3</td>
<td>Pedestrian/Bicyclist Provisions Discussion Preferred Alternative Discussions</td>
</tr>
<tr>
<td></td>
<td>Provide Separate Facilities for Pedestrians and Bicyclists</td>
<td>6 Scoping and Written</td>
<td>4</td>
<td>Pedestrian/Bicyclist Provisions Discussion Criteria for Preliminary Designs</td>
</tr>
<tr>
<td></td>
<td>Develop Limited Access Control</td>
<td>2 Written Comment MDT 8/20/89</td>
<td>4</td>
<td>MDT Access Control Plan Preliminary Designs</td>
</tr>
<tr>
<td></td>
<td>Left Turns onto Highway Difficult</td>
<td>1 Scoping Comment</td>
<td>5</td>
<td>Preliminary Designs Will Consider</td>
</tr>
<tr>
<td>5. EFFECTS ON FISH &amp; WILDLIFE</td>
<td>Disruption to Wildlife Travel Corridors</td>
<td>53 Written Comment</td>
<td>1</td>
<td>OEA Report Environmental Consequences Discussions</td>
</tr>
</tbody>
</table>

* Indicates number of times specific comment was mentioned in scoping forms or letters. Several issues were identified in most scoping correspondence.
<table>
<thead>
<tr>
<th>GENERAL TOPIC OF ISSUE</th>
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<th>SOURCE OF COMMENT</th>
<th>IMPORTANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>PUBLIC</td>
<td>AGENCY</td>
</tr>
<tr>
<td>5. EFFECTS ON WILDLIFE &amp; FISH (CONTINUED)</td>
<td>Effects on the Northern Continental Divide Grizzly Bear Ecosystem (NCDE)</td>
<td>47 Written Comment</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Project's Effects on Threatened or Endangered Species</td>
<td>14 Written Comment</td>
<td>USFWS 05/28/89</td>
</tr>
<tr>
<td></td>
<td>Impacts to Common Wildlife Species</td>
<td>18 Written Comment</td>
<td>FWP 9/18/89</td>
</tr>
<tr>
<td></td>
<td>Preserve Riparian Habitat (River and Bald Eagle Habitat)</td>
<td>28 Written Comment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wetlands Impacts</td>
<td>1 Written Comment</td>
<td>EPA 17/06/89 USFWS 02/28/89</td>
</tr>
<tr>
<td>6. IMPACTS TO THE FLATHEAD RIVER</td>
<td>Impacts of River Encroachments</td>
<td>26 Written Comment</td>
<td>COE 09/89</td>
</tr>
<tr>
<td></td>
<td>Floodplain Impacts</td>
<td>1 Scoping Meeting Written Comment</td>
<td>COE 09/89</td>
</tr>
<tr>
<td></td>
<td>Impacts to Recreational Use</td>
<td>0 Written Comment</td>
<td>FWP 09/16/89</td>
</tr>
<tr>
<td>7. VISUAL IMPACTS &amp; AESTHETICS</td>
<td>Maintain Corridor's Scenic Qualities</td>
<td>41 Written Comment</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Protect Trees Along River</td>
<td>51 Written Comment</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Apply &quot;Scenic Enhancement Program&quot;</td>
<td>31 Written Comment</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Incorporate Scenic Turnouts</td>
<td>7 Written Comment</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Don't Blast Rock in Canyon</td>
<td>8 Scoping Meeting Written Comment</td>
<td></td>
</tr>
<tr>
<td>8. IMPACTS TO CULTURAL RESOURCES</td>
<td>Presence of Historic and Prehistoric Properties in Corridor</td>
<td>5 Written Comment</td>
<td>MDT 07/27/89 USFWS 02/21/89</td>
</tr>
</tbody>
</table>

* Indicates number of times specific comment was mentioned in scoping forms or letters. Several issues were identified in most scoping correspondence.
### TABLE VI-1
**SUMMARY OF MAJOR PROJECT ISSUES**

<table>
<thead>
<tr>
<th>GENERAL TOPIC OF ISSUE</th>
<th>COMMENTS RELATING TO ISSUE</th>
<th>SOURCE OF COMMENT</th>
<th>IMPORTANCE</th>
<th>HOW WILL ISSUES/COMMENTS BE ADDRESSED IN EIS?</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. IMPACTS TO CULTURAL RESOURCES (CONTINUED)</td>
<td>Native American Significance of Bedrock Canyon</td>
<td>Written Comment</td>
<td>MDT 927189</td>
<td>3</td>
</tr>
<tr>
<td>9. OTHER TOPICS</td>
<td>Follow CFR Requirements for EIS/IR</td>
<td>Written Comment</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MDT and Consultant Orchestrating Biased EIS</td>
<td>Written Comment</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Is EIS Necessary for Columbia Heights-Bedrock Canyon Section of Project?</td>
<td>Written Comment</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Project Will Affect Tourist Expectations</td>
<td>Written Comment</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Indicates number of times specific comment was mentioned in scoping forms or letters. Several issues were identified in most scoping correspondence.
two-lane alternatives and did not list the other alternatives as options for the proposed action. Nine individuals who submitted CCP forms, also submitted postcards supporting the two-lane alternatives. Eight comments on alternatives were received on preprinted forms provided at the June, 1990 meeting. Of the comments that specified an alternative, 38 supported two-lane designs, 3 supported 4-lane designs, and one supported no-action.

The remainder of the comments related to issues or specific design features for the new traffic facility. Of concern to most individuals was the need for reduced travel speeds through Columbia Heights and Hungry Horse, pedestrian and bicyclist safety and facilities in the corridor, the need for reconstructing the US 2/FAS 206 intersection, and the potential impacts of the project on Badrock Canyon and Berne Memorial Park.

Thirty-three of the 86 comments called for the agencies involved in the preparation of the EIS to undertake a study of the Flathead River downstream of Hungry Horse for possible inclusion in the Flathead Wild and Scenic River system. Other materials submitted included three completed surveys forms from users of the spring at Berne Memorial Park and three completed survey forms about recreational use in the corridor and the potential visual impacts of features related to the highway. These surveys were privately initiated and distributed.

Copies of these comments are on file in Helena. Note that a listing of written public comments received up to the publication date of the Draft EIS and the type of comment received is included in APPENDIX 9.

2. SUMMARY OF PUBLIC COMMENTS ON ALTERNATIVES

TABLE VI-2 contains a summary of all written comments from the public about the alternatives considered for the proposed action. The table summarizes all comments pertinent to the alternatives received to date, including those received prior to the June, 1990 meeting. It should be noted that not all comments specified a particular design alternative, therefore, a more general assessment was made to show support for two-lane alternatives and four-lane designs.

<table>
<thead>
<tr>
<th>Alternative Not Specified or Issues Only</th>
<th>66</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other: 30’ wide 2-lane</td>
<td>1</td>
</tr>
<tr>
<td>Tunnel</td>
<td>1</td>
</tr>
<tr>
<td>Close US 2</td>
<td>1</td>
</tr>
<tr>
<td>Use Alternate Route</td>
<td>1</td>
</tr>
<tr>
<td>Tiered Road</td>
<td>1</td>
</tr>
</tbody>
</table>

As indicated previously, a substantial amount of support for two-lane design options was generated through efforts of the CCP. A total of 106 comments about alternatives were received on preprinted forms provided by the group and many letters or postcards from its affiliates. The CCP’s success in generating comments supporting two-lane alternatives skewed the results shown in TABLE VI-2.
E. Public Agency Coordination

1. Cooperating Agencies

Several federal agencies were invited to be cooperating agencies for this project because of their jurisdiction over elements of the EIS or special interests in the project area. The agencies that were contacted included:

- U.S. Department of Agriculture, Forest Service, Flathead National Forest (7/28/89)
- U.S. Department of the Army, Corps of Engineers (8/9/89)
- U.S. Department of the Interior, Fish and Wildlife Service (7/20/89)
- U.S. Department of the Interior, National Park Service, Glacier National Park (7/31/90)
- U.S. Environmental Protection Agency (7/26/89)

Letters from each of these agencies are included on pages VI-18 through VI-20.

The U.S. Fish and Wildlife Service and the Environmental Protection Agency declined the opportunity to participate as cooperating agencies for the EIS. However, the agencies did express their desire to provide review comments on the document.

2. Federal and State Agencies

Comments from agencies with interests in the proposed action were obtained as a result of early coordination and through direct requests for comments. The agencies that responded with comments are listed below. Pertinent comments are included in the letters that follow on pages VI-21 through VI-50. These letters, listed on the following pages by agency, have been placed in chronological order for convenience. Each cooperating agency was given the opportunity to review preliminary versions of this Draft EIS. Comments from the agencies are included on pages VI-45 through VI-48.

Federal Agencies

- U.S. Department of Agriculture, Forest Service, Region 1, James A. Lawrence for John M. Hughes, Acting Regional Forester, Missoula (1/8/92)
- U.S. Department of Agriculture, Forest Service, Flathead National Forest, Allen L. Christophersen, District Ranger, Hungry Horse District (3/12/91)
- U.S. Department of Agriculture, Soil Conservation Service, Bozeman, Richard J. Gooby, State Conservationist (9/5/89)
- U.S. Department of Agriculture, Soil Conservation Service, Kalispell, Rich Pettersen, District Conservationist, (1/19/90) and Form AD-1008, (5/24/90)

Department of Energy, Bonneville Power Administration, Upper Columbia Area, Spokane, WA, William A. Freeland, Area Environmental Coordinator (9/26/89 and 6/26/90)
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Department of Energy, Bonneville Power Administration, Portland, Oregon, Leslie Kelleher, Environmental Specialist, letter to Kevin Hart, Montana Department of Natural Resources and Conservation, Energy Division (11/19/92)


U.S. Department of Transportation, Federal Highway Administration, Montana Division, Duane C. Lewis, Assistant Division Administrator (12/20/91)

U.S. Environmental Protection Agency, Montana Office, John F. Wardell, Director (5/21/92)

STATE AGENCIES

Montana Department of Commerce, Aeronautics Division, Helena, Barbra Proulx for Gerald C. Burrows, Chief, Airport/ Airways Bureau (9/7/89)

Montana Department of Fish, Wildlife & Parks, Fisheries Division, Helena, Stream Protection Coordinator (9/18/89)

Montana Department of Fish, Wildlife & Parks, Parks Division, Helena, Mary Ellen Poole, Administration Officer I, Operations Bureau (11/24/89)

Montana Department of Fish, Wildlife & Parks, Parks Division, Helena, Arnie Olson, Administrator (7/26/90)

Montana Department of Highways, Environmental Section, correspondence to Marcella Sherfy, State Historic Preservation Officer from Edrie L. Vinson (7/25/90)

Montana Department of Highways, Environmental Section, correspondence to Marcella Sherfy, State Historic Preservation Officer from Edrie L. Vinson (8/15/90)

Montana Department of Highways, Environmental Section, Correspondence to Marcella Sherfy, State Historic Preservation Officer from Edrie L. Vinson (8/10/90)

Montana Department of Highways, Environmental Section, Correspondence to Marcella Sherfy, State Historic Preservation Officer from Edrie L. Vinson (8/10/90) with SHPO concurrence (8/20/90)

Montana Department of Highways, Environmental Section, Correspondence to Marcella Sherfy, State Historic Preservation Officer from Edrie L. Vinson (8/1/91)

Montana Department of Highways, Environmental Section, Correspondence to Marcella Sherfy, State Historic Preservation Officer from Edrie L. Vinson (10/7/91)

Montana Department of Health and Environmental Sciences, Air Quality Bureau, Helena, Warren Norton, Environmental Specialist (8/24/89)
Part VI: Comments and Coordination

Department of Natural Resources and Conservation, Energy Division, Kevin Hart, Environmental Program Manager, (12/2/92)

Department of Natural Resources and Conservation, Engineering Bureau, Floodplain Management Section, Helena, John R. Hamill, Supervisor (3/21/90)

Montana Department of Natural Resources and Conservation, Helena, Jim Bond, Information Officer (10/31/89)

State Historic Preservation Office, Montana Historical Society, Helena, Mary McCarthy, SHPO Intern, (9/11/89)

State Historic Preservation Office, Montana Historical Society, Helena, Katherine M. Huppe, Historical Survey Reviewer, (6/13/90)

State Historic Preservation Office, Montana Historical Society, Helena, Katherine M. Huppe, Historical Survey Reviewer (7/2/91)

State Historic Preservation Office, Montana Historical Society, Helena, Mark F. Baumler, Ph.D., Deputy SHPO/Archaeologist (10/25/91)

State Historic Preservation Office, Montana Historical Society, Helena, Marcella Sherfy, State Historic Preservation Officer (12/17/91)

COOPERATING AGENCY COMMENTS ON PRELIMINARY DEIS


Department of the Army, Corps of Engineers, Omaha District, Planning Division, Omaha, Nebraska, Gerard E. Mick, Chief, Environmental Analysis Branch (3/28/91).

