

## **Finding of No Significant Impact (FONSI)**

on, and Revisions to the  
Environmental Assessment

for

**Belfry-North**

F STPP 72-1(1)10

CN 1016

in Carbon County, Montana

Submitted pursuant to  
42 U.S.C. 4332(2)(c), 49 U.S.C. 303,  
Sections 75-1-201 & 2-3-104, M.C.A.

by the

Montana Department of Transportation

and

U.S. Department of Transportation,  
Federal Highway Administration

Federal Highway Administration

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THE FEDERAL HIGHWAY ADMINISTRATION HAS DETERMINED THAT THIS PROPOSED PROJECT WILL HAVE NO SIGNIFICANT IMPACT ON THE HUMAN ENVIRONMENT. THIS FINDING OF NO SIGNIFICANT IMPACT IS BASED ON THE ATTACHED ENVIRONMENTAL ASSESSMENT AND PROGRAMMATIC SECTION 4(f) EVALUATIONS WHICH HAVE BEEN INDEPENDENTLY EVALUATED BY THE FEDERAL HIGHWAY ADMINISTRATION AND DETERMINED TO ADEQUATELY AND ACCURATELY DISCUSS THE NEED, ENVIRONMENTAL ISSUES AND IMPACTS OF THE PROPOSED PROJECT AND APPROPRIATE MITIGATION MEASURES. IT PROVIDES SUFFICIENT EVIDENCE AND ANALYSIS FOR DETERMINING THAT AN ENVIRONMENTAL IMPACT STATEMENT IS NOT REQUIRED. THE FEDERAL HIGHWAY ADMINISTRATION TAKES FULL RESPONSIBILITY FOR THE ACCURACY, SCOPE AND CONTENT OF THE ATTACHED ENVIRONMENTAL ASSESSMENT AND PROGRAMMATIC SECTION 4(f) EVALUATIONS.



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Program Development Engineer  
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Date: 06/17/05

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- Appendix A: Public Hearing Transcript  
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- Appendix C: Agency Correspondence
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## 1.0 Coordination Process

The proposed action has been coordinated with the appropriate federal, state and local agencies in order to comply with the National Environmental Policy Act and the Montana Environmental Policy Act. The Notice of Availability for the Belfry-North Environmental Assessment (EA) was published in several area newspapers and broadcast media on dates as follows:

**Press Release:** released December 20, 2004

### Newspapers (6)

Billings Gazette  
Billings Outpost  
Billings Times  
Laurel Outlook  
Stillwater County News  
Carbon County News

### Radio and Television Stations

KBLG-AM/KYYA-FM; KBLW-FM; KBUL-KCTR-KKBR-KMHK; KMZK-KURL; KRKX;  
KRZN; KTVQ-TV; KULR-TV; KRSR

**Advertising:** display ads were placed over a two week period – once during last week of December 2004, and once during first week of January 2005 in three newspapers

Carbon County News  
Laurel Outlook  
Billings Gazette

Copies of the advertising notice and press release are contained in Appendix B. In addition, a newsletter and postcard announcing the public hearing are included in Appendix B.

The public review period began on January 7, 2005 and ended on February 28, 2005. Copies of the Environmental Assessment were available for review beginning January 7, 2005 at the following locations:

**Belfry Post Office**, 115 Vaill Avenue, Belfry, MT  
**Horse Trader Café**, Junction Hwy S-308 and MT 72, Belfry, MT  
**Belfry Public Schools**, 200 Wisconsin Street, Belfry, MT  
**Carbon County Commissioners**, and **Carbon County Planning Office**, 17 W. Eleventh, Red Lodge, MT  
**Bridger Town Hall**, 201 S. B Street, Bridger, MT  
**Montana Department of Transportation Maintenance Facility** on US 310, Bridger, MT  
**Montana Department of Transportation** website:  
[www.mdt.state.mt.us/environmental/eis-ea/](http://www.mdt.state.mt.us/environmental/eis-ea/)

Copies of the EA were available upon request from MDT and the EA could be viewed at the MDT website address, above. State and Federal agencies and local entities were provided with a copy of the EA. The distribution list is included in Appendix B. A complete version of the EA is included in Appendix D.

The **Public Hearing** for the EA occurred January 26, 2005 at the Belfry Public School, Belfry, Montana. The hearing was held from 7:00 to 9:00 p.m. and the presentation began at 7:05pm. The public hearing was attended by 57 persons. A copy of the sign-in sheet and the transcript is contained in Appendix A. Thirteen individuals offered comments at the public hearing. These comments and MDT/FHWA responses are provided in Appendix A.

Subsequent to the public hearing, MDT received written comments from six representatives of Federal, State and local agencies as well as eleven individuals. MDT also received a petition signed by 66 Belfry area residents. The written comments received during the public comment period are provided in Appendix A, along with MDT/FHWA responses.

The comments indicated three primary concerns with the Preferred Alternative; 1) potential impacts to a municipal well in Belfry, 2) the potential traffic impacts to Broadway Avenue as a result of closing Vaill Avenue, and 3) right-of-way impacts to property owners near the US 310 intersection. Therefore, additional consultation was undertaken since the public hearing to address these issues. On February 23, 2005, MDT and consultant staff met with residents and business owners near the US 310 intersection to discuss an alternative configuration for the intersection. As discussed in Sections 2.2 and 5.0, this alternate configuration has been adopted as part of the Selected Alternative. MDT and FHWA also consulted Carbon County officials to discuss the potential traffic impacts of closing Vaill Avenue. As discussed in Section 2.3, improvements will be made to Broadway Avenue to mitigate for the potential traffic impacts of closing Vaill Avenue.

The Finding of No Significant Impact (FONSI) and Revisions to the Environmental Assessment can be viewed at the MDT website address of [www.mdt.state.mt.us/environmental/eis-ea/](http://www.mdt.state.mt.us/environmental/eis-ea/). State, Federal, and local entities will be notified by letter that this FONSI has been signed.

## **2.0 Clarifications to the EA**

During and since the public hearing, agencies, local officials and members of the public provided input on the EA and the proposed alternatives for improving MT 72. Three primary issues regarding the Preferred Alternative and the resolution of these issues are documented in Sections 2.1, 2.2 and 2.3. Additionally, other clarifications to the EA are documented in Section 2.4. Specific changes to the EA text are documented in Section 2.5.

### **2.1 Municipal Well in Town of Belfry**

During the public hearing, the operator of the water and sewer district indicated that the alignment of the Preferred Alternative would be within 80 feet of an existing municipal well, which is located west of the Broadway Avenue and Railroad Avenue intersection. Upon further investigation, the project team determined that the well is currently 20 m (65.5 ft) from the existing roadway (see Figure 3). With the Preferred Alternative on the Railroad Avenue Alignment, the edge of roadway improvements would be within 16.6 m (54.5 ft) of the well.

Since the municipal well would be within 100 ft of the proposed roadway, a deviation from MDEQ regulations would be necessary. MDT submitted the deviation request letter, which is included in Appendix C, to MDEQ on March 29, 2005. MDEQ's response dated April 21, 2005 (see Appendix C) includes an approval with specified conditions. These conditions are included below in the mitigation measures. Based on coordination with MDEQ, the following mitigation measures will be taken to minimize impacts to the municipal well located west of the Railroad Avenue and Broadway Avenue intersection:

- Stormwater from the new highway will be collected and controlled by concrete curb and gutter and a storm sewer system which would discharge runoff into Bear Creek away from the well. (Runoff from the existing gravel streets does not have positive drainage away from the well.)
- Regrading in the vicinity of the well will direct runoff away from the well and toward Bear Creek to the north.
- No weed spraying will be allowed along the Montana Department of Transportation right-of-way within 30.5 m (100 ft) of the well.
- Parking will not be allowed along the west side of the new highway or within the area of the Railroad Avenue/Broadway Avenue intersection. Therefore, no parking will be allowed within 30.5 m (100 ft) of the well.
- A sampling plan with the following provisions will be implemented:
  - Sampling must be done during construction as follows
    - 1<sup>st</sup> sample prior to construction
    - 2<sup>nd</sup> sample after construction
    - Final sample one month after construction
  - Each sample must include testing for diesel range organics (DRO), volatile organic compounds (VOC's), and suspended organic compounds (SOC's).

