Finding of No Significant Impact

RR Overpass - Cut Bank
Glacier County, Montana
STPS 213-1(12)0 CN 4158

July 2007
FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT

for

Project Number: STPS 213-1(12)0
Project Name: RR Overpass – Cut Bank
Control Number: 4158

in

Glacier County, Montana

The Montana Department of Transportation (MDT) and the US Department of Transportation Federal Highway Administration (FHWA) have determined that the Build (Preferred) Alternative as described in the attached Environmental Assessment (EA) dated March 2007 will have no significant impact on the human environment. This Finding of No Significant Impact (FONSI) is based on the March 2007 EA. After independent evaluation of the EA, MDT and FHWA conclude that the EA adequately and accurately discusses the needs, environmental issues and environmental impacts of the proposed project and appropriate mitigation measures. The EA provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. MDT and FHWA take full responsibility for the accuracy, scope, and content of the March 2007 EA.

For purposes of compliance with the Montana Environmental Policy Act (MEPA) (ARM 17.4.609(3)(j) and ARM 18.2.239(3)(j)), this FONSI and conclusion that an EIS is not required should be considered part of the EA.

Montana Department of Transportation

Date

Federal Highway Administration

Date
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Table of Contents

1.0 Coordination Process ........................................................................................................ 1
2.0 Press Release and Notice of Availability ......................................................................... 1
3.0 Availability of EA ........................................................................................................... 1
4.0 Public Hearing ................................................................................................................ 1
5.0 Selection of Preferred Alternative .................................................................................. 2

Appendices

Appendix A: Press Releases and Advertisements
Appendix B: MDT Public Hearing Sign-In Sheets
  Public Comments and MDT/FHWA Responses
Appendix C: Environmental Assessment
1.0 Coordination Process

The proposed action described in the March 2007 Environmental Assessment (EA) has been coordinated with the appropriate federal, state and local agencies to comply with the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA). The Notice of Availability and Hearing for the RR Overpass-Cut Bank EA was publicized in several area newspapers and in a postcard mailer to local residents and businesses. Information was also provided regarding the public hearing for the project.

2.0 Press Release and Notice of Availability

The Montana Department of Transportation (MDT) and the Federal Highway Administration (FHWA) approved the EA for distribution on March 7, 2007. Notice of Availability and Hearing display advertisements were published in the Cut Bank Pioneer newspaper on April 8 and April 22, 2007 and in the Great Falls Tribune newspaper on April 4 and April 25, 2007. A press release regarding the Notice of Availability and Hearing was distributed statewide.

Copies of the display advertisement and press release are contained in Appendix A. The public comment period began on April 4, 2007 and ended on May 7, 2007.

3.0 Availability of EA

Copies of the EA were made available for review at the following locations:
- Glacier County Government/Planning Office, 512 E. Main Street, Cut Bank, MT 59427
- Glacier County Court House, 1210 E. Main Street, Cut Bank, MT 59427
- Cut Bank City Hall, 221 W. Main Street, Cut Bank, MT 59427
- Cut Bank/Glacier County Public Library, 21 1st Avenue SE, Cut Bank, MT 59427

Copies of the EA were available upon request. The EA was also available on the MDT website at: http://www.mdt.mt.gov/pubinvolve/eis_ea.shtml

State and federal agencies and local entities were provided with a copy of the EA. A complete version of the EA is included in Appendix C.

4.0 Public Hearing

A public hearing was held on April 26, 2007 at the Cut Bank Civic Center from 5:30 pm to 7:30 pm. The hearing included an open house, presentation with question and answer period, and the formal Public Hearing. The hearing was attended by approximately 60 people. Copies of the sign-in sheet are contained in Appendix B. Twenty-four individuals made verbal comments at the hearing. These comments and MDT/FHWA responses are provided in Appendix B.