F. Agency Comments on the Draft EIS/Section 4(f) Evaluation

The following section includes comments on the Draft EIS/Section 4(f) Evaluation submitted by federal, state, and local agencies. Agency comments were subsequently reviewed and responses were drafted when appropriate. Comments generally suggested corrections to text, or technical data and sometimes requested that materials be added to the document. Practical and reasonable criticism was incorporated into the Final EIS in an effort to improve the overall quality of the document. Modifications to the Final EIS are identified in the responses that accompany agency letters.

After the comment letters from agencies were reviewed, preliminary responses to substantive comments on the Draft EIS were prepared. Correspondence containing the preliminary responses were sent to each agency for review. Follow-up letters from the agencies were requested to determine if the responses adequately address project concerns expressed by each agencies. Copies of these follow-up letters have been included in this Part of the EIS. Note that not all agencies submitted responses to the follow-up letters.
1. COOPERATING AGENCY COMMENTS AND RESPONSES

All cooperating agencies for this EIS submitted written comments on the Draft EIS. These letters along with appropriate responses are included on pages VI-51 through VI-59 of the Final EIS. The following letters were received from cooperating agencies after publication of the Draft EIS/Section 4(f) Evaluation:

U.S. Department of the Army, Corps of Engineers, Omaha District, Richard D. Gorton, Chief, Environmental Analysis Branch, Planning Division (9/2/92) and (Follow-up 8/4/93)

U.S. Department of Agriculture, Forest Service, Flathead National Forest, Joel D. Holtrop, Forest Supervisor, (12/15/92) and (Follow-up 8/13/93)

U.S. Department of the Interior, Office of the Secretary, Jonathan P. Deason, Director, Office of Environmental Affairs, Washington, D.C. (9/21/92)

2. OTHER AGENCY COMMENTS AND RESPONSES

The following agencies offered comments on the proposed improvements to US 2 between Columbia Heights and Hungry Horse:

U.S. Environmental Protection Agency, Montana Office, Eric W. Finke for John F. Wardell (9/10/92) and (Followup 8/17/93)

Montana Department of Health and Environmental Sciences, Air Quality Bureau, Helena, Robert Raisch for Gretchen Bennitt, PM-10 SIP Coordinator (9/15/92) and (Follow-up 7/29/93)

Montana Department of Health and Environmental Sciences, Water Quality Bureau, Environmental Sciences Division, Helena, Abe Horpestad, Supervisor, Technical Studies and Support (7/8/93) and (3/23/94)

Flathead Regional Development Office, Stephen F. Herbaly, Planning Director, (11/13/92)

These comments can be found on pages VI-60 through VI-79 of this Part.

G. Public Comments on the Draft EIS/Section 4(f) Evaluation

1. WRITTEN PUBLIC COMMENTS AND RESPONSES

The Draft EIS/Section 4(f) Evaluation was made available for public review in late July, 1992. The initial review period for the Draft EIS/Section 4(f) Evaluation was extended until December 21, 1992 at the request of some members of the public. Written comments were generally accepted on the document through December 21, 1992 although some substantive comments were received well after this date. Written comments on the Draft EIS/Section 4(f) Evaluation along with appropriate responses are included on pages VI-80 through VI-184 of the Final EIS. Necessary modifications to the Final EIS are identified in the responses that accompany written comments.

2. PUBLIC DESIGN AND LOCATION HEARING

An "open forum" Highway Location and Design Public Hearing was held in Columbia Falls, Montana at the North Valley Community Center on December 10, 1992. The hearing began at 7:00 p.m. and lasted until about 9:30 p.m. An "open forum" workshop was also held between 1:30 and 4:30 p.m.
on December 10 at the center. The purpose of both sessions was to receive oral and written comments from the public on the Draft EIS/Section 4(f) Evaluation and issues relating to the proposed improvements to US 2 between Columbia Heights and Hungry Horse.

The afternoon workshop session provided the public with an opportunity to meet one-on-one with agency representatives familiar with the project and offer comments on the proposed highway improvements. The informal afternoon workshop was attended by eight people. Comments made by those attending the session were transcribed by the representatives contacted by members of the public.

The evening hearing began with a brief public presentation by the EIS consultant explaining the purpose of the hearing, important issues, the alternatives considered, the major environmental impacts of proposed improvements to US 2, and measures to mitigate identified impacts. Following the presentation, opportunities were provided for members of the public to make statements to the audience or to comment individually to representatives of agencies involved in the project. Public statements were recorded on tape and one-on-one comments were transcribed onto written comment forms by the agency representatives contacted by the public. The evening hearing was attended by about 75 people. Approximately 15 representatives of MDT, FHWA or other agencies involved in the project were present at the hearing.

A brochure outlining the procedures for making comments at the "open forum" hearing and summarizing the content of the Draft EIS was made available at the afternoon and evening sessions. The brochure also contained a form for submitting written comments on the proposed action or related issues. Information about the right-of-way acquisition process and Relocation Assistance program for affected landowners was made available at the meetings.

3. PUBLIC HEARING COMMENTS AND RESPONSES

As indicated above, those attending the Design/Location hearing were given the opportunity to submit written comments on forms provided at the hearing, to make public statements in front of an audience, or to discuss issues one-on-one with agency representatives familiar with the project. Most members of the public chose to make public statements rather than discuss the project individually with agency representatives. Public statements made at the hearing were tape-recorded and ultimately transcribed along with the engineering presentation made at the meeting.

In accordance with 23 CFR 771.111(h)(2)(vi), a transcript of the hearing and documents showing that a public hearing was held have been submitted to the FHWA. The transcript of the hearing is presented on pages VI-186 through VI-223. Responses to comments made in public statements are also included on these pages. Comments made to agency representatives during one-on-one discussions at the public hearing were transcribed. These comments are included with other written public comments that follow the transcript on pages VI-224 through VI-279.

H. "Open House" Informational Meeting

An "Open House" informational meeting was held on Wednesday, November 9, 1994 at the North Valley Community Center in Columbia Falls. The purpose of the "Open House" was to discuss modifications made to the preferred alternative and make other new information about the project available to the public. No formal presentations were made at the meeting; however, the public was given the opportunity to review displays and meet individually with agency representatives and the EIS consultant to discuss or answer questions about the project. A newsletter outlining design modifications to the preferred alternative, presenting responses to major comments on the Draft EIS, and providing new and relevant information was provided at the meeting.
The afternoon session of the "Open House", attended by about 26 people, began shortly after 1:00 p.m. and concluded about 4:15 p.m. The evening session began about 6:15 p.m. and ended by 9:15 p.m. Attendance during the evening session was estimated to be at least 38 people. Comments heard by agency representatives during the meeting sessions were similar to many comments already made on the project. Comments often focused on the impacts of reconstructing US 2 in Badrock Canyon and requested that the project be designed to avoid impacts on Berne Memorial Park and to avoid the excavation of the west outcrop in the Canyon. Other comments called for more vehicle parking in the proposed turnout for the spring at Berne Memorial Park. Members of the public also wanted to know what the intersection of US 2 and Highway 206 in Columbia Heights would be like and if traffic signals would be provided. Some residents of the project corridor suggested that the alignment of US 2 be shifted northward to reduce right-of-way impacts in the vicinity of Monte Vista Drive. A number of comments supporting the modifications made to the preferred alternative were also heard.

A summary of the November 9, 1994 "Open House" and comments received as a result of the meeting are on file in Helena.

I. Permit Requirements

Based on coordination with regulatory agencies, the following permits must be obtained prior to the construction of the proposed action.

1. WATER-RELATED PERMITS

Section 404 Permit - Under the provisions of Section 404 of the Federal Clean Water Act, any person, agency, or entity, either public or private, proposing a project that will result in the discharge or placement of dredged or fill material into waters of the United States, including wetlands. A permit application must be submitted to the COE district regulatory office for review. The EPA also has regulatory review and enforcement functions under the law.

A permit application and supplemental information must be submitted to the COE for review of: (1) the proposed placement of fill along the banks of the Flathead River opposite Berne Memorial Park; (2) the construction of piers for a new bridge over the South Fork of the Flathead River; and (3) the project's effects on wetlands in the corridor. The type of permit authorization (Nationwide, Regional, or Individual) required from the COE depends on the size and scope of the intended project.

Correspondence from the COE (included in APPENDIX 15) indicates that the information presented in the EIS appears sufficient at this time to issue a 404 permit. However, the COE stated that a decision to issue a permit for the proposed action would not be made until after the Final EIS is released and comments on the document have been received.

Section 401 Water Quality Certification - MDHES must certify that any discharges into state waters will comply with certain water quality standards before federal permits or licenses can be granted. The authority for this action comes from Section 401 of the Clean Water Act. This certification must be provided to the COE by MDHES prior to the issuance of a Section 404 permit.

NPDES/MPDES Permit - Both the federal and state governments have enacted legislation for the control of pollutants into navigable waters from point sources. The National Pollutant Discharge Elimination System (NPDES) authorizes states to administer this program, thus the Montana Pollutant Discharge Elimination System (MPDES). Involvement with the MPDES on this project would likely be for dewatering of coffer dams. Storm drainage outfalls are considered as point source discharges, but MDHES, has not instituted a permitting process for such discharges at this time.
124 Permit - The Montana Stream Protection Act contains measures to ensure that the fish and wildlife resources of Montana's waters are protected and preserved. The Act requires any agency or subdivision of federal, state, county, or city government proposing a project which may affect the bed or banks of a stream in Montana to submit an application to the FWP. Activities requiring a permit include the construction of new facilities, or the modification, operation, and maintenance of existing facilities that may affect the natural existing shape and form of any stream or its banks or tributaries. MDT is responsible for obtaining this permit.

3A Authorization - The MDHES Water Quality Bureau may authorize temporary exemptions from surface water quality standards for turbidity, total dissolved solids, or temperature. Any person, agency, or entity, both public and private, initiating a short-term activity that may cause unavoidable short-term violations of water quality standards must obtain this authorization prior to beginning construction. The Authorization may be waived by FWP during its review process under the Natural Streambed and Land Preservation Act (310 Permit) or the Stream Protection Act (124 Permit). The Contractor is generally responsible for obtaining this Authorization.

Memorandum of Agreement and Authorization (MAA) - This agreement between MDT and FWP stipulates the provisions that will be used to maintain the quality of streams and fisheries affected by highway-related construction. The MAA is intended to document compliance with the Montana Stream Preservation Act.

Temporary Water Use Permit - Under the Montana Water Use Act, a temporary water use permit will be required if water is needed for dust control or other construction-related purposes. This permit may be obtained by the Contractor from the Montana Department of Natural Resources and Conservation (DNRC) Water Rights Field Office in Kalispell.

Floodplain Development Permit - A floodplain development permit will be required for new construction within designated 100-year floodplains of the Flathead River system. Activities requiring such a permit include road and bridge construction and placement of fill in floodplains. This permit must be obtained from Flathead County.

2. OTHER PERMITS

DSL Land Use License - The Montana Department of State Lands (DSL) will require MDT to obtain a land use license and a permanent right-of-way for the new bridge over the South Fork of the Flathead River west of Hungry Horse. An application must be submitted to the DSL Area Land Office in Kalispell for any construction below the low water mark of navigable streams.

Air Quality Permit - The suppliers of asphalt materials and crushed rock needed for construction must have an air quality permit from the MDHES Air Quality Bureau.

Construction Blasting Permit - The Contractor performing any blasting required for the proposed action must be licensed by the Safety Bureau of the Montana Department of Labor and Industry, Workers's Compensation Division. Local fire departments should be notified by the Contractor prior to each blasting occurrence, since they may have a blasting permit system in place or have other safety requirements that must be fulfilled.

Permits for Open Burning - If open burning would occur with the right-of-way clearing activities for the proposed highway improvement project, several permits may be required before such an action can be undertaken. A fire control permit may be required from the Department of State Lands for burning during restricted seasons. Additionally, open burning permits may have to be obtained from both the MDHES Air Quality Bureau and from Flathead County.
CITY OF HIGH POINT, possibly bypassing the
Town of Jamestown to the south,
continuing northward to Highway 90
within the City of Greensboro corporate
limits for a distance of about 8 miles.
The proposed facility can provide a
bypass for the Town of Jamestown
while also relieving congestion for the
existing High Point-Jamestown-
Greensboro corridor travel.

Alternatives under consideration
include: (1) The "no-build," (2) improve
existing facilities, and (3) construction of a
two-lane, partial control of access, multi-
lane highway on new location.

Incorporated into and studied with the
various build alternatives will be design
variations of grade and alignment.

Letters describing the proposed action
and soliciting comments will be sent to
appraisers, local state and local
agencies, and to private organizations
and citizens who have previously
expressed or are known to have interest
in this proposal. Public meetings and
meetings with local officials and
neighborhood groups will be held in the
study area. The first public meeting
will be held in August, 1989. A hearing
will also be held. Public notice will be
given on the time and place of the public
meetings and hearings. The draft EIS
will be available for public and agency
review and comment prior to the public
hearing. No formal scoping meetings
are planned at this time.

To ensure that the full range of issues
related to the proposed action are
identified, comments and suggestions
are invited from all interested parties.
Comments and questions concerning the
proposed action and the EIS should
be directed to the FHWA at the address
provided above.