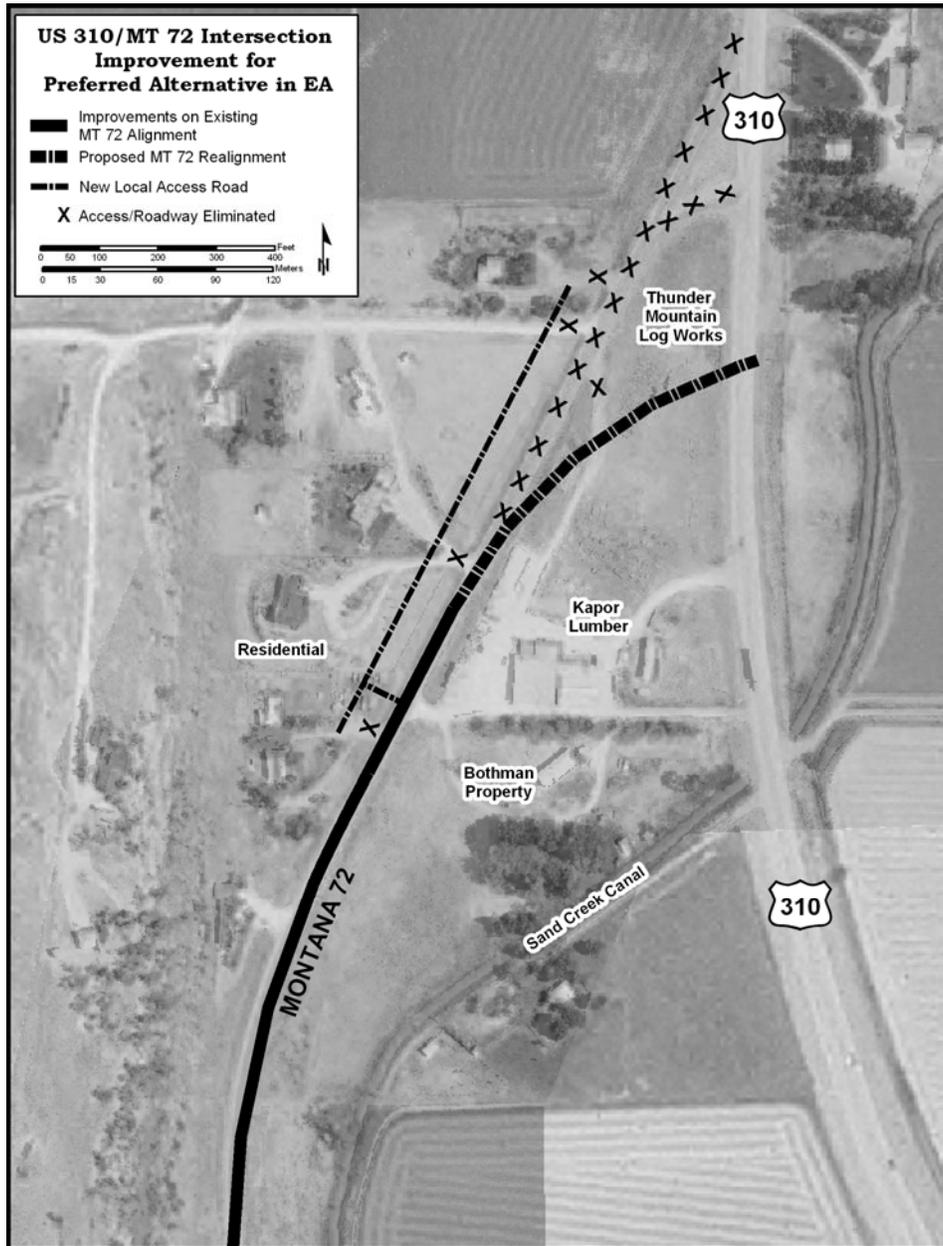
- If the well is contaminated during construction, MDT will be responsible for clean up or replacement of the well.

## **2.2 US 310/MT 72 Intersection**

Subsequent to the public hearing, residents and business owners near the US 310/MT 72 intersection requested that MDT and FHWA consider an alternate alignment at the intersection to reduce right-of-way impacts to private property. MDT met with these residents and business owners on February 23, 2005 to discuss options for mitigating the right-of-way impacts that would result from implementation of the proposed US 310/MT 72 intersection design in the Preferred Alternative from the EA.

These property owners informed MDT that the Bothman property, which is between the existing MT 72 alignment and US 310 and directly north of the Sand Creek Canal, was recently put up for sale. This created an opportunity to reconfigure the proposed MT 72 alignment through this property and reduce right-of-way impacts to the remaining residents and business owners. The existing MT 72 alignment could be retained as a local access road for residents on the west side of the highway, thus eliminating the need to construct a new access road that would encroach on the property of these residents. Figure 1 shows the proposed design of the US 310/MT 72 intersection improvement for the Modified Existing Alignment Alternative, which was the Preferred Alternative in the EA.

Figure 1. US 310/MT 72 Intersection Improvement - Modified Existing Alignment Alternative (Preferred Alternative from the EA)



In response to the public comments and to minimize impacts, the revised US 310/MT 72 intersection improvement design, as shown in Figure 2, was selected for implementation.

Figure 2. Revised US 310/MT 72 Intersection Improvement – Modified Existing Alignment Alternative

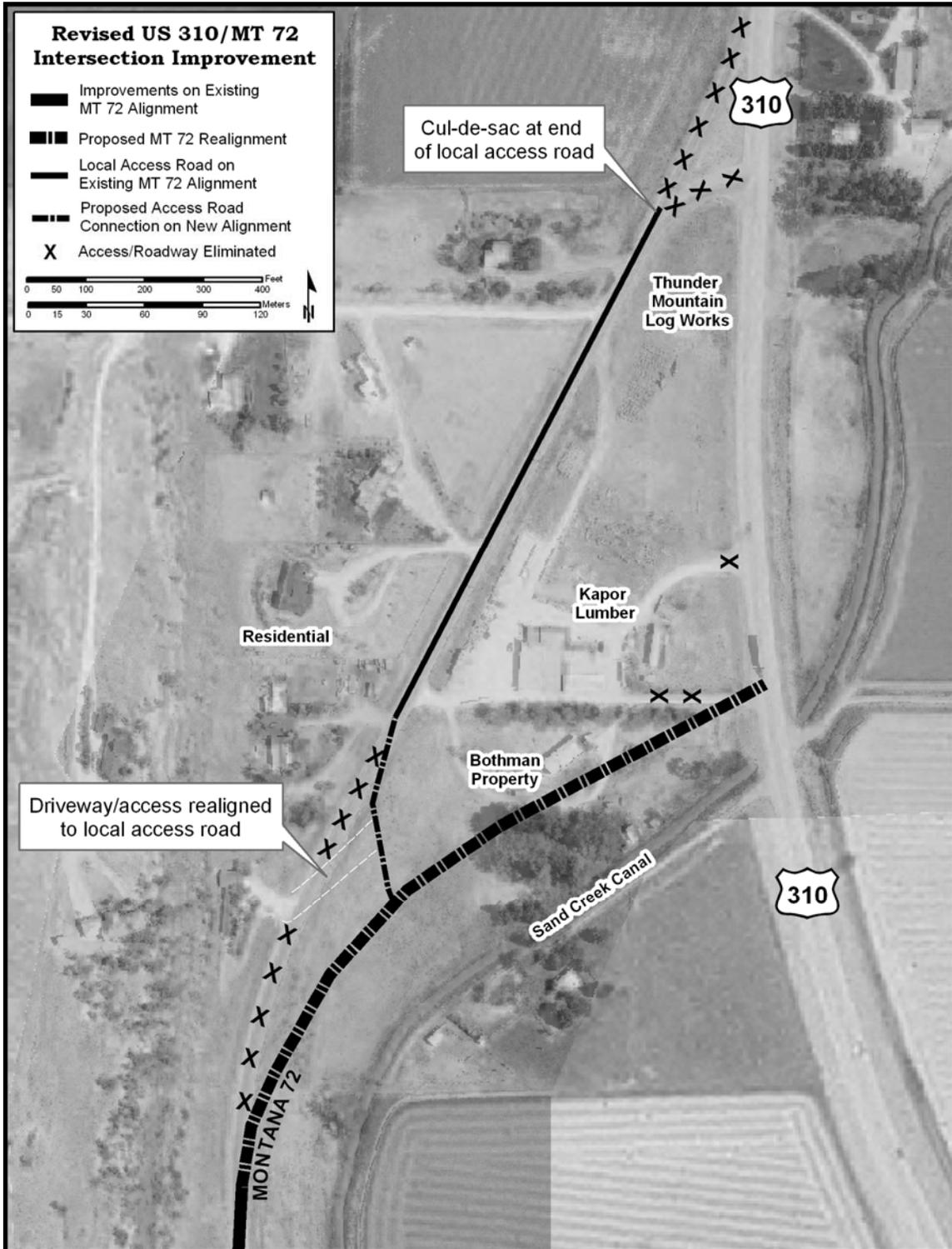


Table 1 shows the comparison of the impacts for both intersection designs.