(Catalog of Federal Domestic Assistance
Program Number 22.223, Highway Planning,
and Construction. The regulations
implementing Executive Order 12291
regarding intergovernmental consultation on
Federal programs and activities apply to this
program.)

District Engineer, Raleigh, North Carolina.

[FR Doc. 89-25077 Filed 7-19-89; 8:45 am]

Environmental Impact Statement:
Flathead County, Montana

AGENCY: Federal Highway
Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this
notice to advise the public that an
environmental impact statement will be
prepared for a proposed highway in Flathead
County, Montana.

FOR FURTHER INFORMATION CONTACT:
Dale Paulson; Environmental and
Project Development Engineer, Federal
Highway Administration, 301 South Park
Street, Drawer 10056 Helena, Montana
59620; Telephone: (406) 449-5310; or Mr.
Steve Kologo; Chief, Preconstruction
Section, Montana Department of
Highways, 701 Prospect Street, Helena,
Montana 59620; Telephone (406) 444-
6842.

SUPPLEMENTARY INFORMATION: The
FHWA, in cooperation with the
Montana Department of Highways, will
prepare an environmental impact
statement (EIS) on a proposal to
improve U.S. Route 2 (U.S. 2) in Flathead
County, Montana. The proposed
improvement would involve the
reconstruction of the existing U.S. 2 from
the junction of Secondary Route 206 (FAS 206), east of Columbia
Falls to the west edge of Hungry Horse,
a distance of 4.4 miles.

Improvements to the corridor are
considered necessary to provide for the
existing and projected traffic demand.

Also, included in this proposal is the
widening or replacement of the existing
bridge over the South Fork of the
Flathead River, at the east end of the
proposed project and the reconstruction
of the U.S. 2/FAS 206 intersection.

Alternatives under consideration
include (1) taking no action; (2) widening
the existing two-lane highway to four
lanes; and (3) replacing the existing
facility with a "two-lane" highway,
incorporated into and studies
with the various build alternatives will be
design variations of roadway width,
grade, and alignment.

Letters describing the proposed action
and soliciting comments will be sent
to appropriate Federal, State and Local
agencies, and to private organizations
and citizens who have previously
expressed or are known to have interest
in this proposal. A series of formal
scoping meetings will be held in the
Columbia Falls area between August
and October, 1989. In addition, a public
hearing will be held. Public notice will
be given on the time and place of the
meetings and hearings. The draft EIS
will be available for public and agency
review and comments prior to the public
hearing.

To ensure that the full range of issues
related to this proposed action are
addressed and that no issues are
identified, comments, and suggestions
are invited from all interested parties.
Comments or questions concerning this
proposed action and the EIS should be
directed to the FHWA at the address
provided above.

(Catalog of Federal Domestic Assistance
Program Number 22.223, Highway Planning,
and Construction. The regulations
implementing Executive Order 12291
regarding intergovernmental consultation on
Federal programs and activities apply to this
program.)

Issued on July 14, 1989.

D.G. Lewis,
Assistant Division Administrator, Montana
Division, Helena.

National Highway Traffic Safety
Administration (NHTSA), Department of
Transportation.

SUMMARY: NHTSA intends to use
funds available during fiscal year 1990
to assist the States in implementing
school bus safety programs.

AGENCY: National Highway Traffic
Safety Administration (NHTSA), Department of Transportation.

ACTION: Notice of a grant program.

DATES: Applications must be received by
November 1, 1989.

ADDRESS: A grant application to
NHTSA which proposes to use the
funds on one or more of the measures
designated by NHTSA to be "effective"
or "successful" in improving school
bus safety. This notice solicits
applications from the States interested in developing and
implementing projects under this
program.

FOR FURTHER INFORMATION CONTACT:
States should direct all questions
concerning the grant program and
applications to the NHTSA Regional
Administrator serving the Region in
which the submitting State is located.

All applications submitted should be
labeled, "School Bus Safety
Implementation Project." Interested
States are advised that separate
application package exists beyond the
contents of this announcement.

FOR FURTHER INFORMATION CONTACT:
States should direct all questions
concerning the grant program and
applications to the NHTSA Regional
Administrator serving the Region in
which the submitting State is located.
More general inquiries on school bus safety may be
directed to Ron Engle, Traffic Safety
Programs (NTS-22), National Highway
Traffic Safety Administration.
August 21, 1989

Subject: F 1-2 (39) 138
Columbia Heights - Hungry Horse
NOTICE OF INTENT

To Whom It May Concern:

The Federal Highway Administration (FHWA) in cooperation with the Montana Department of Highways (MDOT) intends to prepare an environmental impact statement (EIS) on a proposal to improve 4.4 miles of highway located between Columbia Falls and Hungry Horse in Flathead County, Montana.

This project is located on U.S. 2 which is a major east-west highway generally paralleling the Montana-Canadian border. The proposed improvement will involve the reconstruction of the existing two-lane highway beginning at the intersection of U.S. 2 and Federal Aid Secondary Route 206 (FAS 206) at Columbia Heights and ending at the west edge of Hungry Horse. The project will also include the reconstruction of the U.S. 2/FAS 206 intersection and the widening or replacement of the existing two-lane bridge over the South Fork of the Flathead River.

Improvements are considered necessary to connect existing four-lane sections at both ends of the project and to accommodate current and projected traffic demands. Alternatives under consideration include (1) taking no action; (2) widening the existing two-lane highway to four lanes; and (3) replacing the existing facility with a "special design" two-lane highway. Incorporated into and studied with the various build alternatives will be design variations of roadway width, grades, and alignment.

In addition to this letter soliciting comments, formal scoping meetings will be held to determine significant issues and concerns. There will be public notice of an upcoming scoping meeting inviting the participation of affected Federal, State and local agencies and other interested parties to help determine significant issues. Other informational meetings will be held during the development of the EIS. Additionally, a public hearing will be held as required for this action. The draft EIS will be available for public and agency review prior to the public hearing. The time and place for all public meetings will be advertised locally.

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

Mr. Dale Paulson or Mr. Stephen C. Kologl, Chief
Project Development Engineer Preconstruction Bureau
Federal Highway Administration Montana Dept. of Highways
301 South Park Street 2701 Prospect Avenue
Draver 10056 Helena, MT 59620
Helena, MT 59626 Telephone: (406) 449-5210 Telephone: (406) 444-6242

The attached list indicates those to whom this letter is being sent. If you are aware of any other agencies, groups, or individuals that might be affected or concerned and are not on the list, please contact the above.

Sincerely,

Stephen C. Kologl, P.E.
Chief, Preconstruction Bureau

SCK:DMNKjm

Attachments

cc: T.J. Barnard w/Attach
S.C. Kologl
J.K. Kicker
R.R. Newhouse
R.C. Lajoie
Till
RE: EIS for U.S. 2 Improvements in Flathead County

Mr. D. C. Lewis
Montana Division
Federal Highway Administration
301 South Park Drawer 10056
Helena, Montana 59626

Dear Mr. Lewis:

We have received your letter of July 14, 1989, sent to Mr. Robert McInerney of our Helena office, regarding an EIS for U.S. 2 improvements in Flathead County.

We agree to serve as a cooperating agency for this EIS. Subjects we will need to address include placement of fill in wetlands or other water bodies, subject to Corps Section 10 and Section 404 requirements, and placement of materials within floodways; subject to a review for impacts on floodplain.

Please send notice of meetings and of other developments to Mr. McInerney and to this office.

Mr. Steve Roche
U.S. Army Corps of Engineers
Omaha District, Planning Division
215 North 17th Street
Omaha, Nebraska 68102

If you have any questions, you can call Mr. Roche at (402) 221-4579. Thank you for this involvement opportunity.

Sincerely,

Richard D. Gorton
Chief, Environmental Analysis Branch
Planning Division
Dear Mr. Lewis:

This responds to your July 14, 1989 letter concerning a proposal by the Federal Highway Administration (FHWA) and the Montana Department of Highways (MDOH) to improve U.S. Route 2 in Flathead County, Montana. The proposed improvement project would involve reconstruction of 4.4 miles of U.S. 2 from the junction of Secondary Route 206, east of Columbia Falls, Montana, to the west edge of Hungry Horse, Montana. Replacement of the existing bridge over the South Fork Flathead River at the east end of the project, would also be required. Your July 14 letter invited the U.S. Fish and Wildlife Service (Service) to be a formal cooperating agency during preparation of the Environmental Impact Statement (EIS) for the proposed project.

Based on the information contained in your letter and a subsequent telephone conversation between Mr. Dale Paulson of FHWA and Mr. Cary Wood of my staff, we would prefer to decline the invitation to participate as a cooperating agency. However, in as much as the project will constitute a "major construction activity" within the meaning of 50 CFR Part 402, Interagency Cooperation -- Endangered Species Act of 1973, as amended (Act), it appears appropriate to work closely with you and any non-Federal representative you may designate to conduct informal consultation or to prepare a biological assessment concerning threatened or endangered species. In that regard, we will comment in more detail during the initial project review and EIS Scoping period, as outlined in your July 14 letter. Based on the telephone conversation between D. Paulson and W.M.W., it appears that this response would also likely be the appropriate time to provide you with the listed and proposed threatened and endangered species that may be present in the project area, as required under Section 7(e) of the Act and Section 402.12(e) of the Interagency Cooperation Final Rule.

We appreciate your early letter regarding this proposed project. If you have any questions about this response, please feel free to contact Gary Wood at our Billings Suboffice (P.O. Box: 583-6750).

Sincerely,

[Signature]

R. A. McElroy
Acting State Supervisor
Montana State Office

cc: Steve Koziol, Montana Dept. of Highways (Helena, MT)
Jeff Ryan, Montana Dept. of Highways (Helena, MT)
Larry Lockard, USFWS (P.O. Box 5836 Billings, MT)

Suboffice Coordinator, USFWS (P.O. Box 5836 Billings, MT)

"Take Pride in America"
July 31, 1990

Mr. David C. Miller
Planning and Program Development Engineer
Federal Highway Administration
301 South Park
Helena, Montana 59626

Dear Mr. Miller:

Glacier National Park welcomes the opportunity to participate in the development of the Environmental Impact Statement that your agency and the Montana Department of Highways are preparing on the proposed improvements to US 2 between Columbia Heights and Hungry Horse.

The park contact for the Highway 2 project will be Bruce Hayden. It is anticipated that both he and Bob Dunkley will provide input into the development of the EIS.

Sincerely,

M. Gilbert Lusk
Superintendent

cc: Edrie Vinson

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July 26, 1989

Mr. D.C. Lewis,
Assistant Division Administrator
Federal Highway Administration
Federal Building, Drawer 10056
301 South Park
Helena, Montana 59626

Re: U.S. Highway 2 EIS

Dear Mr. Lewis:

This is in response to your letter of July 14,1989 inviting EPA to be a cooperating agency with the Federal Highway Administration (FHWA) during the preparation of an Environmental Impact Statement (EIS) for a Federal Aid Highway Project to reconstruct U. S. Highway 2 east of Columbia Falls.

EPA is interested in providing meaningful and early input on environmental issues of concern. We are particularly interested in helping to ensure that proper wetland protection and water quality protection considerations are incorporated into the Highway 2 project. The Agency, however, has resource limitations, which will have to limit the degree and extent of EPA's participation. These resource constraints make it difficult for us to agree to full fledged participation as a cooperating agancy during the preparation of the Highway 2 EIS.

I would appreciate the opportunity to discuss possibilities for EPA to have a limited but still meaningful role in this project. Please feel free to call me at FTP 585-5432 if you would like to discuss this.

Sincerely,

John F. Wardell, Director
Montana Office
Section 7(e) of the Act requires that Federal agencies proposing major Federal construction actions conduct a biological assessment to determine the effects of the proposed actions on listed and proposed species. If the biological assessment is not initiated within 90 days of receipt of the foregoing list, the list of threatened and endangered species should be verified with the Fish and Wildlife Service (Service) prior to initiation of the assessment. The biological assessment should be completed within 180 days of initiation, but can be extended by mutual agreement between your agency and the Service. The biological assessment may be undertaken as a part of your agency's compliance of Section 102 of the National Environmental Policy Act (NEPA), and incorporated into the draft or final NEPA document. A Federal agency may designate a non-Federal representative to conduct informal consultation or prepare a biological assessment by giving written notice to the Service of such designation. If a biological assessment is prepared by the designated non-Federal representative, the Federal agency shall furnish guidance and supervision and shall independently review and evaluate the scope and content of the biological assessment. The ultimate responsibility for compliance with Section 7 remains with the Federal agency.

We recommend that the biological assessment include:

1) a complete description of the project;
2) the current status, habitat use, and behavior of listed species in the project area;
3) discussion of the methods used to determine the information in item 2;
4) detailed evaluation of the direct and indirect effects of the action on listed species;
5) cumulative impacts from federal, state or private projects in the area;
6) coordination measures that will reduce/eliminate adverse impacts to listed species;
7) the expected status of listed species in the future (short- and long-term) during and after project completion;
8) determination of "no effect/may affect" to listed species;
9) review of the methods and conclusions of the service's biological assessment; and
10) personal contacts and views of recognized experts on the species at issue, to include at a minimum, comments from the Montana Department of Fish, Wildlife and Parks.

If it is determined that the project "may affect" any of the above-listed species, formal consultation should be initiated with us. If it is concluded that "no effect" is likely, we should be asked to review the assessment and concur with the determination of no effect.
Section 7(c) of the Act requires that the appropriate Federal agency shall not make any irreversible or irretrievable commitment of resources which would preclude the formulation of reasonable and prudent alternatives until consultation on listed species is completed.

Based on the limited information we now have, it appears that the project may encroach on the Flathead River at some locations, in addition to requiring replacement of the existing bridge over the South Fork Flathead River just west of Hungry Horse. In that regard, we suggest that you or your agent work very closely with the Montana Department of Fish, Wildlife and Parks to minimize any essential stream encroachment and associated fishery impacts. We also recommend that a wetlands assessment be conducted in accordance with the recently signed, "Interagency Memorandum of Understanding: Management and Mitigation of Highway Construction Impacts to Wetlands in the State of Montana".

Please contact Mr. Larry Lockard by telephone at (406) 775-7870 if we can be of further assistance or if you have questions regarding this letter.

Sincerely,

Kemp McMaster
Acting State Supervisor
Montana State Office

cc: Stephen Kologi, Montana Dept. of Highways (Helena, MT)
    Jeff Ryan, Montana Department of Highways (Helena, MT)
    Jeff Herbert, Montana Dept. of Fish, Wildlife & Parks (Helena, MT)
    Ken Chreast, 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 (FWS-61130-Kalispell)
    EPA/ERD (Washington, DC)
    Suboffice Coordinator, U.S. Fish & Wildlife Service-(FWS-61130-Billings)

"Take Pride in America"
September 5, 1989

Mr. Stephen C. Kologri
Preconstruction Bureau
Department of Highways
2701 Prospect Ave.
Helena, MT 59620

RE: FI-2(39)138 Columbia Heights-Hungry Horse NOTICE OF INTENT

Dear Mr. Kologri:

We have reviewed the above Notice of Intent and have no comments to offer.

Sincerely,

[Signature]

RICHARD J. GOODY
State Conservationist

cc: Ron Batchelor, State Biologist, SCS, Boxman, MT

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SEPTEMBER 7, 1989

Mr. Stephen C. Kologri, P.E.
Chief, Preconstruction Bureau
Department of Highways
2701 Prospect Avenue
Helena, MT 59620

Dear Mr. Kologri:

FILE: F-1-2 (39) 138
Columbia Heights - Hungry Horse
NOTICE OF INTENT

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

[Signature]

Gerald C. Burrows, Chief
Airport/Aviation Bureau
September 11, 1989

Stephen C. Kologl, P.E.
Chief, Preconstruction Bureau
Montana Department of Highways
2701 Prospect Avenue
Helena, MT 59620

RE: F 1-2(39)138-T30N R19/20W
Columbia Heights - Hungry Horse
Notice of Intent

Dear Mr. Kologl:

According to site records currently available to us, no sites are recorded in Sec. 15, 10, 11, 12, 1-30N-19W or Sec. 6, 7-30N-20W of the project area.

Thank you for consulting with us.

Sincerely,

Mary McCarthy
SEPO Intern

File: MDOH/Columbia Heights-Hungry Horse/1989

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RE: F 1-2(39)138

Montana Historic Preservation Office
State Historic Preservation Office
Montana Historical Society
Mailing Address: 225 North Roberts • Helena, MT 59620
Office Address: 102 Broadway • Helena, MT • (406) 444-7715

Received
NOV 15 1989
ROBERT PECCIA
& ASSOCIATES

1420 East Sixth Avenue
Helena, Montana 59620
September 12, 1989

Steve Kologl
Dept. of Highways
2701 Prospect
Helena, MT 59620

Dear Steve:

The Flathead River system has an excellent recreational and fishery value. Therefore, we request that the new structure over the South Fork River be designed to adequately span the river. Where possible the proposed alignment changes should be made away from the river to reduce instream impacts.

It is my understanding that the project will also impact local wetlands which should be addressed by the wetland MOU.

Thank you for the opportunity to comment on this project.

Sincerely,

[Signature]

Ken Chest
Stream Protection Coordinator
Fisheries Division

[Date]

C: Vashro
Mr. Stephen C. Kologi  
Chief, Preconstruction Bureau  
Montana Department of Highways  
2701 Prospect Avenue  
Helena, Montana 59620

Subject: FL-2(39)138  
Columbia Heights - Hungry Horse

Enclosed are two Bonneville Power Administration (BPA) plan and profile maps, which contain information on BPA powerlines in the area that you contemplate for improvement. A location map is also enclosed. If any of your proposed alternatives would affect such BPA facilities at tower locations, etc., please contact this office to coordinate impact analysis. We wish to review your environmental impact statement so that all impacts are adequately covered in your document.

The information provided herein was also requested by S. L. Willows, Coalition for Canyon Preservation. That group may have similar concerns that all significant issues are addressed. BPA looks forward to cooperating in your effort to address any significant concerns. Please feel free to contact Mr. Randy Roy of the BPA Montana State Coordination Office, Federal Building (Room 1621) Draver 10061, 301 S. Park Avenue, Helena, MT 59625 (406-444-5093), or myself at the above address, if you desire further information or have any questions.

Sincerely,

[Signature]

Area Environmental Coordinator

Enclosure

October 31, 1989

Stephen C. Kologi, P.E.  
Chief, Preconstruction Bureau  
Montana Department of Highways  
2701 Prospect  
Helena, MT 59620

RE: FL-2(39)138 Columbia Heights - Hungry Horse

Dear Mr. Kologi:

This department has several concerns about the above-referenced project. First, this project will involve designated floodplains. Therefore, a floodplain development permit will have to be obtained from the Flathead Regional Development Office, 123 Fifth Ave. East, Kalispell, MT 59901 (phone 752-5500).

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 DNR Water Rights Field Office, P.O. Box 850, Kalispell, MT 59903 (phone 752-2288).

Third, this project may affect irrigation facilities. Care should be taken during construction to not interfere with existing water rights, and any facilities that may be involved should be maintained or replaced. OurKalispell Water Rights Field Office can provide information on any water rights that may be affected.

Sincerely,

[Signature]

Information Officer/Citizen Participation Advocate

cc: Ron Guse, Water Resources Division  
John Hamill, Water Resources Division  
Chuck Brasen, Kalispell Field Office  
Intergovernmental Review Clearinghouse
Montana Department of Fish, Wildlife & Parks
Helena, Montana 59620
November 24, 1989

Mr. David Johnson
Chief, Reconstruction Bureau
Department of Highways
2701 Prospect
Helena, MT 59620

Dear Mr. Johnson:

RE: P-1-2(35)138
Columbia Heights - Hungry Horse

We have reviewed your above-mentioned proposed project for
highway reconstruction improvements. The Department of Fish,
Wildlife and Parks knows of no 5(f) or 4(f) Conversion of Use
which would occur as a result of the proposed highway
reconstruction.

Thank you for the opportunity to comment. We appreciate your
cooperation.

Sincerely,

MARY ELLEN POOLE
Administration Officer I
Operations Bureau
Parks Division

RECEIVED
JAN 22 1990
ROBERT PECCIA & ASSOCIATES

UNITED STATES SOIL CONSERVATION SERVICE
DEPARTMENT OF AGRICULTURE

35 W. Reserve Drive 59901
KALISPELL MT PHONE 752-4242

1-19-90

Robert Peccia & Associates
BOX 5633
Helena, MT 59604-5633

Dear Sirs:

In response to your letter requesting information on soils
and farmlands in the area of the proposed reconstruction of
U.S. Highway 2 between Columbia Heights and Hungry Horse.

The SCS Soil Survey does not encompass the entire corridor
of the proposed project, however enclosed you will find all
of the information that we have on the area including
general soils information and prime farmland information
including a copy of the map. To further investigate the
soils further you may want to contact the Supervisors Office
of the Flathead National Forest to obtain a copy of the
Forest Soil Survey.

I hope this information can assist you in the writing of the
E.I.S. If we can be of further assistance to you don't
hesitate to contact us.

Thank You.

Sincerely,

RICH PATTERTON
District Conservationist

Enclosures
DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

March 21, 1990

Mr. Daniel Norderude
Transportation Planner
Robert Pecci & Associates Engineers
P.O. Box 5653
Helena, MT 59604

RE: Columbia Heights - Hungry Horse Highway Project EIS

Dear Dan:

The City of Columbia Falls and Flathead County are participating in the National Flood Insurance Program. Each has adopted a floodplain management ordinance that requires a permit for floodplain development activities. The community of Hungry Horse is unincorporated and falls under the jurisdiction of Flathead County.

You must request the cross-sectional information you mentioned through FEMA's regional office. Send your request to:

John Liou, Regional Hydrologist
FEMA, Region 8
Box 25267
Denver Federal Center
Denver, CO 80222-0267

I recommend that you call periodically after submitting the request to ensure a timely response. We generally have the information you requested, but data for that portion of the Flathead River is not in our files.

Sincerely,

John R. Hamill
Supervisor
Floodplain Management Section
Engineering Bureau
JRM1946

[Handwritten notes and signatures]
impacts are most likely to occur in the form of displacement during the construction period. We have no means of assessing possible long-term effects of this displacement. Assuming that the volume of traffic will be independent of the eventual highway standard, the only potential impact on eagles would be if there is a significant reduction or screening between the highway and the South Fork. If this potential can be eliminated or mitigated there should be no additional adverse effects on eagles.

In summary, the project, as proposed, will cross Forest land designated as Management Area 10 that is not significant for park, recreation, wildlife or waterfowl purposes as specified in Federal Regulations (23 CFR 771.1356). Based on the land classifications and known uses it should have no long term effects on the use of Forest lands by threatened or endangered species, provided that the single concern related to bald eagles is addressed.

Forest lands adjacent to the proposed construction in Section 7, and those that lie south of the private land where the remainder of the construction will occur, are not significant for wildlife purposes, except for the specific management prescribed for these lands. They are located in Management Area 3 which consists of non forested lands and timberlands that are suited for amenity value resources. These areas are managed to maintain or enhance amenity values which include nongame wildlife species, visual quality, age growth and water quality. Generally the area will provide wildlife and fish habitat, including security from human disturbance. Recreation opportunities will be provided where they will not interfere with wildlife and fish values. Lands in MA-3 are generally available for recreation, but they are not specifically managed for that purpose. The Forest lands adjacent to the project do not serve significant recreational purposes as specified in Federal Regulations (23 CFR 771.1356). There are no significant waterfowl activities on this land. Existing development in Badrock Canyon (US Highway 2, the Burlington Northern Railroad, Bannock Park) with its associated heavy use has already impacted wildlife use on these adjacent lands. Although some wildlife use continues to exist on the MA-3 lands adjacent to the project, its significance has been reduced by historic development in the canyon. Assuming that the volume of traffic will remain the same regardless of the highway standard, the project should have little additional impact to wildlife. Reconstruction of the highway adjacent to the MA-3 Forest lands should not significantly reduce existing or potential recreation, waterfowl or wildlife opportunities on these lands beyond what exists today. I am enclosing a copy of the MA-3 management direction for your information.

These Forest lands in MA-3 are within Situation 2 Grizzly Bear Habitat. Those areas that are within 1/2 mile of the South Fork or the main stem of the Flathead are within Essential Bald Eagle Habitat. The same statements made in addressing threatened and endangered species in MA-10 apply in this situation.

A very small portion of the project lies within the Middle Fork of the Flathead Recreation River Corridor (MA-18). It is located in Lot 14 in the extreme SW corner of section 6. This 0.94 acre parcel is Forest land which is crossed by the existing highway. It is well away from and out of sight of the main channel of the Middle Fork. It is unlikely that any construction will have a significant impact on river values within the Wild & Scenic River corridor. A copy of management direction for MA-18 is included.

I am enclosing a map showing the various areas discussed above. It may be worthwhile to note that the Middle Fork Recreational River Corridor is slightly different than you depicted in the map you sent with your 3/12/90 letter. This is the correct location.

If we can be of further help, please feel free to contact us again.

Sincerely,

[Signature]

District Ranger

CC: D. Paulson
June 13, 1990

Edie Vinson, Supervisor
Environmental Unit
Montana Department of Highways & Associates
2701 Prospect Avenue
Helena, MT 59620

Re: Columbia Heights-Hungry Horse
P 1-2391138

Dear Edie:

Thank you for requesting our comments on HRA's cultural resource inventory for the project referenced above. There appear to be some gaps in their preparation of this report. First, very little relevant context is provided. For example, donation of the land which became the Berne Memorial Park suggests that someone locally thought Berne was worth dedicating a memorial to. A little checking showed that the Berne brothers were pioneer residents who lived in the area most of their lives, and were involved in commercial operations which may have been important to local development. These facts are alluded to in the report, but no evaluation of the potential significance of the brothers is provided. We are not concerned with their role because of the park, given its late date of donation, but because of their association with the property recorded as 24FM419.