**Table 1. Comparison of Impacts for US 310/MT 72 Intersection Improvements**

Topic Area	Intersection Design for the Preferred Alternative from the EA	Revised Intersection of Preferred Alternative
<b>ACCESS</b>		
West Side Residential	Four accesses would be consolidated by means of a new access road to improve safety at the reconfigured US 310 intersection.	Five direct accesses would become indirect accesses, which improves safety. These five accesses onto MT 72 would remain, however, in this section, MT 72 would be realigned so that this section of MT 72 becomes a local access road.
Bothman	No impact	Access would be eliminated because property would be acquired.
Kapor	No impact on US 310 access. One access onto MT 72 would be closed, so one access would remain on MT 72.	Two accesses onto US 310 would be closed, so no direct access onto US 310. Access onto old MT 72 would continue, which would become a local access road.
<b>IMPORTANT FARMLANDS</b>		
Direct and Indirect Impacts	1.8 ha (4.5 ac)	1.3 ha (3.2 ac)
<b>ECONOMIC – COMMERCIAL PROPERTIES</b>		
Thunder Mountain Log Works	Thunder Mountain Log Works, which is on leased property from Kapor, would be relocated or acquired.	No impact
Kapor Lumber	Kapor Lumber property would be impacted with a part of the parcel acquired. The new alignment would go through the yard where inventory is stacked. The inventory yard could be relocated onsite. This would impact current operations but would not be likely to impact the viability of the business. Kapor accesses on US 310 and MT 72 would be modified and or consolidated to improve intersection geometry. The changes in access may impact operations but are not likely to impact viability of business.	The Kapor parcel would remain intact. The Kapor access to US 310 would be eliminated. This change in access may impact operations but is not likely to impact viability of business.
<b>RIGHT-OF-WAY (ROW) AND RELOCATIONS/ACQUISITIONS</b>		
Approximate New ROW	2.3 ha (5.7 ac) ROW 0.5 ha (1.2 ac) Easement	2.9 ha (7.2 ac) ROW No Easement
Relocations/ Acquisitions	Thunder Mountain Log Works, which is on leased property from Kapor (see Economic Impacts), would be relocated or acquired.	Bothman property, which includes all the land, one wood frame house, one double-wide mobile home, one single-wide mobile home and several outbuildings, would be acquired. The wood frame home and outbuildings would be demolished. Relocation of residences may not be required since the Bothman property is for sale.
<b>RESIDENTIAL PROPERTY IMPACTS</b>		
Wells	The well on Jim South's property would be relocated.	Any well located on the Bothman property would likely be eliminated because the property would be acquired.
Septic Systems	The drainfield on Fish property may be impacted. It may be possible to relocate drainfield onsite.	Septic systems on the Bothman property would likely be eliminated because the property would be acquired.
<b>NOISE</b>		
Impacted Receptors	No impact	Would reduce highway noise for the residences on the northwest side of MT 72 because the proposed MT 72 alignment would be shifted away from the residences.
<b>VEGETATION</b>		
Vegetation	Minimal impact	Mature stand of cottonwoods and evergreens on Bothman property would be removed as well as partial row of trees on Kapor property.

**Table 1. Comparison of Impacts for US 310/MT 72 Intersection Improvements (continued)**

Topic Area	Intersection Design for the Preferred Alternative from the EA	Revised Intersection of Preferred Alternative
<b>CONSTRUCTION IMPACTS</b>		
Temporary Impacts During Construction	Similar to Revised Intersection Alternative.	Similar to Preferred Alternative in EA, except the old MT 72 highway could remain open in this location while the new intersection is under construction, which would benefit travelers as well as residences and businesses in this area.

The revised US 310/MT 72 intersection reduces farmland impacts by 0.5 ha (1.3 ac). It also eliminates impacts to wells, septic systems and right-of-way for the residential properties to the west of MT 72. Although the total amount of right-of-way/easements that would be needed for the proposed revised alignment for the intersection is 0.1 ha (0.3 ac) greater, it is confined to only two property owners (Bothman and Kapor) instead of seven. As shown in Section 3.0, Response to Comments and Questions on the EA, one of the property owners, Mr. Kapor, has provided comments indicating his preference for this revised intersection. In addition, cultural resource investigations for the revised intersection alignment did not identify any NRHP-eligible properties or impacts. (Refer to SHPO concurrence dated May 3, 2005 in Appendix C.)

The commercial business impacts are also avoided. Thunder Mountain Log Works would not require relocation and the Kapor Lumber yard would remain intact and therefore there would be no changes to the Kapor Lumber business operations except that the only access would be from MT 72 because the US 310 access would be eliminated. Also, under the revised intersection of the Preferred Alternative, the old MT 72 highway could remain open in this location while the new intersection is under construction, which would benefit travelers as well as residences and businesses in this area.

The additional adverse impacts associated with the revised intersection are limited to the removal of a mature stand of trees, the acquisition of an additional 0.1 ha (0.3 ac) of right-of-way and the residence, mobile homes and outbuildings (e.g. garage, pumphouse, root cellar, outhouse, sheds, bunkhouse, chicken house) on the Bothman property, which is for sale. Based on this evaluation, this revised intersection of the Preferred Alternative would be implemented to mitigate for impacts, therefore, the revised intersection would be included in the Selected Alternative. Mitigation measures associated with implementing this revised intersection and the Selected Alternative are included in Section 4.0, Summary of Impacts and Mitigation.

**2.3 Closure of Vaill Avenue at S-308 Intersection and Broadway Avenue Improvements**

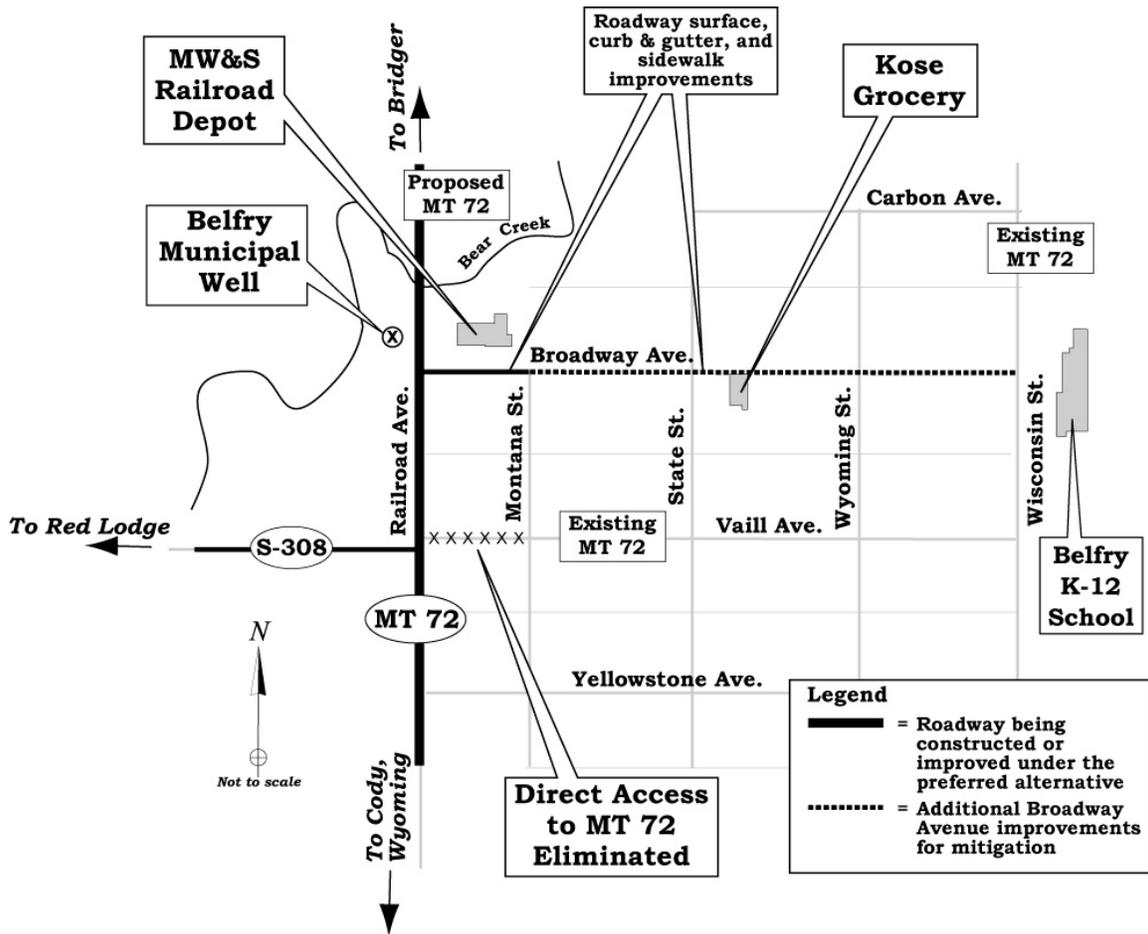
Subsequent to the public hearing, MDT received a petition from 66 Belfry residents requesting improvements to Broadway Avenue because of traffic and pedestrian impacts to Broadway Avenue due to the closure of Vaill Avenue between MT 72 and Montana Street, as specified in the Preferred Alternative (Railroad Avenue Alignment Alternative). Currently, MT 72 is routed through the town of Belfry via Vaill Avenue. The Preferred Alternative would remove through traffic in Belfry, by re-routing MT 72 along the west side of Belfry via Railroad Avenue. The Preferred Alternative would not provide direct

access to the new MT 72 from Vaill Avenue. Between Montana Street and Railroad Avenue, Vaill Avenue would be revised to include a sidewalk and a gravel access road to provide access to the property in the northeast quadrant of the present Vaill Avenue/Railroad Avenue intersection. Eliminating direct access from Vaill Avenue to the new highway would leave Broadway Avenue as the one remaining access point for local traffic entering and exiting Belfry via MT 72. Broadway Avenue is a county-maintained route that, as noted in the petition, is not adequate in its current condition for use as the primary street of the town.

As part of the Preferred Alternative, Broadway Avenue between Railroad Avenue and Montana Street would be improved. In addition, these improvements would be extended to Wisconsin Street as mitigation for the impacts associated with the closure of Vaill Avenue at MT 72. Broadway Avenue, between Railroad Avenue and Montana Street, would receive roadway surface improvements and improved sidewalks, curb, and gutter on both sides of the street. From Montana Street to Wisconsin Street, improvements will include curb, gutter, and sidewalk on one side of Broadway Avenue and new gravel surfacing and paving of the street. These improvements will occur entirely within existing right-of-way. Figure 3 shows the project limits for improvements to Broadway Avenue. Since these proposed improvements will be within the existing right-of-way, the potential impacts are limited to the vegetation along the roadway or sidewalks and the adjacent structures. To minimize these potential impacts, the mature trees will be avoided whenever practicable and all construction work will be undertaken to avoid impacts to these buildings. One building, the NRHP-eligible Kose Grocery, has an overhang structure that is supported by posts in the sidewalk. Construction methods for the sidewalks in this location will ensure that the overhang structure is retained and the building is not impacted.