My initial review of that property suggested that some testing should have been done to determine whether there were subsurface remains which might possess information value. The vegetation looked pretty thick in the photos provided, and the fact that there was a mound at least partly exposed with material which should be datable supported the indications to test. Photos provided to us, which your department also received, indicate, I believe, confirmed that there was much more to the homestead than the remains recorded suggest. Under the circumstances, I believe some further looking at the site is justified. We would like to know whether the rest of the buildings that were once at the site are identifiable, and what kinds and amounts of subsurface remains there are in order to evaluate the potential eligibility of the homestead under Criterion D.

The whole question of Bad Rock Canyon is also left unaddressed in the report. Is it a significant landscape? It is obviously a long-term travel corridor, and its use to access Glacier National Park may mean that there are written accounts of travellers passing through. If so, these should be checked to ascertain whether landmarks within the canyon remain which have associative value. It was also apparently the scene of a battle between the Kootenai(?) and the Blackfeet. What, if anything, is known about the particulars of that battle? I see that no Native American comments had been received when the report was written. I understand from Gary McLean on the Flathead National Forest that both the Blackfeet and the Kootenai have expressed concerns to him, and intend to comment. They may know the particulars of the battle, or even be able to provide oral history which will address the integrity of the local landscape in terms of its association with that episode. Given the sacred nature of lands which are now included within Glacier National Park, other traditional cultural values may also be involved here. It appears to be of utmost importance to secure tribal comments on this undertaking.

We received a copy of Gary's letter to you, Edie, indicating that his comments would be provided once he had received comments from the Blackfeet. Since the USFS is also a concerned party to this undertaking, we will want to have Gary's comments, too, before we complete our review.

Thank you for allowing us to send these preliminary comments, and we will anticipate further consultation for this project. Please call if we can be of assistance in the interim.

Sincerely,

Katherine M. Buppe
Historical Survey Reviewer

cc: Curly Bear Wagner
Patricia Bewarkorn
Gary McLean

File: Comp/MD6B-Columbia Heights-Hungry Horse

Sent to Consultant 6-15-90

Bob Macaulay
Mr. Daniel Nordrud  
Robert Peccia & Associates  
P.O. Box 5653  
Helena, MT 59604

Dear Mr. Nordrud:

The towers and transmission lines indicated in your letter to Environmental Coordinator, William Freeland, dated April 20, 1990, are owned and operated by Bonneville Power Administration (BPA) rather than the Columbia Falls Aluminum Company. The lines and structures were purchased from ARCO Metals February 21, 1984.

The vertical clearance between the road and the 230-kV loop line may fall below acceptable standards with a vertical adjustment to the elevation of the road. An elevation adjustment of the towers on each side of the road could be required. A tower relocation would have a cost associated with it. Tower relocation may, however, be a better alternative than trying to control the fill slope in close proximity to the existing towers.

Enclosed is the plan and profile drawings you requested. If you require more engineering data, please call Don Hawkins, Montana District Engineer in Missoula at (406) 329-3060.

Sincerely,

[Signature]

William Freeland  
Area Environmental Coordinator

Enclosure
While I am not convinced that significant information could be obtained from a residential site that is not more readily available elsewhere, I would insist that if such be the case, that the site itself would have to have integrity. This property does not, as the 1934 road construction obliterated the main portion of the site containing the residence. This property is further devalued by the surface disturbance caused by construction of a gas pipeline a distribution line and two transmission lines, including the Bonneville Power Administration line. Following construction of these, its potential decreased even further and I do not recommend it as eligible now.

We have concluded our consultation with the Indian Cultural Committee and have no impacts to report. A copy of a memo describing that coordination is included for your information.

We request your concurrence that this project will have no effect on properties on or eligible for listing on the National Register of Historic Places. If you have further questions, please call and discuss them with me as we need to conclude this review promptly. Thank you for your consideration.

Edie L. Vinson, Supervisor
Environmental Section

Enclosure

cc: D. S. Johnson
    G. A. Jackson
    R. R. Newhouse
    J. T. Weaver
    Environmental Section, v/enclosure
    File

Edie L. Vinson, Supervisor
Environmental Section
ELV:0:683.cm

Enclosure

cc: Larry Peterson
August 10, 1990

Marcella Sherfy
State Historic Preservation Officer
Montana Historical Society
225 North Roberts
Helena, MT 59620

Subject: F 1-2(39)138 Columbia Heights - Hungry Horse

Enclosed please find supplemental information on the Berne property. The highway plans you have in your file date to 1928. It shows that the right-of-way purchased from the Berne family did not include their buildings. In 1949, however, there was an additional purchase, and the land on which the buildings sat was required for improvements. The purchased portion is highlighted for your convenience in reading the plans. Also enclosed is a copy of a memo regarding the removal of the buildings.

I read through the rough draft of the comments at the public scoping meeting June 26, 1990. Unfortunately Mr. Simpson's comments about the house being exactly where the road is now are not on it. Apparently he made that statement following the formal meeting, at a time when the people were gathered around the aerial displays at the front of the room. These documents, however, show conclusively that the buildings were taken by the department in 1949.

I believe this is sufficient to demonstrate that this property no longer possesses integrity, a requirement for being considered eligible for listing on the National Register of Historic Places. I would appreciate your concurrence that this project will have no effect on properties on or eligible for listing on the National Register of Historic Places. Thank you for your consideration.

Edith Vinson
Edith Vinson, Supervisor
Environmental Section

ELV:D:ENV:3.3b
Enclosures

cc: D. S. Johnson, w/attach
    G. A. Jackson, "
    R. R. Newhouse, "
    J. T. Weaver, "
    Environmental Section, w/attach
    File, w/attach

CONCUR
NO PROPERTIES ON OR ELIGIBLE
FOR WHIP APPEAR LIKELY TO
EXIST WITHIN PROJECT IMPACT AREA
MONTANA SHPO
DATE SIGNED:

An Equal Opportunity Employer
August 15, 1990

ROBERT PECCIA
& ASSOCIATES

Marcella Sherfy
State Historic Preservation Officer
Montana Historical Society
225 North Roberts
Helena, MT 59620

Subject: F1-2(39)128
Columbia Heights - Hungry Horse

I sent Jon Auline to the Columbia Heights area to determine if there were any sites better associated with the Berns Brothers than the Bad Rock Homestead site (24FH419). Both the brickyard and brick house associated with the brothers have been destroyed within the last decade. The old St. Richards Catholic Church in Columbia Falls, however, is still standing. The church, built with brick acquired from the brickyard, is already listed in the National Register of Historic Places.

The Montana Department of Highways is offering to erect an historical marker commemorating the Berns family and directing the reader to the church -- if you recommend that it should be done. We are firm in our recommendation that the Berns site (24FH419) has lost integrity and is not eligible for the National Register.

Edie L. Vinson, Supervisor
Environmental Section

cc: D. S. Johnson
    G. A. Jackson
    A. R. Newhouse
The draft Assessment concludes that these effects are likely to be "insignificant or discountable relative to local or regional populations" (page 4). Regulations implementing Section 7 of the Endangered Species Act, as amended, provide for an exception to formal consultation if the U.S. Fish and Wildlife Service (Service) concurs in writing that a project is not likely to adversely affect a listed species. Service policy implementing these regulations provide that activities found to have beneficial, discountable or insignificant effects on listed species or their critical habitats may be deemed to be in compliance with Section 7(a)(2) without formal consultation. Beneficial effects are those actions which have positive impacts. Discountable effects relate to the size of the impact, while insignificant effects are those that are extremely unlikely to occur. While these conditions may arguably be met by the project, such a conclusion does not appear necessarily obvious from the information provided in the draft Biological Assessment. We have been advised through guidance from higher authority within the Service that the conclusion "not likely to adversely affect" does not apply to situations where any (non-beneficial) effect has been predicted, even though the action Agency may have agreed to offsetting measures during informal consultation that would eliminate most impacts but that would leave a basis for predicting some residual effects that are not necessarily clearly "discountable" or "insignificant". In such situations, there must be formal consultation. If appropriate, offsetting measures may be utilized to ensure that there is no likelihood of jeopardy.

For the above reasons, we believe the final Biological Assessment must include additional information before a determination can be made on whether a "not likely to adversely affect" is justified with regard to the bald eagle.

In that regard, we recommend the following: 1) the final Assessment should present a brief summary of what is known or available from appropriate agencies and experts about present/recent winter use of Badrock Canyon by bald eagles; this summary should include quantitative data, as well as qualitative information; 2) the discussion of tree removal should be expanded to disclose the area/approximate number of trees to be removed and express the extent to which these can be preserved, especially in the critical 1/4 mile identified in the draft Assessment; 3) a specific commitment should be made to conduct the work in the canyon area in the "off" season, or more information provided regarding the possibility of, and constraints on, this option; 4) an explanation of by whom and just how "road-kills" will be removed should be presented; and 5) a discussion should be presented of the prospects or likelihood that kokanee populations may return to historic levels (based on discussions with relevant fishery managers in the area) and some analysis of.

export opinion about resultant eagle wintering populations included; in this regard, it would be helpful to discuss any known conservation measures that it might be possible to implement in the case of an eventual return to high winter use of the canyon by eagles.

We appreciate the opportunity to comment on the draft Assessment. Questions regarding this letter may be directed informally to Mr. Gary Wood of my staff at our Billings Suboffice FTS: 585-6700.

Sincerely,

[Signature]

Kemper McMaster
Field Supervisor
Montana/Wyoming Field Office

JGW/DC/Indg

(B:NORDERUD)

cc: Dale Paulson, Federal Highway Administration (Helena, MT)
    Asst. Regional Director, USFWS, Fish & Wildlife Enhancement (Denver, CO)
    Suboffice Coordinator, USFWS, Fish & Wildlife Enhancement (Billings, MT)
July 2, 1991

Edie L. Vlasak
Supervisor
Environmental Section
Montana Department of Highways
2701 Prospect Avenue
Helena, MT 59620

Rec: Columbia Heights-Hungry Horse
F 1-2(29)138

Dear Edie:

Thank you for the opportunity to comment on Marilyn’s report for the project referenced above. We do concede with her judgement that the historic logging camp recorded at 24FH45 is not eligible for National Register listing. I still find the presence of the camp to be interesting history.

I will paraphrase Mark’s comments on prehistoric resources identified. Given the limited density and distribution of surface materials in a glowed field at 24FH45, and the fact that test trench did not reveal additional information, we concur that site is not likely to qualify for the National Register. While we do accept Marilyn’s research experience in similar settings elsewhere as good evidence, we do believe that before this model can be applied totally it should be tested for locations in Montana. For example, construction of the travelway by the canyon may have affected the general pattern of limited and diversified use along otherwise uniform river banks.

Mark suggests that monitoring of ground disturbance in this area may provide a useful check of the model. Alter the setting, the discovery of substantial deposits during work should trigger further review. Here again, if testing of 24FH45 is needed, a few tests might be considered.

For 24FH45, we concur with Marilyn’s recommendation for testing if evidence isn’t possible.

We would really appreciate it if we could borrow Thomas (1959). Thanks.

Sincerely,

Larrie Hupke
Historical Survey Reviewer
File: Comp/MDOH-project
The first steel girder and floor beam bridges were constructed in Montana for the railroads in the late 1880s. The design was particularly suited to the railroads since the bridges were structurally stable and were able to accommodate fast-moving heavy traffic. Ninety-eight steel girder and floor beam bridges for vehicular traffic have been constructed in Montana since 1908. The first steel girder and floor beam bridge was built in 1909 by Jefferson County construction crews and is located three miles north of Basin on Cataract Creek; the bridge was rebuilt in 1979. Although this type of bridges was constructed continuously by the Montana Highway Department from the 1930s, most of the spans were constructed in conjunction with interstate projects during the 1960s (14 steel girder and floor beam bridges in Montana are associated with interstate highways). Of the 98 bridges constructed in Montana, all are still in use and only 14 have been rehabilitated.

Four steel girder and floor beam bridges are located in Flathead County: the South Fork of the Flathead River at Hungry Horse (1938), the Flathead River northwest of Bigfork (1925), the South Fork of the Flathead River near Coram (1930) and the Middle Fork of the Flathead River at Essex (1968). While the South Fork of the Flathead River Bridge was the earliest steel girder and floor beam structure constructed in the county, there are 15 bridges older than that bridge in Montana—five of which are located in the northwest part of the state: Pinkham Creek southwest of Eureka (1924), Sweat Creek near Victor (1917), in Mineral County near Alberton (1933) and two on the East Fork of the Bitterroot River southwest of Comer (1937). Only six of the 15 pre-1938 bridges have been rehabilitated by the Montana Department of Transportation.

The South Fork of the Flathead River Bridge was one of 127 bridges built by the Montana Highway Department in 1938. The majority (92) were timber bridges constructed under Works Progress Administration (WPA) sponsorship—primarily in eastern Montana. Twelve counties (Richland, Teton, Blaine, Carter, McCone, Cascade, Park, Yellowstone, Fallon, Philips, Big Horn and Valley) accounted for 75% of the bridges built that year.