Although Vaill Avenue would become a local street and would no longer be designated as MT 72 or connect to MT 72, MDT would be required to maintain this roadway. Since Broadway Avenue would directly connect to MT 72 and would become the main street in Belfry, the County and MDT have agreed that it would be mutually beneficial for MDT to maintain Broadway Avenue instead of Vaill Avenue. Therefore, the County and MDT have developed a memorandum of agreement (MOA) to exchange MDT's maintenance responsibilities of Vaill Avenue for Broadway Avenue. Once the proposed MT 72 improvements are constructed, the County would maintain Vaill Avenue as well as the curb, gutter and sidewalks along Broadway Avenue and other sidewalks installed with the project within the community of Belfry. MDT would maintain the roadway along Broadway Avenue (see Appendix C for a copy of the MDT and Carbon County MOA).

Figure 3. Limits of Broadway Avenue Improvements



**2.4 Other Clarifications to the EA**

Based on public and agency comments, several additional clarifications to the EA are presented below. The resulting changes to clarify, correct or update text in the EA are documented in Section 2.5.

- At the public hearing, an error in property owner identification was noted. The two mobile homes that would be impacted by the Preferred Alternative are owned by the Krums, not the Toogoods.
- Comments received from MFWP stated that the “in-lieu-of fee” program for wetlands mitigation was implemented. MDT verified that this program was in fact implemented on April 5, 2004.
- In response to comments from Montana Fish, Wildlife and Parks (MFWP), new data was reviewed and information or mitigation for several species including bats, white-tailed prairie dogs (WTPD), migratory birds, and milk snakes were updated or revised as appropriate.

**2.5 Specific Text Changes to the EA**

This section identifies specific items that have changed since the Environmental Assessment was released on January 7, 2004. Text deleted is shown in strikethrough font (for example, ~~LOS-B~~). Text added is shown in italics (for example, "on the average").

Page S-11, Table S.1 – Revise the Right-of-way and Relocations/Acquisitions section as follows:

Relocations/ Acquisitions	No impact	7 relocations/acquisitions: Krum business (former Junction Exxon), 2 mobile homes on <del>Feegood</del> Krum property; 4 farm structures on Brown Trust property Utility relocations (not likely to affect service)	3 relocations/acquisitions: Krum business (former Junction Exxon) and 2 mobile homes on Krum <del>Feegood</del> property Utility relocations (not likely to affect service)
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Page S-25, Table S.3 – Revise the seventh bullet point under Water Quality and Wetlands mitigation as follows:

- An "in-lieu fee" program for wetland mitigation ~~is currently under development with MDT and COE~~ *was implemented on April 5, 2004, and will be a potential mitigation option considered for this project.* ~~If this program is implemented, it could be a potential mitigation option.~~

Page S-26, Table S.3 – Revised the second, third and fourth sentences of the mitigation text for Cliff Swallows under Wildlife and Threatened and Endangered Species as follows:

"MDT will then *use BMPs to cover or enclose all surfaces on the underside of the structures with mesh netting, chicken wire fencing, or other suitable material to prevent birds from establishing new nests. MDT will maintain this covering material until the structures have been removed. The netting, fencing, or other material will have no opening or mesh size greater than 19 mm.*"

Page S-26, Table S.3 – Add the following row of text under Wildlife and Threatened and Endangered Species:

Milk Snake	Potential impact to milk snakes if present during construction	MDT will consult with MFWP through the final design and pre-construction process to determine if special provisions in the construction plans are needed for milk snakes."
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Page 3-42, Paragraph 6, 3<sup>rd</sup> Sentence – Revise text as follows:

"In addition to this property, the Preferred Alternative also impacts two mobile homes on the ~~Feegood~~ Krum property and four farm structures on the Brown Trust property."

Page 3-42, Paragraph 7– Revise text as follows:

"The Broadway Alternative impacts the Krum gift shop and two ~~Feegood~~ Krum mobile homes but not the farm structures on the Brown Trust property."

Page 3-43, Table 3-27 – Revise text as follows:

9.6-m (32-ft) Typical Section	No impacts.	7 relocations/acquisitions: Krum's gift shop business (former Junction Exxon); 2 mobile homes on the <del>Feegood</del> Krum property; and 4 farm structures on Brown Trust property (see Farm Operations).	3 relocations/acquisitions: Krum's gift shop business (former Junction Exxon) and 2 mobile homes on the <del>Feegood</del> Krum property.
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Page 3-65, Paragraph 6, last sentence – Revise text as follows:

"An "in-lieu-of fee" program for wetland mitigation ~~is currently under development with MDT and COE~~ *was implemented on April 5, 2004, and will be a potential mitigation*

~~option considered for this project. If this program is implemented, it could be a potential mitigation option."~~

Page 3-70, Paragraph 2 - Add the following text at the end of this paragraph:

"These findings are corroborated by the NRCS surveys performed in July 2003, which found that the three bridges within the project area had no indications of use by bats (NRCS 2004)."

Page 3-74, 1<sup>st</sup> bullet point under Mitigation, second, third and fourth sentences – Revise text as follows:

"MDT will then *use BMPs to cover or enclose all surfaces on the underside of the structures with mesh netting, chicken wire fencing, or other suitable material to prevent birds from establishing new nests. MDT will maintain this covering material until the structures have been removed. The netting, fencing, or other material will have no opening or mesh size greater than 19 mm.*"

Page 3-74, Add the following text after the second bullet point under Mitigation:

*"For the milk snake, the following mitigation will be implemented:*

- *MDT will work with MFWP through the final design and pre-construction process to determine if special provisions in the construction plans are needed for milk snakes."*

Changes to impacts and mitigation measures as a result of the revised US 310/MT 72 intersection design and the Broadway Avenue improvements are included in Section 4.0, Summary of Impacts and Mitigation.

### **3.0 Response to Comments and Questions on the EA**

The public hearing for the Belfry-North EA was held on January 26, 2005. A full copy of the transcript from the public hearing is included in Appendix A. During the public comment period, a total of 31 comments were received and are included in Appendix A. Responses to these comments are also included in Appendix A. Comments 6 through 18 were received and responded to orally during the public hearing presentation; the remainder of the comments were received after the public hearing.

## **4.0 Summary of Impacts and Mitigation**

### **4.1 Biological Opinion**

The Biological Resources Report and biological opinion for the project was accepted on September 27, 2004. The following determinations have been made. A copy of the Biological Resources Report (BRR) is on file with MDT Environmental Services.

US Fish and Wildlife Service (USFWS) concurs with the determination that the proposed project would not have the potential to cause an adverse effect to listed species nor to jeopardize the continued existence of non-essential experimental population (gray wolf). USFWS concurs that this proposed project would not be likely to adversely affect bald eagles, and formal consultation is not required. USFWS also acknowledges the conclusion of the BRR that this project would have no effect on black-footed ferrets or gray wolves. Therefore, formal consultation is not required for these species. USFWS bases its concurrence on information displayed in the Biological Resources Report, and in particular on the conservation measures that would be implemented as a part of this project to assure that these species are not adversely affected by road reconstruction and bridge replacement activities.

### **4.2 Summary of Impacts**

Table 2 summarizes the impacts of the No-Build and Selected Alternative for each of the impact topics discussed in the Environmental Assessment. The Selected Alternative is the Railroad Alignment between S-308 and North Dutch Lane and the Modified Existing Alignment between North Dutch Lane and the US 310 Intersection. Table 1 is a summary of the combined impacts of both these corridor segments. The preferred typical section is a roadway with a 12-m (40-ft) subgrade with a 9.6-m (32-ft) paved top and flattened in-slopes. The width of the shoulder area resulting from the paved and unpaved area would provide more room for movement of agricultural equipment. This initial paved top of 9.6 m (32 ft) could later accommodate a 12-m (40-ft) overlay when traffic volumes warrant a wider paved roadway width. During the project's final design, MDT and FHWA will consider using a 12-m (40-ft) pavement near intersections, bridge approaches, or school bus stops if appropriate.