The South Fork of the Flathead River Bridge at Hungry Horse is not eligible for the National Register since it does not display any unusual design features and is common to the style. The first steel girder and floor beam bridge was built in Jefferson County in 1909 and the last was constructed in 1988 in Dawson County. The design of the bridge has changed little since 1909; the only difference is in the quality of the building material used in the bridge's superstructure.

Since there are 98 steel girder and floor beam bridges located on Montana's primary and secondary highways and only 14 of them have been rehabilitated, this indicates that 84 bridges retain considerable integrity of design, materials, feeling and association with the history and development of this style bridge. The South Fork of the Flathead River Bridge does not display any unusual design features and is not singularly important to our understanding of the history and development of bridge construction in Montana. There are 43 steel girder and floor beam bridges located on the state's primary and secondary road system and 55 bridges located on the Interstate system—all are nearly identical in design. Until recently, the steel girder and floor beam bridge was commonly used by the Montana Department of Highways for spanning obstacles wider than 100 feet. Since the deck is supported by two girders on this type of bridge, failure of one of the girders jeopardizes the usefulness of the bridge. Currently, the MDT relies on four beam girder bridges since the failure of one girder does not force the closure of the bridge.

We are requesting your concurrence that the South Fork of the Flathead River Bridge is not eligible for the National Register of Historic Places. If you have any questions or concerns, please contact Jon Axline at 444-6256.

Edric Vinson, Supervisor
Environmental Section

cc: D. S. Johnson
    C. S. Peil
    F. R. Perry
    J. T. Weaver
    E. L. Vinson
    File
October 7, 1991

Marcella Sherfy
State Historic Preservation Officer
Montana Historical Society
225 North Roberts
Helena, MT 59620

Subject: F 1-2(39)138 (1290)
    Columbia Heights - Hungry Horse

This letter is to document that the proposed Berne Road realignment and the adjacent recreational area along Highway 2 in Flathead County, will have no effect on significant cultural resources.

The project area inventory conducted by Montana Department of Transportation archaeologist Marilyn Wyss identified three cultural resource properties during the survey. Two of the properties, one historic and the other prehistoric, were recommended as not eligible for inclusion to the National Register of Historic Places. This recommendation received SHPO concurrence. The third property, 24FM434, required testing for adequate assessment of potential significance (see attached testing report). Tests conducted on this site were instrumental in recommending the property as not eligible. The determination is based on the paucity of cultural material associated with the site.

Testing conducted at the other sites following SHPO suggestion, provided additional information but did not substantially alter the original conclusions.

MDT has determined that there will be no impact on significant cultural properties within the project area;
October 25, 1991

Edrie L. Vinson, Supervisor
Environmental Section
Montana Department of Transportation
2701 Prospect Ave.
Helena, Montana 59620

Re: Determination of Eligibility of 24FH454 [Columbia Heights-Hungry Horse F1-2(39)138(1290)]

Dear Edrie:

Thank you for requesting our comments on the archaeological testing report prepared by MDOT Archaeologist Marilyn Wyss to resolve the eligibility of 24FH454, a prehistoric site identified during survey of the Columbia Heights-Hungry Horse park and road realignment project.

Based on the results of subsurface testing described in the report, we concur that 24FH454 is not eligible for the National Register of Historic Places under Criterion D.

Thank you also for your consideration of our earlier comments on the determinations of eligibility of 24FH453 (Prehistoric Site) and 24FH455 (Historic Logging Camp). We agree that the supplementary testing described at these two sites does not alter the original determination that these are not National Register eligible properties.

Thank you for consulting with us.

Sincerely,

Mark F. Baumler, Ph.D.
Deputy SHPO/Archaeologist

M17 FHWA Columbia Heights-Hungry Horse

Paul R. Ferry, P.E.
Acting Consultant Design Engineer
State of Montana
Department of Highways
2701 Prospect Ave.
Helena, MT 59620

Dear Mr. Ferry,

This is in response to your October 28, 1991 letter requesting Fish and Wildlife Service (Service) review of the biological assessment pertaining to Federally listed threatened and endangered species for the proposed Project F1-2(39)138 Reconstruction of U.S. Highway 2 between Columbia Heights and Hungry Horse Flathead County, Montana.

The Service has reviewed the biological assessment and disagrees with the determination that the proposed project is not likely to adversely affect the endangered bald eagle (Haliaeetus leucocephalus). The Service believes that the proposed action may effect the endangered bald eagle, therefore, pursuant to the Section 7 Interagency Cooperation Regulations 50 CFR 402.14, formal consultation is required.

As you know the purpose of formal consultation is to determine whether or not the effects of the action, plus any additional cumulative effects of State and private actions reasonably certain to occur in the action area, are likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat.

A written request to initiate formal consultation should be submitted to the Service at the above-referenced letterhead address. If we can be of any further assistance please contact Rob Hazlwood at (406) 449-5225 or FTS 585-5225. Your cooperation in meeting our joint responsibilities
under the Endangered Species Act are appreciated.

Sincerely,

Dale Harms
State Supervisor
Montana State Office

RMH/mh

cc: E. L. Vinson
    D. W. Paulson

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State Historic Preservation Office
Montana Historical Society
Mailing Address: 225 North Roberts • Helena, MT 59620-9990
Office Address: 102 Broadway • Helena, MT • (406) 444-7715

December 17, 1991

Edie L. Winson, Chief
Environmental and Hazardous Waste Bureau
Highways
Department of Transportation
2701 Prospect
Helena, MT 59620

Re: F 1-2-(39)138
    Columbia Heights-Hungry Horse
    Control No. 1290

Dear Edie:

I am glad to respond to your letter of December 10, commenting on the significance of the South Fork of the Flathead River Bridge for Section 4(f) of 49 U.S.C. 303 purposes.

I am glad to concur that we have not and do not anticipate finding that bridge specifically significant (or insubstantial) under any legal authority. Having agreed to a Programmed Agreement for Montana's Roads and Bridges, within the framework of Section 106 of the National Historic Preservation Act, we concur in your work on the projects specified by that document rather than reverting to property-by-property review of specific roads or bridges for any legal authority.

Sincerely,

Marcella Sherfy
State Historic Preservation Officer

File: COMP, MDCH
December 20, 1991

Dale Harms, State Supervisor
United States Department of Interior
Fish and Wildlife Service
Federal Building, US Courthouse
301 S. Park, Box 10023
Helena, MT 59626

Dear Mr. Harms:

Subject: P 1-2(39)138 Columbia Heights - Hungry Horse Biological Assessment

This is in reply to your November 4, 1991 letter to the Montana Department of Transportation (MDT) concerning the biological assessment on the subject project.

You disagreed with the determinations in the biological assessment and asked that the Federal Highway Administration (FHWA) initiate formal consultation. Please consider this letter to be our request to initiate formal consultation.

We are including a supplemental discussion of minor impacts that may occur if the MDT jointly develops a river access and a historic exhibit area in cooperation with the United States Forest Service (USFS). The concept for this joint development project surfaced during coordinating agency meetings. Through this process it was determined that there is an existing need for safe access to the river for recreational purposes and the USFS was interested in providing this service to the public. At the same time a need exists to mitigate road related impacts to Bernice Park. The idea for a joint development project to meet agency needs and at the same time provide a needed amenity for the public, was born out of this process. However, because the Draft Environmental Impact Statement has not been released to the public the FHWA respectfully request that this intergovernmental exchange be withheld under the Freedom of Information Act (FOIA).

The FHWA believes that premature release of this material to any segment of the public gives some sectors an unfair advantage and has a chilling effect on intergovernmental coordination and the success of the cooperating agency concept. For this reason we respectfully request that the public not be given access to this information until the Draft Environmental Impact Statement has been released.

We look forward to working with you to meet our joint responsibilities under the Endangered Species Act and would be happy to help with any additional conservation measures that you believe should be incorporated into the project. We would also be happy to review and comment on the draft environmental opinion. If you need any additional information on any aspect of the project please do not hesitate to contact Dale Paulson at (406) 449-5310 or FTS 585-5310.

Sincerely,

Duane C. Lewis
Assistant Division Administrator

Cc: Dan Norderude - Peccia
Cc: Mark Leighton - State
Cc: Edrie Vinson - State
Dear Mr. Vinson:

This is in response to your December 16, 1991, letter concerning the proposed reconstruction of U.S. Highway 2 - Columbia Heights Hungry Horse.

Hungry Horse District Ranger Allen Christopherson has reviewed the project proposal on the ground to determine the potential impacts to the Middle Fork of the Flathead River, which is designated as recreation in the Wild & Scenic Rivers system. The only portion of the project to be located within the Wild & Scenic River Corridor is in the extreme southwestern corner of Section 6 (Government Lot 14, 0.64 acres). The proposed recreation within the Corridor is located away from the Middle Fork. A copy of the District Ranger's March 12, 1991, letter to Mr. Robert Newhouse is enclosed for reference.

We do not believe that a Section 7(a) determination is required for the proposed bridge reconstruction. The bridge site is not within the Wild & Scenic Corridor, and the reconstruction will not affect the portion of the Middle Fork of the Flathead River designated as recreation.

Duane C. Lewis
Assistant Division Administrator
U.S. Department of Transportation
Federal Highway Administration, Montana Division
301 So. Park Street, Room 448
Helena, Montana 59620

Dear Mr. Lewis,

This is the Fish and Wildlife Service's (Service) Biological opinion prepared in response to the Federal Highway Administration, Montana Division, December 20, 1991, request to initiate formal consultation under Section 7 of the Endangered Species Act of 1973 as amended (Act) for Project FI-2(39) 136 Reconstruction of U.S. Highway 2 between Columbia Heights and Hungry Horse, a River Access site and exhibit area and construction of a new bridge in Flathead County, Montana. Your December 20, 1991, letter was received by this office on December 23, 1991. The Service has examined the proposed project in accordance with the Section 7 Interagency Cooperation Regulations (50 CFR 402, FR 51(108):19957-19963). This biological opinion refers only to the potential effects on the bald eagle and not the overall environmental acceptability of the proposed action.

BIological Opinion

It is the Service's biological opinion that implementation of the proposed reconstruction project is not likely to jeopardize the continued existence of the Pacific bald eagle (Haliaeetus leucocephalus) Population. The Service concurs with the conclusions in the Federal Highway Administration's Biological Assessment that the project will not adversely affect the endangered gray wolf (Canis lupus) and peregrine falcon (Falco peregrinus) and the threatened grizzly bear (Ursus arctos horribilis).

PROJECT DESCRIPTION

The proposed action is the reconstruction of U.S. Highway 2 between Columbia Heights and Hungry Horse in Flathead County, Montana. The reconstruction consists of making the two-lane highway into a 64-foot-wide four-lane highway consisting of four 10-foot driving lanes and two 10-foot shoulders. The project is located on U.S. Highway 2 between Columbia Heights and Hungry Horse in Flathead County, Montana. The project begins east of Columbia Falls near the intersection of U.S. 2 and Secondary Route 206 and extends northeast for about 4.6 miles across the South Fork of the Flathead River to Hungry Horse. From the project beginning at milepost (MP) 138.3 to about MP 140.5 the existing highway passes through suburban and rural residential development. Columbia Heights contains a small but densely developed commercial strip. The highway enters Badrock Canyon at about MP 140.5, where it parallels...
or is adjacent to the main stem of the Flathead River for two miles. The road crosses the South Fork of the Flathead River just west of Hungry Horse. In Badrock Canyon, U.S. Highway 93 passes through a moderately thick forest with the steep north slope of Columbia Mountain to the south of the highway and the main stem of the Flathead to the north. A riprap fill, placed during previous improvements on U.S. 2, encroaches on the river for 1/2 mile adjacent to Berne Memorial Park. A strip of vegetation between the river and the highway near Berne Memorial Park in the Canyon supports mature cottonwoods and conifers. A supplemental discussion of impacts was provided to the Service on December 20, 1991, which describes Montana Department of Transportation (MDT) additional proposals to develop a river access and a historical exhibit area near a single nine acres of land located next to the House of Mystery and construction of a new bridge over the South Fork of Hungry Horse. The new four-lane structure would be constructed parallel to and slightly downstream from the existing bridge.

CURRENT STATUS OF THE SPECIES

The bald eagle is listed as endangered in 43 of the 48 contiguous United States. The bald eagle population in Montana is listed as endangered. Montana falls within the Pacific States Bald Eagle Recovery Plan area (U.S. Fish and Wildlife Service 1986). The primary objective of the Bald Eagle Recovery Plan is to outline steps that will provide secure habitat for bald eagles in the 7-state Pacific recovery area and increase populations in specific geographic areas to levels where it is possible to delist the species. 

Reclassification from the bald eagles' current endangered status should occur on a region-wide basis and should be based on four criteria: First, a minimum of 800 pairs nesting in the 7-state recovery area. Second, these pairs should be producing an annual average of at least 1.0 fledged young per pair, with an average success rate per occupied site of not less than 65% over a 3-year period. Third, population recovery goals must be met in at least 80% of the management zones with nesting potential. Finally, a persistent, long-term decline in any sizeable (greater than 100 birds) nesting aggregation would provide evidence for reclassifying the species. In 1990, 851 pairs were located in the seven-state recovery area and 100 nesting aggregations appeared to be stable or slightly increasing.