Table 2. Summary of Impacts

Topic Area	No-Build	Selected Alternative
<b>TRAFFIC</b>		
Consistency with connecting National Highway System (NHS) and Primary Route widths, and American Association of State and Highway Transportation Officials (AASHTO) recommendations	Not consistent with MT 72 at this proposed project's beginning at the proposed Wyoming Line to Belfry project's northerly end. Also not consistent with US 310's width at this proposed project's northerly end.  Not consistent with AASHTO recommendations for 2-lane highways in either rural or developed areas.	Consistent with MT 72 for proposed Wyoming Line – Belfry project's typical section width, but narrower than US 310 beyond this proposed project's northerly end.  Narrower than suggested AASHTO widths.  Allows for future shoulder widening, which would be consistent with suggested AASHTO widths.
Traffic Patterns	Highway traffic continues in front of school	Reduced traffic volumes (in front of Belfry School) on Wisconsin St. and Vaill Avenue because through traffic diverted to west side of Belfry.  Diverts highway traffic from residential area to railroad alignment.  Elimination of direct access to Railroad Avenue (new MT 72) from Vaill Avenue changes some local traffic patterns. Local traffic on Broadway Avenue may increase because Broadway would become the main connection to MT 72.  MT 72 intersection with US 310 would be realigned to improve safety and traffic movements.
Traffic Operations	No impact	Improves traffic operations at MT 72/S-308 intersection and US 310/MT 72 intersection.  Slow-moving traffic can pull off roadway onto wider shoulder area.
<b>ACCESS</b>		
Business Access	Some entrances poorly defined without curbs	Intersection improvement (MT 72/Broadway Ave.) improves access to commercial area on Broadway Ave.  Kapor direct accesses on US 310 would be closed to improve US 310/MT 72 intersection geometry and safety. Access changes may impact operations but are not likely to impact viability of business. Access onto old MT 72 would continue, which would become a local access road.
Belfry School	No impact to direct access onto MT 72.	Access from MT 72 would be via Broadway Avenue and therefore, no longer direct.
Driveway Access	Many residential driveways directly access highway in Belfry	Fewer driveways in Belfry accessing highway (fewer driveways on Railroad Ave.) therefore, improving safety.  Opportunity to implement access management within 150 m (500 ft) of public roads to improve safety. Implementing access management within 150 m (500 ft) of public road intersections would relocate approximately 10 accesses to improve safety.
BLM Fishing Access	No impact	New alignment provides access to BLM land for potential development of new fishing access on Clarks Fork Yellowstone River.
MT 72 Access	No impact	New access/relocated access for properties on eliminated section of old MT 72.  Skewed intersections would be rebuilt perpendicular to MT 72.  Near US 310 intersection, five direct accesses would become indirect accesses, which improves safety. These five accesses onto MT 72 would remain, however, in this section, MT 72 would be realigned so that this section of MT 72 becomes a local access road.
Wider Shoulders	No impact	Improved access to school bus stops, mail boxes, highway maintenance, fishing, and other uses adjacent to highway.

**Table 2. Summary of Impacts (continued)**

Topic Area	No-Build	Selected Alternative
<b>SAFETY</b>		
Tight Curve at Vaill Ave. and Wisconsin St.	Curve remains at school and highway traffic remains on it	Curve remains at school but there would be no highway traffic on it, thus improving safety.
Belfry School Safety	Safety issues at school would not change	Reduced traffic volumes and speeds on Wisconsin St. and Vaill Ave. improve pedestrian safety at school.
Neighborhood Safety	Highway traffic continues in residential area	Diverting traffic from Vaill Ave. (residential area) to Railroad Ave. (less developed residential/commercial area) is more compatible with pedestrian movements and improves safety.
Side Slopes, Clear Zones, and Shoulders	Substandard conditions remain	Improved to meet MDT standards to improve safety.  Addition of shoulders would reduce conflicts between agricultural equipment and other vehicles and improves safety.
Intersections	Skewed accesses remain	Improved driveway and public road geometry improves safety.  Skewed county road intersections would be adjusted or consolidated to improve sight distance and approaches for safety.
US 310/MT 72 Intersection	No impact	Would provide reconfigured MT 72 and US 310 intersection, improving safety. Eliminating southbound "off ramp" would reduce speed through intersection, reduce driver confusion, and improve safety.
Lynn's Corner	No impact	Curve would be realigned to meet MDT standards to improve safety.
Icing	No impact	Slight realignment to east may lessen bluff shadows and icy conditions resulting in improved safety.  Replacement of bridges over Sand Creek Canal may reduce a source of ice and would improve highway safety.
Wider Shoulders	No impact	Wider shoulder area provides more recovery room for errant vehicles, improved sight distance, and allows disabled vehicles to pull completely out of travel lane to improve safety.
<b>PEDESTRIAN AND BICYCLES</b>		
In Belfry	No defined sidewalks on MT 72 and Broadway Avenue sidewalks discontinuous or in poor condition.	Sidewalks provided on MT 72 from S-308 along Railroad Avenue and improved on Broadway Avenue improves connections and enhances safety.
North of Belfry	No impact	Wider shoulder area improves safety conditions for pedestrian and bicycle movements, school bus pickup and drop-off.
<b>LAND USE</b>		
Population Growth	No impact	Not likely to induce growth.
<b>PARKS AND RECREATION</b>		
Fishing Access	No impact	Opportunity for BLM to develop official fishing access to its property adjacent to new alignment.
<b>IMPORTANT FARMLANDS</b>		
Direct and Indirect Impacts	No impact	50.4 ha (124.3 ac)
<b>FARM OPERATIONS</b>		
Movement of Farm Equipment on MT 72	Continued conflicts with vehicles and farm equipment	Safety and movement of farm equipment would be improved more with wider shoulder area, which is increased to 2.4 m (8 ft) (paved and unpaved).
Brown Trust Property	No impact	Alignment bisects property. Adversely affects efficiency of operations (e.g., production at feedlots; access to corrals, outbuildings, fuel storage and mechanic's shop). Could require relocation of 4 structures elsewhere on the property.
Spaulding Property	No impact	Current MT 72 alignment bisects property; relocating MT 72 would provide opportunity to reconnect property and improve productivity.
Wolfe Property	No impact	Alignment bisects property. Would adversely affect owner's proposed plan to change use of parcel from farming to hunting club.

**Table 2. Summary of Impacts (continued)**

Topic Area	No-Build	Selected Alternative
<b>FARM OPERATIONS (continued)</b>		
Hergenrider Property	No impact	Eastward alignment shift near the Hergenrider property would impact the corrals, stock shelter and feed lot.
Aisenbrey Property	No impact	Eastward alignment shift near Aisenbrey property would impact grain silos and silage pit.
K-E-W Trust Property (Lynn's Corner)	No impact	Eastward alignment shift at Lynn's Corner would partition property; partitioned parcel may not be large enough for agricultural use unless combined with adjoining parcels west of alignment.
<b>IRRIGATION</b>		
Bear Creek/Youst Ditch	No impact	Would affect some irrigation waste ditches in Belfry area but would not adversely impact irrigation operations.  New conveyances on Youst Ditch system would improve irrigation operations of Brown Trust property.
Sand Creek Canal	No impact	Improvements to Sand Creek Canal conveyances could have beneficial effect to Nash and Meinhardt properties.
Irrigation Ditches	No impact	Some relocations would be required; relocations would either improve or have a neutral effect on irrigation operations. Could impact irrigation to western (remainder) parcel of K-E-W Trust property at Lynn's Corner.
<b>SOCIAL CONDITIONS</b>		
Emergency Vehicle and Fire Department Access from Bridger	No impact	Access reduced to one intersection on west side (at Railroad Ave. (MT 72) and Broadway Ave.). MT 72 along Wisconsin St. north of town is removed. Access would become more circuitous for some areas but shorter for others. Redistribution of access would not substantially affect response times because geographic area of Belfry is small.
Fire Department Access in Belfry	No impact	No impact
Hospital Access	No impact	Similar to existing conditions (from Belfry to Red Lodge via S-308).
Police and Emergency Operations	No impact.	Increased shoulder width allows vehicles to move out of the travel lane to shoulder for law enforcement and emergency services.
<b>ECONOMIC</b>		
Commercial Property Impacts	No impact	Kapor Lumber accesses on US 310 would be eliminated to improve US 310/MT 72 intersection geometry and safety. The changes in access may impact operations but are not likely to impact viability of business.
Belfry Businesses	Little opportunity for through-traffic business	Would result in better access/visibility to commercial center with relocation of highway to Railroad Ave. and improved Broadway Ave. intersection.
Project Cost	N/A	\$16.0 – 18.4 million
<b>RIGHT-OF-WAY (ROW) AND RELOCATIONS/ACQUISITIONS</b>		
Approximate New ROW	N/A	66.7 ha (164.8 ac)
Relocations/ Acquisitions	No impact	7 relocations/acquisitions: Krum business (former Junction Exxon), 2 mobile homes on Krum property; 4 farm structures on Brown Trust property.  Utility relocations (not likely to affect service).  Potential relocation of Aisenbrey grain silo and silage pit.  Near US 310 intersection, acquisition of Bothman property including the residence, mobile homes and outbuildings.
Public Property	No impact	BLM property impact 0.3 ha (0.8 ac); Belfry property near sewage lagoon 0.2 ha (0.5 ac).

**Table 2. Summary of Impacts (continued)**

Topic Area	No-Build	Selected Alternative
<b>CULTURAL RESOURCES</b>		
Clarks Fork Yellowstone River "south" bridge (24CB707/1144)	No effect	Adverse effect. New alignment bypasses bridge; bridge would be removed but could be left in place if new owner assumes maintenance of bridge.
MW&S Railroad Maintenance Shop (24CB1146)	No effect	No adverse effect. Design modification implemented to avoid impacts to building. Setting remains largely intact, and the characteristics that make the site eligible for the NRHP would be perpetuated.
Kose Grocery (24CB1813)	No effect	No effect
Holland Lumber (24CB1803)	No effect	No effect
Middlesworth Farmhouse (25CB1145)	No effect	No effect
MW&S Railroad Depot (24CB1148)	No effect	No effect
First Presbyterian (United Methodist Church) (24CB678)	No effect	No effect
Riddle House (24CB676)	No effect	No effect
Youst Ditch (24CB1817)	No effect	No effect
Sand Creek Canal (24CB1050)	No effect	No effect
Dry Creek Canal (24CB1154)	No effect	No effect
Golden Ditch (24CB1152)	No effect	No effect
Jennings Homestead (24CB1848)	No effect	No effect
<b>NOISE</b>		
Impacted Receptors	None	3 residences
<b>WATER RESOURCES/WATER QUALITY</b>		
Impervious Surfaces	No impact	Impervious surfaces would increase 8.8 ha (21.7 ac), which could contribute to increased runoff, water temperatures, and pollutant loads.
Construction and Removal of Structures	No impact	Construction and removal of structures at Clarks Fork Yellowstone River, Silver Tip Creek, and Sand Creek Canal could increase erosion and interrupt flow.
<b>WETLANDS</b>		
Jurisdictional	No impact	0.82 ha (2.01 ac)
Non-jurisdictional	No impact	0.96 ha (2.38 ac)
Non-jurisdictional Isolated Areas	No impact	0.004 ha (0.01 ac)
Indirect impacts	No impact	Small impacts from reduction in flood storage, habitat reduction, and degradation in water quality.
<b>VEGETATION</b>		
Noxious Weeds	No impact	Potential increase in noxious weeds because of increased disturbance from new alignment and disturbance of area.
Vegetation	No impact	Small loss of riparian vegetation from replacement of / construction of new bridges and culverts. Loss of mature trees along Railroad Avenue and on Bothman and Kapor properties near US 310 intersection. Also, some mature trees along the corridor may be impacted.

Table 2. Summary of Impacts (continued)

Topic Area	No-Build	Selected Alternative
<b>WILDLIFE AND MIGRATORY BIRDS</b>		
Montana Species of Special Concern	No impact	No effect to white-tailed prairie dog, spotted bat, pallid bat, or sagebrush lizard because of lack of suitable habitat.  No effect to the northern leopard frog because suitable habitat would not be disturbed.  May affect milk snake and mountain plover (should they be present), but it is not likely to contribute to a trend toward Federal listing or loss of viability of these species.
Other Wildlife	No impact	Small potential impacts to species and habitat, but unlikely to contribute to trends toward Federal listing or loss of viability of any wildlife species.
Migratory Birds	No impact	Impacts to cliff swallows will be avoided under a Special Provision to this proposed project's contract.
Wildlife/Vehicle Collisions	No impact	Would potentially decrease collisions due to improved clear zone, flatter side slopes, and wider shoulders that would improve sight distance and provide opportunity for driver avoidance maneuvers.
<b>AQUATIC SPECIES</b>		
Montana Species of Special Concern	No impact	May affect Yellowstone cutthroat trout or burbot individual (should they be present), but it is not likely to contribute to a trend toward Federal listing or loss of viability of these species as there are no spawning areas in the project area.
<b>THREATENED AND ENDANGERED SPECIES</b>		
Bald Eagle	No effect	Not likely to adversely affect
Black-Footed Ferret	No effect	No effect
Gray Wolf	No effect	No effect
Black-tailed Prairie Dog	No effect	No effect
<b>FLOODPLAINS</b>		
Encroachments to 100-year Floodplain	Continued transverse encroachment at Bear Creek/Youst Ditch and Clarks Fork Yellowstone River and longitudinal encroachment of Clarks Fork Yellowstone River.  Continued transverse encroachment of Silver Tip Creek and the Clarks Fork Yellowstone River/Dry Creek floodplain.	The realignment of MT 72 results in a new transverse encroachment at Bear Creek and a new transverse encroachment at Clarks Fork Yellowstone River that merges into an existing longitudinal encroachment of the Clarks Fork Yellowstone River floodplain. At the existing longitudinal encroachment of Clarks Fork Yellowstone River, additional encroachments are limited to increased width and side slopes at existing encroachment.  Conditions similar to No-Build. Additional encroachments are limited to increased width and sideslopes at existing encroachment areas.
<b>WATER BODY MODIFICATIONS</b>		
Crossings	No impact	Additional new crossings of Bear Creek and Clarks Fork Yellowstone River could disturb stream hydrology.  Existing Clarks Fork Yellowstone River "south" bridge would likely be removed, which would improve stream flow in the long-term.  Other structures replaced at existing locations could disturb stream hydrology.
<b>HAZARDOUS MATERIALS</b>		
Tanker Truck Fuel Spills	No impact	Potential impacts at unknown locations throughout rural portion of corridor.
Historic Railroad Operations	No impact	Disturbance of soils near railroad could potentially disturb contaminated soils and impact nearby soils and groundwater.
MW&S Railroad Maintenance Shop	No impact	Potential impact from disturbance of lead contaminated and potentially arsenic contaminated soils surrounding shop.

**Table 2. Summary of Impacts (continued)**

Topic Area	No-Build	Selected Alternative
<b>HAZARDOUS MATERIALS (continued)</b>		
Black's Service Station LUST	No impact	No impact
School Bus Barn/ Garage	No impact	No impact
Bothman Property	No Impact	Potential to encounter asbestos in structures.
Bridges	No impact	Potential impacts from removal of bridges that may be painted with lead-containing paints or constructed with treated timbers.
<b>SECTION 4(f)</b>		
NRHP-eligible Clarks Fork Yellowstone River "south" Bridge	No impact	Section 4(f) use if bridge is removed, which would be required if new owner cannot be identified.
NRHP-eligible MW&S Railroad Maintenance Shop	No impact	No Section 4(f) use.
NRHP-eligible Kose Grocery	No impact	No Section 4(f) use.
NRHP-eligible Holland Lumber	No impact	No Section 4(f) use.
NRHP-eligible Middlesworth Farmhouse	No impact	No Section 4(f) use.
NRHP-eligible MW&S Railroad Depot	No impact	No Section 4(f) use.
NRHP-eligible First Presbyterian Church	No impact	No Section 4(f) use.
NRHP-eligible Riddle House	No impact	No Section 4(f) use.
NRHP-eligible Sand Creek Canal	No impact	Section 4(f) use, because more of canal would be incorporated into roadway.
NRHP-eligible Dry Creek Canal	No impact	Section 4(f) use, because more of canal would be incorporated into roadway.
NRHP-eligible Golden Ditch	No impact	No Section 4(f) use.
NRHP-eligible Jennings Homestead	No impact	No Section 4(f) use.
<b>CONSTRUCTION IMPACTS</b>		
Temporary Impacts during Construction	No impact	<p>Increased noise, mobile source air emissions, fugitive dust (dust in air), soil erosion, sedimentation; use of construction easements and staging areas; traffic delays; traffic congestion; potential for hazardous materials spills; visual intrusions; and displacement of wildlife, migratory birds, and aquatic species.</p> <p>Disruption of residential and business accesses, parking, emergency response, irrigation systems, fencing, livestock underpasses, and utility connections.</p> <p>Short-term creation of direct and indirect jobs associated with construction.</p>

### 4.3 Summary of Mitigation

Table 3 discusses the mitigation for the Selected Alternative.

**Table 3. Summary of Mitigation for the Selected Alternative**

Resource area	Type of Impact	Mitigation
<b>TRAFFIC</b>		
Traffic Patterns	Increased local traffic on Broadway Avenue due to closure of Vaill Avenue at MT 72.	Broadway Avenue roadway surfacing, curb, gutter and sidewalk improvements per MDT and Carbon County MOA.
Construction	Disruption of traffic during roadway and bridge construction.	Prepare construction traffic control plan and coordinate with emergency services.  Existing bridges will be kept in place during construction to maintain traffic flow while new bridges are being constructed.
<b>ACCESS</b>		
MT 72 Access	Relocation of property access to new MT 72 alignment and within 150 m (500 ft) of public roadways.	Access relocations will be coordinated with affected property owners to minimize impacts to farming and business operations.
Construction	Temporary access impacts	Early notification and coordination with adjacent property owners.
<b>PEDESTRIANS AND BICYCLES</b>		
Broadway Avenue	Increased local traffic on Broadway Avenue due to closure of Vaill Avenue at MT 72.	Broadway Avenue roadway surfacing, curb, gutter and sidewalk improvements per MDT and Carbon County MOA.
Construction	Construction impacts on town	Maintain walkways and pavement to the extent practicable and provide additional pedestrian signage during construction.
<b>PARKS AND RECREATION AREAS</b>		
Fishing Access	Informal fishing access at existing Clarks Fork Yellowstone River "south" bridge would be impacted if bridge is removed. Opportunity to provide access to BLM property for potential future official fishing access.	Continue to coordinate with BLM and MFWP on their agency plans for development of the BLM parcel on the Clarks Fork Yellowstone River.
<b>FARMLANDS, FARMLAND OPERATIONS, AND IRRIGATION</b>		
Farmland Acquisition	Acquisition of farmlands for road construction and/or right-of-way	Right-of-way acquisition from farmlands will comply with Uniform Relocation Assistance and Real Property Policies Act of 1970, as amended (1987).
Farmland Severance	Bisection of farmland and farming, thereby impacting efficiency of operations	Coordinate with property owners to integrate severed parcels with adjacent parcels, if possible.
Farm Infrastructure	Farm infrastructure within the new right-of-way would be impacted.	Replace in-kind irrigation ditches, stockpasses, fences, and gates that may be relocated or altered.
Irrigation	Relocation of some irrigation systems and replacement of conveyances	Impacted irrigation canals and ditches would be relocated in consultation with ditch owners to minimize impacts to farming operations
Construction	Construction activities could impact farm operations and irrigation.	Coordinate with affected farm owners during the design phase to minimize impacts to operations and irrigation.
<b>ECONOMIC CONDITIONS, RELOCATIONS/ACQUISITIONS, RIGHT-OF-WAY</b>		
Broadway Avenue Buildings	Potential impact to structures adjacent to sidewalk improvement construction.	Construction measures will be implemented to avoid impacting adjacent structures.