The management zone approach is central to the recovery process because establishment of well-distributed eagle populations and habitats is important to recovery of the species in the Pacific recovery area. Seven bald eagle management zones were identified for Montana in the Bald Eagle Recovery Plan and Montana Bald Eagle Management Plan (Montana Bald Eagle Management Plan 1986). Implementation of recovery actions and achievement of goals are applied on a zone-by-zone basis. The project area lies within zone 7 Upper Columbia Basin of the Recovery Plan.

The bald eagle may live up to 45 years, achieve sexual maturity at 4-5 years, and produce 1-3 young per year. Publications by U.S. Army Corps of Engineers (1979), Liner et al. (1979), Brown and Amadon (1966), and Snow (1973) provide references on the biology of the species. What is known of the biology and behavior of the bald eagle in Montana is generally consistent with the literature. Bald eagles occur year-round in Montana, but their numbers fluctuate dramatically between seasons. The greatest numbers occur during the spring and fall migration periods. Migration peaks during March and November when large numbers of bald eagles move through the state and from more southerly wintering areas. Between 1980 and 1990 number of eagles counted during winter surveys ranged from 290 to 620 with an average of 423 counted per year. Adult to immature ratio averaged 2.7:1 (Flath et al. in prep.).

Bald eagles wintering in Montana tend to congregate near bodies of water. Major river drainages and large lakes constitute the majority of winter habitat use. Open water and food availability dictate use of these areas throughout the winter months. Upland areas may receive considerable use when carrion is available. During migration and at wintering sites, eagles that concentrate on locally abundant food tend to roost communally. Communal roosts usually are located in stands of mature old-growth conifers or cottonwoods, and roosts may be several miles from feeding sites.

Nesting chronology in Montana is well documented. Nest maintenance and construction occurs during winter months. Eggs are laid between late February and late April, with peak laying during early March. Fledging dates vary accordingly, with most fledging about mid-July. Little is known of post-fledging behavior in Montana. Bald eagles nest in stands of mature or over-mature timber with old-growth characteristics near significant water bodies. Wright and Escano (1986) described nest site characteristics for Montana. Most nests are located in timber stands three acres or larger with canopy closure of less than 80 percent. Live trees most often selected are ponderosa pine (Pinus ponderosa), Douglas fir (Pseudotsuga menziesii) and cottonwood (Populus sp.). Snags of these species are also utilized. Most nests are in mature or over-mature dominant or co-dominant trees with open crowns and sturdy horizontal limbs. Most nests are found on flat to moderately sloping terrain with northern aspects and in line of sight to a lake or reservoir greater than 80 acres in size, or fourth order or larger stream. All nests are within one mile of a water body with and adequate food supply.

Comprehensive surveys to determine the status of bald eagles in Montana began in 1980, but preliminary database was compiled from data gathered earlier. The nesting population grew an average of 14.3% per year from 25 viable territories to 108 between 1980 and 1990. Increase was comprised of both known age and unknown age territories. Mean brood size for the decade was 1.812. Number young fledged increased from 23 in 1980 to 130 in 1990. Percent nesting success and productivity of bald eagles was positively correlated with age of the nesting territory. In 1991, 63 active territories were found in the Upper Columbia Basin zone. Of the 63 active territories 55 were successful producing 94 young.

BASE OF OPINION

Environmental Baseline

Studies of bald eagle migration and habitat use during the past 14 years have clearly documented the use of the Flathead River, including Badrock Canyon, as a major flyway and foraging area for eagles (Young 1983, McClelland P.T. in prep.). Based on review of the project area, Flath (personal communication) reported that bald eagles occur on a year-round basis and that in addition to winter and migration habitat sufficient foraging habitat is present to accommodate summer non-breeder and perhaps an additional nesting territory in the future. On December 4, 1995 McClelland reported 41 eagles between the House of Mystery and Hungry Horse Reservoir. At least 10 bald eagle roosts have been identified on the east side of Columbia Mountain. Many of the eagles from these roosts use the river corridor in the project area. Potential nesting habitat exists within the project area. The Flathead River and riparian habitat corridor associated with the river in the project area are considered year-round bald eagle habitat.
DIRECT EFFECTS

New South Fork River Crossing - Minor amounts of riparian vegetation would be cleared to accommodate the construction of the new bridge (0.35 acres of riparian cottonwoods and willows on the west side of the South Fork, immediately north of the existing bridge). The riparian area affected by the proposed bridge construction is unvegetated within the floodplain of the South Fork and is bordered by a narrow (75-100 feet wide) stand of riparian cottonwood and willows. Similar vegetation in the Badrock Canyon is used as perching and foraging sites for bald eagles.

Proposed River Access Site - The construction of the boat ramp will require that an area of riparian vegetation approximately 40 feet by 80 feet be cleared to accommodate the new ramp to the river. This construction would produce a 40-foot-wide disruption in the continuous screen of riparian shrub vegetation dominated by willows, redbud dogwood, Rocky Mountain maple, and alder. Additionally, construction of a vehicle parking area and an access road to the boat ramp would require the clearing of an area some 50 feet by 300 feet from the same vegetation community. The total required clearing at this site is estimated to be 0.4 acres.

Highway Reconstruction - The proposed road construction would remove riparian vegetation that serves as perching sites and provides screening for eagles foraging along the river bank. Construction of this four-lane alternative would remove trees and other vegetation from an estimated 2.7 acres of riparian cottonwood and willow habitat that exist along Verne Road and Hungry Horse. MDT will incorporate 1:5:1 fill slopes into the design of the proposed action in Badrock Canyon which will encroach on the Flathead River.

Primary Direct Effects - The proposed action would directly affect bald eagles due to habitat modifications by removing perch, screening, foraging and potential nesting vegetation from the river bank in Badrock Canyon, the proposed River Access Site and Bridge Construction area. Other direct effects such as disturbance and displacement would also result from construction activities as the project area is considered year-round bald eagle habitat.

Indirect Impacts - One of the greatest indirect impacts of the proposed action would be potential for reducing human population growth and increased recreation use due to the improved access and facilities provided by the project. Assuming that commercial access is improved and enhanced, strip commercial and private development along the river associated with tourism could increase causing more people to move to the area. The proposed action has the potential to accelerate and concentrate growth and recreational use in the project area. Loss of screening vegetation would result in increased disturbance to bald eagles in the project area. Human disturbance can seriously affect bald eagles during nesting, wintering and migration seasons. Eagles may react to people walking, bicycling, driving vehicles or snowmobiles, boats stopping near nests or passing near feeding sites, blasting, shooting, tree-harvesting operations, or operation of loud equipment (Knight 1984, Maggadino 1989, Harnett in prep.).

These activities can disrupt nesting and feeding activities, force eagles to leave territory or potential nesting habitat, or displace eagles to less desirable habitats. Wintering, migrating and nesting eagles may be unduly stressed by human activities if their feeding or normal social behavior is disrupted. Eagles on the ground, whether feeding or standing, are more sensitive to disturbance, and eagles will fly greater distances when flushed from river bars or banks than when flushed from trees (Knight 1984). Human disturbance may also disrupt use of communal roosts, or displace birds to less suitable habitat (Stalnaker 1987). Bald eagles are less likely to be disturbed by human activities which are screened by vegetation (Stalnaker and Newman 1978). Although loss of screening vegetation will only occur on the highway side of the river, this loss will preclude bald eagle use in the areas across from, within and adjacent to the areas proposed for vegetation removal.

CUMULATIVE EFFECTS

Cumulative effects are those effects of future State or private activities on endangered and threatened species or critical habitat that are reasonably certain to occur within the action area of the Federal action subject to consultation. Future Federal actions will be subject to the consultation requirements established in Section 7 and, therefore, are not considered cumulative in the proposed action.

The continued fragmentation of habitat and loss of riparian vegetation due to vegetation removal may eventually affect the eagles ability to adequately use the prey base or other important habitat features. The Montana Bald Eagle Management Plan emphasized that even though bald eagle populations have increased in recent years, the continued alteration and removal of suitable habitat due to human activities may affect the long-term success of recovery efforts. McClelland, in his letter of May 7, 1991 to MDT, states that although bald eagle nesting success in Montana has shown some encouraging signs in recent years, we continue to "whittle away" at remaining habitat. McClelland further points out that the whittling is cumulative and this is a long-term concern in relation to migrating eagles as well as those that nest in the state which will ultimately affect the long-term recovery of the bald eagle in Montana.

Habitat fragmentation and loss of riparian habitat would be expected to continue as secondary development in the project corridor could create a demand for new public services and facilities. Tourism and the resident population in northwestern Montana have increased in recent years. Flathead County population grew approximately 14% during the period 1980-1990 and was considered one of the fastest growing counties in the state. Year-long distribution of visitors and types of recreational pursuits have changed from seasonal peaks, mainly spring, summer and fall, to year-round activity. Residential and recreation homesteads are also increasing in northwestern Montana. Development in floodplains has, and will continue to have, a cumulative impact on bald eagles through loss of habitat and continued displacement due to human disturbance.

The Service does not believe that the direct, indirect and cumulative effects of the proposed project would reduce appreciably the likelihood of both survival and recovery, or alter appreciably the habitat of the Pacific Bald Eagle Population in the wild by reducing the reproduction, numbers, or distribution of the species.

INCIDENTAL TAKE

Section 9 of the Act, as amended, prohibits any taking (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct) of listed species without a special exception. Harm is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing
behavioral patterns such as breeding, feeding, or sheltering. Under the terms of Section 7(b)(4) and Section 7(c)(2), taking that is incidental to and not intended as part of the agency action is not considered taking within the bounds of the Act provided that such taking is in compliance with the incidental take statement. The Service does not anticipate that the proposed action will result in any incidental take of the bald eagle. Accordingly, no incidental take is authorized. Should any take occur, the Federal Highway Administration must reinitiate formal consultation with the Service and provide a description of the circumstances surrounding the take. The incidental take statement provide in this opinion satisfies the requirements of the Endangered Species Act, as amended. This statement does not constitute an authorization for take of listed migratory birds under the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act or any other Federal statute.

CONSERVATION RECOMMENDATIONS

Section 7(a)(1) of the Act directs Federal agencies to utilize their authorities to further the purposes of the Act by carrying out conservation programs for the benefit of endangered and threatened species. The term conservation recommendations has been defined as Service suggestions regarding discretionary agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat or regarding the development of information. A recommendation provided here relates only to the proposed action and does not necessarily represent complete fulfillment of the agency's 7(a)(1) responsibility for this species.

1. A study should be undertaken by the Montana Department of Transportation to evaluate enhancement opportunities and/or purchase of riparian and riverine habitats within the project area.

In order for the Service to be kept informed of actions that either minimize or avoid adverse effects or that benefit listed species or their habitats, the Service requests notification of the implementation of any conservation recommendations.

CONCLUSION

This concludes formal consultation on this action. Reinitiation of formal consultation is required if the amount or extent of incidental take is exceeded, if new information reveals effects of the action that may impact listed species or critical habitat in a manner not considered in this opinion, or if new species is listed or critical habitat designated that may be affected by the action.

LITERATURE CITED


Magaddino R. Montana Outdoors, Montana Department of Fish, Wildlife and Parks, Helena, MT. 4 pp.


Wright, M. and Ronald E.F. Escondo. 1988 Montana bald eagle nesting habitat, macro-habitat description, USDA, FS, Northern Region, Missoula, Mt. 5801. WFHR unnumbered rpt. 30 pp.

Your cooperation and assistance in meeting our joint responsibilities under the Endangered Species Act are appreciated. 

Sincerely,

[Signature]

Dale R. Harms
State Supervisor
Montana State Office

cc: ARD, FWE, FWS Denver Co.
AFWE/EOC, Washington, D.C.
Chief, Environmental Bureau, Montana Dept. of Transportation, Helena, Mt.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII, MONTANA OFFICE
FEDERAL BUILDING, 301 S. PARK, DRAWER 10996
HELENA, MONTANA 59620-0096

Ref: 8MO

May 21, 1992

Mr. Daniel M. Norderud
Transportation Planner
Robert Peccia & Associates
P.O. Box 4553
825 Custer
Helena, Montana 59604

Re: Federal Aid Highway Project
Columbia Heights-Hungry Horse
Project F 1-2 (39) 138
Environmental Impact Statement

Dear Mr. Norderud:

This is in response to your letter of May 19, 1992 requesting the U.S. Environmental Protection Agency (EPA) provide comments or concerns on the above-referenced project.

The EPA appreciates this coordinated effort to address our concerns prior to the issuance of the Draft Environmental Impact Statement (DEIS). The EPA will, however, reserve any comment until the DEIS can be fully reviewed.

If you have any questions or we can be of assistance, please feel free to contact Jeff Bryan of my staff at 406-449-1686.

Sincerely,

[Signature]

John F. Wardell, Director
Montana Office

cc: Bill Engle, 8MO
December 19, 1990

Mr. Robert R. Newhouse
Consultant Design Engineer
State of Montana, Dept. of Highways
2701 Prospect Avenue
Helena, Montana 59620

Dear Mr. Newhouse:

Thank you for meeting with Bob Dunkley and Bruce Hayden last week to discuss revisions to the Preliminary Draft Environmental Impact Statement and Draft Biological Assessment for the Columbia Heights-Hungry Horse Project, Map 1-1 (29) 128, section of U.S. Highway 2.

The following are our revised comments:

1. The statement of need should be strengthened to make a more convincing case for upgrading this segment of highway. Problems with safety, congestion, and inconvenience should be referenced in addition to the need to meet design standards and a higher level of service.

2. A stronger justification for selection of the preferred alternative (alternative 2) should be provided given the considerable public support for a two-lane alternative shown during the scoping process for this project. A clearer comparison of the differences between alternatives 2 and 3 should be presented in light of the fact that former provides many of the stated objectives for this project while placing less fill in the river, less cut into the hillside, and imposing less of a barrier to wildlife movements.

3. Strip development along Highway 2 is a significant issue for the management of Glacier National Park and for many of the park visitors. Furthermore, there is a high public expectation that scenic values be considered on a par with other objectives in highway planning. Improvements made to the roadway between Hungry Horse and West Glacier have undoubtedly been one factor contributing to the hastening of strip development along the corridor.

The 1982 Scenic Beautification Plan for the earlier Highway 2 reconstruction project included a program to purchase scenic easements along the highway corridor. However, few such easements were ever purchased and it is our understanding that these funds were later allocated to other highway projects. We hope that follow through on any similar efforts associated with this project are more successful.

To the credit of the MDDN, FHWA and USFS, an effort is being made to preserve the scenic qualities of the Berne Park area by purchasing the total land holdings of the Simpson and Clark Trust in the project area. We strongly support this effort and find it to be consistent with statements made in the Flathead County Master Plan which establishes as a policy “encouraging additional commercial development within the planning jurisdiction along Highway 2”. The Master Plan also encourages the “development of viable, compact commercial centers located in existing communities”.

We also encourage the incorporation of measures such as buffer plantings, increased right-of-way limits, underground utilities, and acquisition of additional scenic easements as part of this project.

4. We suggest that a park-and-ride facility at Columbia Heights be included in the scope of this project. Such a facility would be a service to the more than 100 permanent and seasonal employees of the park that live beyond Columbia Heights, many of whom carpool. Forest Service and private sector employees would also benefit from such a facility. The advantages of providing for and encouraging carpooling include energy conservation, reducing the number of vehicles on the highway and cost savings for the users.

5. Of the three alternatives for replacement of the Berne Park facility and provision of a river access site, we prefer the one that consolidates the facilities at the most downstream site. This will reduce the number of entrances on the highway and will improve safety, and ease of access. It will also lend itself to combined use of support facilities such as toilets and trash receptacles.

6. We disagree with statements made in the biological assessment that eagle use along this segment of the highway is declining and that perching trees are plentiful. We feel that the loss of perching or roosting trees in this area is significant. We encourage you to discuss this issue with park biologists by contacting either Gary Gregory or Riley McClelland at 888-5441.

We appreciate this opportunity to provide our comments on the document and for participating as a cooperating agency. Should you have any questions, please contact Mr. Bruce Hayden of our staff at 888-5441.

Sincerely,

H. Gilbert Luuk
Superintendent

CC: RHR-PP, Mr. Gardner
RHR-MR, Mr. Schiller
Al Christopherson, District Ranger, Hungry Horse, R.D.
United States Forest Service
Hungry Horse Ranger District
PO Box 340
Hungry Horse, MT 59919-0340

Reply to: 1580

Date: March 12, 1991

RECEIVED
MAR 22 1991

ROBERT PECCIA
& ASSOCIATES

Mr. Robert Newhouse
Montana Department of Highways
2701 Prospect Avenue
Helena, MT 59620

Dear Mr. Newhouse,

The Columbia Heights - Hungry Horse Highway Construction Project F-1-236128 will cross a small portion of the Middle Fork of the Flathead Wild and Scenic River Corridor. With this in mind, I felt it appropriate to offer additional comments concerning potential impacts to the Recreational River Corridor. The land within the Corridor which may be affected by the Project is within the Hungry Horse Ranger District, Flathead National Forest lying within Lot 14 in the extreme south west corner of Section 6, Township 30 N., Range 19 W., M.P.M. This tract is approximately 0.64 acres in size. The following comments are relative to this tract of land which is within the boundary of the Wild and Scenic River Corridor and to other project activities that have the potential to affect values in the Wild and Scenic River Corridor.

Background

The Project proposal is to reconstruct U.S. Highway 2 from Columbia Heights to Hungry Horse. A small portion of the project is on National Forest land. The existing highway has been in place on an established right-of-way since the 1930's. On Forest land the project will entail constructing a bridge across the South Fork of the Flathead and reconstructing the Highway adjacent to the South Fork for a distance of approximately 260 feet to the Forest boundary. The South Fork joins the Middle Fork of the Flathead and Wild and Scenic River approximately one half mile below the proposed bridge. Within the Middle Fork and Wild and Scenic River Corridor, construction activities will be within the existing right-of-way. Alternatives being considered range from an improved two lane design to a four lane facility. A no action alternative is also being considered. Within the river corridor impacts from action alternatives will be similar except that construction of the four lane facility will involve an additional ten feet of land each side of center line.

Free Flowing Status

None of the alternatives will alter the free flowing status of the Middle Fork of the Flathead Wild and Scenic River. There will be no construction in or in close proximity to the channel of the Middle Fork.

Water Quality

Along the South Fork of the Flathead River a vegetative screen will be maintained between the river and the construction project. This screen will reduce the possibility of road construction sediment reaching the South Fork and eventually the Middle Fork Wild and Scenic River. Construction of the bridge may introduce sediment to the South Fork which could eventually reach the Middle Fork and Wild and Scenic River. By following accepted construction practices for riparian areas, sediment production can be minimized. The State Department of Highways will obtain appropriate permits from the Corps of Engineers and state agencies to further insure that potential impacts to water quality are mitigated. Any reduction of water quality in the Wild and Scenic River will be minimal and short term. Long term water quality will not be affected.

Recreation

Lands within the Wild and Scenic River Corridor affected by this project receive little recreation use other than by people traveling through the area on the highway. Any action alternative will disrupt highway related recreation during the construction period. Other land based activities will not be significantly affected by the project.

At the present time float use on the Middle Fork Wild and Scenic River, in the vicinity of the project, is light due to the lack of a suitable take out point. Those persons who do use the river may be impacted by the sights and sounds of construction activities. These impacts are short term and not significant. If an action alternative is selected, and if a new river access site is constructed as a part of the mitigation for the impacts to the Barne Park area, recreation opportunities on the Wild and Scenic River will be enhanced.

There is a very limited amount of floating use on the South Fork (which is not a classified river) as it runs through the River Corridor to the confluence with the Middle Fork. These river users will be impacted by the short term sights and sounds of construction. None of their launch points will be impacted by the project. There are no safe or accepted take out points within the project area. Floating opportunities on the South Fork will be enhanced by the construction of the new river access site.

Cultural Resources

There are no known cultural resource sites within the portion of the Wild and Scenic River Corridor that will be affected by the project.

Geology

The surface geology within that portion of the Wild and Scenic River Corridor impacted by the project is not unique from a scientific standpoint and does not contribute significantly to the scenic qualities of the area. The massive rock outcrops that are a prominent geologic feature of Bad Rock Canyon are outside and down stream of the Wild and Scenic River Corridor. Disturbance to these features would not be visible from the Corridor.

Fish and Wildlife

Other than the potential for minor short term sedimentation from construction activities, there will be no impacts to fisheries in the Wild and Scenic River Corridor.

Wildlife use in the River Corridor adjacent to the project area is limited. The small size of the tract (0.64 acres) makes it generally insignificant from a wildlife standpoint.

The Corridor and adjacent Forest lands south of the project area are classified as Situation 2 Grizzly Bear Habitat. By definition Situation 2 areas are lands that lack critical grizzly population centers, where highly suitable habitat generally does not exist. There are no known grizzly travel routes within the River Corridor nor has bear presence been documented in the area.

The River Corridor is also within essential Bald Eagle habitat. Eagles are known to use the area as a migratory flyway during the fall and early winter. A few eagles have been observed nesting in the general project area. They may make some use of the River Corridor. There are no known nest sites in the area. Within the Corridor, the proposed highway construction is away from the water so there will be no impacts to perch sites.

Other Unique Features

There are no other special or unique features within the Middle Fork Wild and Scenic River Corridor that will be adversely affected by the project.
Summary

Other than the short term impacts cited above, the proposed project should have no significant impacts to the Middle Fork of the Flathead Wild and Scenic River Corridor.

Sincerely,

[Signature]

Allen L. Christophersen
District Ranger

CC: R. Vanetta, SO

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMaha DISTRICT
215 NORTH 17TH STREET
OMaha, NEBRASKA 68102-4978
March 28, 1991

Planning Division

Mr. David G. Miller
Federal Highway Administration
Montana Division
301 S. Park
Draver 10056
Helena, Montana 59626

Dear Mr. Miller:

The Draft Environmental Impact Statement (DEIS) on the Columbia Heights-Hungry Horse reconstruction of U.S. Highway 2 between Columbia Heights and Hungry Horse has been reviewed.

Our particular responsibility as a cooperating agency in the preparation of this document is ensuring that it satisfies our Section 404 permitting requirements. This DEIS generally does a fine job of addressing the environmental consequences of the proposed action and fulfilling necessary requirements of a DEIS.

Please note the following comments:

a. Statement on section 404 permit requirements (p. 5-6) should be revised as follows: If the proposed action ... issue the appropriate Section 404 permit before there is any placement of fill ...

b. The alternatives analysis apparently covered all practicable alternatives. It seems reasonable to continue the four-lane highway through this corridor. The existing two-lane roadway through the canyon can be a traffic bottleneck, especially during the tourist season.

c. The rock prominences in the canyon are unique features and the disturbance on them from the preferred alternative should be minimized.

d. Wetland mitigation (p. IV-18): The Draft EIS should include a thorough mitigation plan, if possible. Mitigation plans for the fill into the Flathead River should be more detailed when the permit application is submitted for the wall and bridge.

Sincerely,

[Signature]

Gerard E. Nick
Chief, Environmental Analysis Branch
Planning Division
Mr. Kevin Hart  
State of Montana  
Department of Natural Resources and Conservation  
1520 East Sixth Avenue  
Helena, MT 59620

Dear Kevin:

This letter is to confirm our telephone conversation regarding the role the State of Montana's Department of Natural Resources and Conservation (DNRC) will have in the Hungry Horse-Columbia Falls Line Rebuild Project.

PROJECT DESCRIPTION

Bonneville Power Administration (BPA) has identified a need to improve the electric reliability of the existing 115,000-volt (115-kV) transmission system which supplies power to the Columbia Falls area loads. The current system must the risk of overloading under certain operating conditions. BPA is proposing to rebuild the existing single-circuit 115-kV line to 230-kV single-circuit between Hungry Horse Dam to the Columbia Falls substation, a distance of about 8 miles. The construction of this project would be completed in two phases. Phase I would involve (1) building the 230-kV line from the Hungry Horse switching station to Columbia Falls Substation; (2) building a temporary line from the dam to the new 230-kV line; and (3) removal of the existing 115-kV line from the dam to Columbia Falls Substation. The line would operate at 115 kV capability until Phase II. Phase II will be completed when the Bureau of Reclamation (BOR) budgets for the upgrade at the Hungry Horse switching station. It involves (1) installation of a new bay at Hungry Horse switching station (BOR action); (2) removal of the temporary line from the dam to the new 230-kV line; (3) re-termination of the 230-kV line at the Hungry Horse switching station; and (4) removal of a 115-kV structure, addition of a 230-kV structure, and rerouting the line from the structure to the Columbia Falls Substation. A combination of new 230-kV line and existing 230-kV line will be used to avoid the lines crossing each other. See attached photo and map for further details and explanation.

The environmental assessment is in the early stages of being prepared. BPA has conducted field reviews of the proposed route, and resource specialists have gathered the necessary data and are preparing the impact analysis for the following resources: wetlands, health and safety, agriculture, soils, visual, threatened and endangered species (plants and wildlife), other wildlife, cultural resources, water quality, floodplains, recreation, undesirable plants, and local zoning. As we discussed, the project may necessitate actions by other state agencies, in which case we would need

to be in compliance with state laws and regulations. Montana DNRC's role would be to contact the various Montana state agencies (you had mentioned the Montana Department of Health and Environmental Sciences and the Department of Transportation), facilitate discussions with them, and perform liaison duties for input from them. We will also be asking DNRC to review the draft working papers and provide comments at that time.

We are hoping to have the draft EA ready to go out for review in late December. We would appreciate your comments and those from state agencies no later than December 11, 1992.

If you have any further questions regarding the project, please feel free to call. We appreciate your support and involvement in this project.

Sincerely,

Leslie Kelleher
Environmental Specialist