**Table 3. Summary of Mitigation for the Selected Alternative (continued)**

Resource area	Type of Impact	Mitigation
<b>ECONOMIC CONDITIONS, RELOCATIONS/ACQUISITIONS, RIGHT-OF-WAY (continued)</b>		
Property Acquisition	Right-of-way acquisition and relocations/acquisitions of residences and commercial businesses	The acquisition of land or improvements for highway construction is governed by state and federal laws and regulation designed to protect both the landowners and the public. Affected landowners are entitled to receive fair market value for any land or buildings acquired and any damages as defined by law to remaining land due to the effects of highway construction. Right-of-way acquisition for this project will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646 as amended), (42 U.S.C. 4601, et. Seq.), the Uniform Relocations Act Amendments of 1987 (P.L. 100-17), and 23 U.S.C. 317 for appropriation of public lands for highway right-of-way use.
Utilities	Utility relocations	Coordinate with utility owners prior to construction.  The proposed roadway alignment design will ensure that the Williston/Exxon pipeline facilities are outside the clear zone and that drainage will be integrated or diverted around the pipeline facilities.
Construction	Temporary access and construction areas are needed.	Temporary construction easements will be used whenever possible so that land is retained by property owner.  Early notification of property owners on construction activities
<b>CULTURAL RESOURCES</b>		
Clarks Fork Yellowstone River "south" Bridge	Removal of bridge.	Implement terms of Programmatic Agreement for Historic Roads and Bridges and use Adopt a Bridge Program to find new owner.
MW&S Railroad Maintenance Shop	Potential impacts to structure.	Use a modified typical section to avoid structure.  MDT will install an historical marker along the proposed highway alignment between the MW&S Railroad Maintenance Shop (24CB1146) and the MW&S Depot (24CB1148).
Construction	Ground disturbing activities may unexpectedly uncover cultural materials.	If cultural materials are uncovered, construction in the area will cease, a qualified archaeologist will examine material, and the SHPO will be consulted.
Broadway Avenue Sidewalk Improvements Construction	Potential impact to the NRHP-eligible Kose Grocery building because the overhang (which is a later addition to the building) encroaches over the sidewalk and is supported by posts into the sidewalk.	Construction measures will be implemented to avoid impacting the historic Kose Grocery building including the non-historic overhang structure on the front of the building.
<b>AIR QUALITY</b>		
Construction	Fugitive dust (dust in air) emissions and vehicle emissions would occur from construction equipment and traffic delays.	Institute best management practices (BMPs) to control fugitive dust emissions, which may include minimizing exposed erodible earth area; stabilizing exposed earth with grass, mulch, pavement or other cover; and applying water or stabilizing agents to working and haulage areas.  To minimize the amount of additional vehicle emissions, a construction traffic control plan will be developed to limit disruption to corridor traffic.
<b>NOISE</b>		
Construction	Construction activities would result in temporary increases in noise levels.	Advance notice of construction will be provided to businesses and residences. Contractors will adhere to local noise ordinances. Construction hours will be limited to daylight hours near residences.

**Table 3. Summary of Mitigation for the Selected Alternative (continued)**

Resource area	Type of Impact	Mitigation
<b>WATER QUALITY AND WETLANDS</b>		
Wetlands and Water Quality	Filling of wetlands and potential indirect impacts from reduction in flood storage, sedimentation, increased water temperature, increase in non-native plant species, and hydrologic modifications and degradation of water quality.	<p>Adherence to MDT BMPs.</p> <p>An erosion control and sediment plan prepared in compliance with the Montana Pollutant Discharge Elimination System (MPDES) regulations.</p> <p>Prevent unnecessary operation of equipment within the channels of any creeks or rivers within the construction area of this project.</p> <p>Adherence to the Montana Stream Protection Act Permit (SPA 124 Permit).</p> <p>Adherence to the COE 404 Permit process.</p> <p>A Corps of Engineers (COE) 404 permit will be required and may identify mitigation measures, which will be incorporated into the project. Limited possibilities for on-site mitigation exist within the project right-of-way. However, one small area might be found at +/- RP 11.9 beneath the southernmost Clarks Fork Yellowstone River bridge on both sides of the river where the bridge span is wide enough to allow wetlands between the river and the abutments. The bridge would likely be removed providing more area for potential mitigation. Off-site mitigation would be required for the remainder of the impact. This would be explored during the permitting process with the Corps of Engineers. The "in-lieu fee" program for wetland mitigation is also a potential mitigation option.</p> <p>Holding the grade as low as possible and reducing the fill slopes in areas, where practical and where safety would not be compromised, may be used to reduce the wetland impact areas.</p> <p>A noxious weed management program will be implemented.</p>
Municipal Well	Potential impact to municipal well	<p>Stormwater from the new highway will be collected and controlled by concrete curb and gutter and a storm sewer system which would discharge runoff into Bear Creek away from the well. (Runoff from the existing gravel streets does not have positive drainage away from the well.)</p> <p>Regrading in the vicinity of the well will direct runoff away from the well and toward Bear Creek to the north.</p> <p>No weed spraying will be allowed along the Montana Department of Transportation right-of-way within 30.5 m (100 ft) of the well.</p> <p>Parking will not be allowed along the west side of the new highway or within the area of the Railroad Avenue/Broadway Avenue intersection. Therefore, no parking will be allowed within 30.5 m (100 ft) of the well.</p> <p>A sampling plan with the following provisions will be implemented:</p> <ul style="list-style-type: none"> <li>• Sampling must be done during construction as follows <ul style="list-style-type: none"> <li>- 1st sample prior to construction</li> <li>- 2nd sample after construction</li> <li>- Final sample one month after construction</li> </ul> </li> <li>• Each sample must include testing for diesel range organics (DRO), volatile organic compounds (VOC's), and suspended organic compounds (SOC's).</li> <li>• If the well is contaminated during construction, MDT will be responsible for clean up or replacement of the well.</li> </ul>
Private Wells	Potential impact to wells	Relocate impacted wells in accordance with MDT's standard procedures

**Table 3. Summary of Mitigation for the Selected Alternative (continued)**

Resource area	Type of Impact	Mitigation
<b>WATER QUALITY AND WETLANDS (continued)</b>		
Stormwater	Direct release of untreated drainage into waterways	Eliminate, where feasible, direct release of stormwater into rivers by implementing system that would drain through roadside ditches or detention swales.  Incorporate a Stormwater Pollution Prevention Plan (SWPPP) and BMPs into construction projects  Comply with MPDES permit.
Construction	Temporary physical disturbance during construction from bridge replacements and roadway construction activities; disturbance could include sedimentation, erosion, and introduction of pollutants into water bodies and wetlands.	Obtain SPA 124 permit and implement any mitigation measures in permit.  Temporary impacts to wetlands will be restored in accordance with MDT standard specifications or permit conditions.  Implement measures to prevent sediment loading into the waterways and hold in-water work to a minimum in the Clarks Fork Yellowstone River and any of its tributaries.  MDT will incorporate a SWPPP and BMPs into construction projects.
<b>VEGETATION</b>		
Broadway Avenue	Potential impact to mature trees from/during construction.	Mature trees will be avoided wherever practicable.
Noxious Weeds and Vegetation	Potential increase in noxious weeds because of new alignment and disturbance of area  Small loss of riparian vegetation from replacement of bridges and culverts	MDT will follow its general BMPs to reduce impacts to vegetation. A noxious weed management program will be developed and implemented by MDT. To reduce the spread of noxious weeds during construction, the construction contractor will comply with relevant permit conditions that may require cleaning equipment prior to leaving or entering the project area to preclude the transfer of seeds into other sites.  Clearing and grubbing will be limited to the area necessary for construction of the project.  A permanent desirable vegetation community will be re-established over all landform surface areas disturbed by construction.
<b>WILDLIFE AND THREATENED AND ENDANGERED SPECIES</b>		
Raptors	Possible electrocution of raptors with power lines.	Overhead power lines relocated during construction will be raptor-proofed in accordance with MDT policies.
Cliff Swallows	Potential impact to cliff swallows from removal of bridges used for nesting	Impacts to cliff swallows will be avoided under a Special Provision to this proposed project's contract. To preclude migratory birds (such as cliff swallows) from constructing nests on structures that are to be demolished, MDT will remove all nests from structures on or between the dates of August 16 and April 30. MDT will then use BMPs to cover or enclose all surfaces on the underside of the structures to prevent birds from establishing new nests. MDT will maintain this covering material until the structures have been removed. If any active nests are reestablished or exist on the structures on or between May 1 and August 15, MDT will not remove the structures or nests until the project manager, in coordination with MDT Environmental Services, provides approval.
Bald Eagles	Potential disruption of nesting eagles	A biologist will verify that there are no nests prior to construction. If nests are found, MDT will consult with USFWS and MFWP before starting construction
Milk Snakes	Potential impact to milk snakes, if present, during construction.	MDT will consult with MFWP through the final design and pre-construction process to determine if special provisions in construction plans are needed for milk snakes.

**Table 3. Summary of Mitigation for the Selected Alternative (continued)**

Resource area	Type of Impact	Mitigation
<b>AQUATIC SPECIES</b>		
Construction	Habitat disruption during replacement of bridges and culverts; potential impacts to fish passage with culvert and bridge replacement; and disturbance of fish during spawning periods.  In-stream disturbance and temporary loss of riparian vegetation, and increased sedimentation in water bodies.	All structures at stream and river crossings that are identified as having fisheries will be designed for fish passage.  The proposed project will be designed to minimize impacts to fisheries wherever practicable.  The proper replacement structures will be determined by means of engineering analysis to address the required hydraulic functions at crossings.  A Montana Stream Protection Act Permit 124 (SPA 124) will be required and may identify mitigation measures which will be incorporated into the project.  MDT will incorporate a SWPPP and BMPs into construction projects.  Sediment control during and following construction will be implemented.  In-water work will be held to a minimum in the Clarks Fork Yellowstone River and any of its tributaries.
<b>FLOODPLAINS AND WATER BODY MODIFICATION</b>		
Floodplain encroachment	Additional transverse or longitudinal encroachments into floodplains.	Adhere to conditions in the Floodplain Development Permit from Carbon County.  Project design will be in accordance with Federal-Aid Highway Program Manual "Location and Hydraulic Design of Encroachments on Floodplains" (23 CFR 650 A) and EO 11988, Floodplain Management.
Water Body Modifications	Bridge or culvert replacements may impact stream hydrology.	Structures will be designed to minimize disruption to stream hydrology or permanent alterations of streambanks.  Adhere to conditions in COE 404 permit, Montana SPA 124 Permit, MPDES permit, and Carbon County Floodplain Development Permit.
Construction	Increased erosion and stormwater runoff from construction activities could temporarily alter floodplain functions.	MDT will prepare a SWPPP including identification of BMPs.  SPA 124 and COE 404 permits will be followed during construction.  Construction areas will be returned to preconstruction conditions after construction.
<b>HAZARDOUS MATERIALS</b>		
Soil Contamination	Soil contamination may be encountered in Belfry along the railroad corridor including the MW&S Railroad Maintenance Shop, and at spill locations in the rural corridor.	MDT will develop a plan for soil testing and if needed, excavation and disposal of contaminated soils would be handled in compliance with applicable federal, state, and local regulations.
Bridges	Bridges being removed may have treated timbers or lead-containing paint.	If treated timbers are encountered, removal and disposal will be in accordance with applicable regulations and procedures. Stripping of lead-based paint will require a removal and disposal plan.
Bothman Property	Demolition of structures with potential for asbestos containing materials.	These structures will be inspected for asbestos and, if needed, removal and disposal of any contaminated materials will be handled in compliance with all applicable Federal, state, and local regulations.
<b>SECTION 4(F) RESOURCES</b>		
Clarks Fork Yellowstone River "south" Bridge	Section 4(f) use.	See Cultural Resources mitigation.
MW&S Railroad Maintenance Shop	Section 4(f) use.	See Cultural Resources mitigation.

**Table 3. Summary of Mitigation for the Selected Alternative (continued)**

Resource area	Type of Impact	Mitigation
<b>SECTION 4(F) RESOURCES (continued)</b>		
Dry Creek Canal	Section 4(f) use.	Maintaining the highway on the existing alignment minimizes impacts to the Dry Creek Canal because the impact is occurring at an existing disturbed area of the canal. Minimizing right-of-way, if it does not reduce safety, will be considered during final design to minimize impacts at the canal crossings. The proposed fill slopes will be kept to the minimum allowed under current MDT design standards for the depth-of-fill needed.
Sand Creek Canal	Section 4(f) use.	Maintaining the highway on the existing alignment minimizes impacts to the Sand Creek Canal because the impact is occurring at an existing disturbed area of the canal. Minimizing right-of-way, if it does not reduce safety, will be considered during final design to minimize impacts at the canal crossings. The proposed fill slopes will be kept to the minimum allowed under current MDT design standards for the depth-of-fill needed.

## **5.0 Selected Alternative**

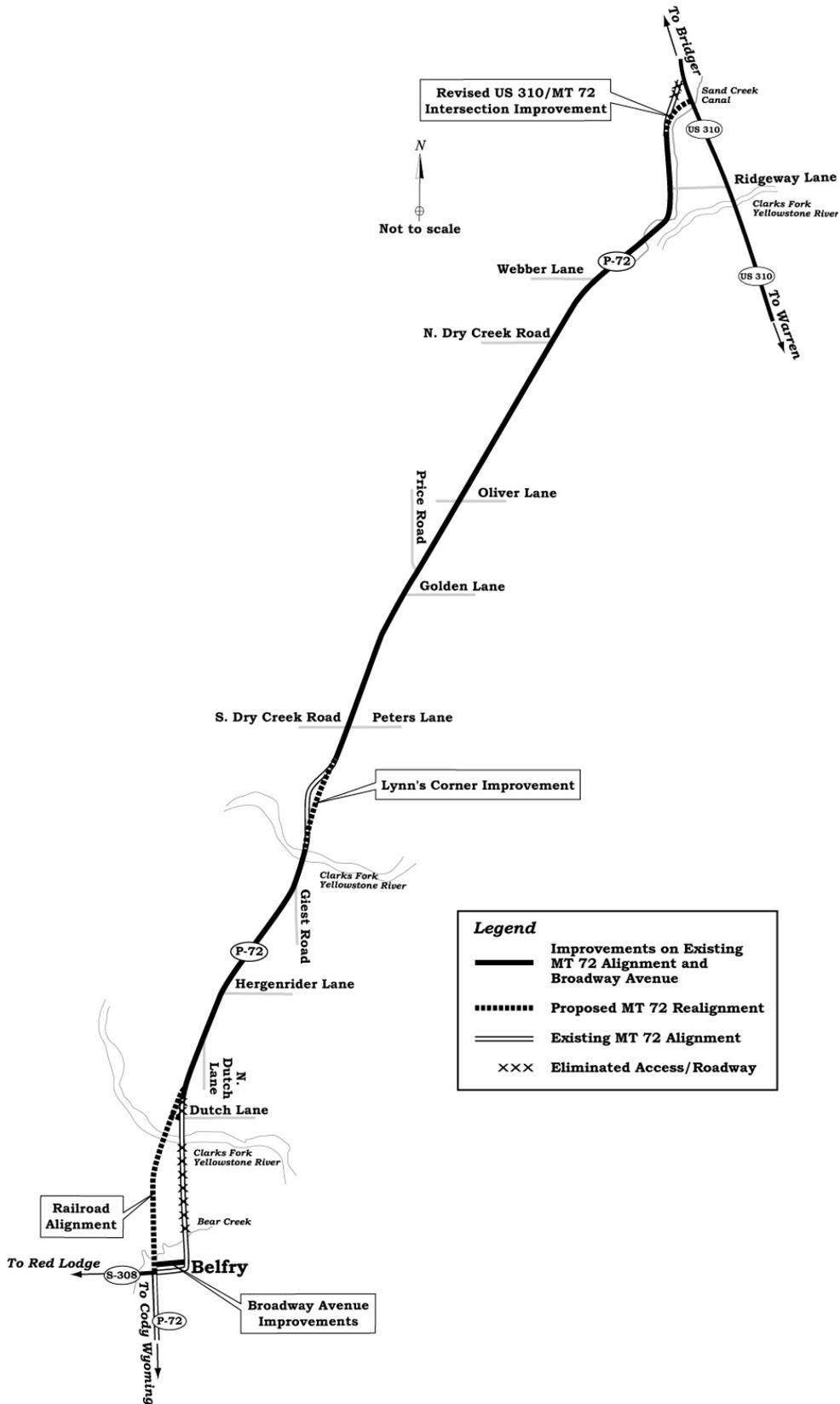
Montana Department of Transportation (MDT) proposed to reconstruct an approximately 17.9-km (11.1-mile) section of MT 72 between S-308 in the town of Belfry and US 310 in Carbon County, Montana.

Based on the Belfry-North Environmental Assessment (EA) and the summary of public and agency comments and responses, the Federal Highway Administration (FHWA) has selected the Preferred Alternative, which is described in the attached EA, with two modifications. The Selected Alternative includes the revised intersection at MT 72's junction with US 310, as described in Section 2.2, and improvements to Broadway Avenue, as described in Section 2.3. Figure 4 shows the alignment of the Selected Alternative.

The typical section for the Selected Alternative is the preferred typical section described in the EA which includes an urban typical section within Belfry. Within the rural corridor, the typical section is a roadway with a 12-m (40-ft) subgrade with a 9.6-m (32-ft) paved top and flattened in-slopes.

The width of the shoulder area resulting from the paved and unpaved area would provide more room for movement of agricultural equipment. This initial paved top of 9.6 m (32 ft) could later accommodate a 12-m (40-ft) overlay when traffic volumes warrant a wider paved roadway width. During the project's final design, MDT and FHWA will consider using a 12-m (40-ft) pavement near intersections, bridge approaches, or school bus stops if appropriate.

Figure 4. Selected Alternative



The Selected Alternative achieves the purpose and need for this project as described in the attached EA. The two modifications to the Preferred Alternative are mitigation measures that were developed to address public concerns expressed subsequent to the release of the EA.

The Code of Federal Regulations, 23 CFR 771.119 (i), states; "If, at any point in the EA process, the Administration determines that the action is likely to have a significant impact on the environment, the preparation of an EIS will be required." No significant impacts were identified due to the proposed project, and therefore, the Preferred Alternative with additional mitigation was selected for this project.

The impacts of both the Selected Alternative and No-Build Alternative are summarized in Table 2 of this document.