Written comments were subsequently received from eight individuals and agencies during the public comment period. These comments are provided in Appendix B along with
responses from MDT/FHWA. The majority of comments submitted both verbally and in writing stated support for the Build (Preferred) alternative. Some of these comments cited the potential for safety improvements especially for emergency vehicles, and improved local mobility. Comments in opposition to the Build (Preferred) alternative cited right-of-way impacts to local residences, safety concerns for school access and potential economic impacts to businesses.

5.0 Selection of Preferred Alternative

Based on the RR Overpass-Cut Bank EA and the summary of public and agency comments and responses, FHWA has selected the Build (Preferred) alternative as described in the attached EA (refer to pages 2-5 through 2-7). Elements of the Build (Preferred) alternative include intersection improvements at U.S. Highway 2, an overpass over the existing BNSF railroad tracks, improvements to existing Skyland Road and a transition into existing S-213/Central Avenue.

The Build (Preferred) alternative achieves the purpose and need for this project as described in the attached 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 Environmental Impact Statement (EIS) will be required.” No significant impacts were identified due to the proposed project, and therefore, the Build (Preferred) Alternative was selected for this project.
Appendix A

Press Releases
and Advertisements
FOR IMMEDIATE RELEASE

For more information:
Mick Johnson, MDT Great Falls District Administrator, (406) 454-5887
Jean Riley, PE, MDT Environmental Services Bureau Chief, (406) 444-7228
Bob Seliskar, FHWA Operations Engineer, (406) 449-5302 ext. 244
Paul Grant, MDT Public Involvement Coordinator, (406) 444-9415

Notice of Availability of Environmental Assessment and public hearing for Railroad Overpass – Cut Bank project

The Montana Department of Transportation (MDT) has completed an Environmental Assessment (EA) for the Railroad Overpass – Cut Bank project and will conduct a public hearing on that EA. The public hearing is scheduled for Thursday, April 26, 2007, at the Cut Bank Civic Center at 800 E. Railroad in Cut Bank. A brief presentation will begin at 5:30 p.m., followed by the Public Hearing starting at 6 p.m.

The purpose of the proposed project is to provide continuous and safe travel through the northern portion of Cut Bank. The following objectives have been identified to address the need to improve safety and mobility:

- Reduce potential motorist and pedestrian conflicts at railroad crossings
- Improve emergency response times
- Provide a continuous travel route through Cut Bank
- Reduce out-of-direction travel caused by trains blocking railroad tracks

The Preferred Alternative identified in the EA includes elements that best satisfy the purpose of and need for the project while minimizing impacts to the surrounding built and natural environment. The Preferred Alternative would include intersection improvements at U.S. Highway 2, an overpass over the
existing BNSF railroad tracks, improvements to existing Skyland Road and a
transition into existing S-213/Central Avenue.

The EA document is available for review at the following locations:

- Glacier County Government/Planning Office, 512 E Main St., Cut Bank
- Glacier County Court House, 1210 E. Main St., Cut Bank
- Cut Bank City Hall, 221 W. Main St., Cut Bank
- Cut Bank Library 21 1st Ave. SE, Cut Bank
- Montana Department of Transportation, 2701 Prospect Avenue, Helena
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml
- For a copy, call MDT at (406) 444-7228

Community participation is a very important part of the process, and the public is
couraged to attend the Public Hearing. Oral or written opinions, comments, and
concerns may be presented at the public hearing. Alternatively, written comments
may be submitted to Jean Riley MDT Environmental Services, at 2701 Prospect
Avenue, PO Box 201001, Helena, MT 59620-1001, or online at
http://www.mdt.mt.gov/pubinvolve/eis_ea.shtml. Please indicate that comments
are for project A158. The public review period for the EA will conclude on May
7, 2007. All comments are due by May 7, 2007.

New right-of-way will be required, and MDT staff will continue to keep affected
landowners advised prior to potential survey work on their property and regarding
property acquisition.

MDT attempts to provide accommodations for any known disability that may
interfere with a person’s participation in any service, program or activity of our
department. If you require reasonable accommodations to participate in this
meeting, please call Paul Grant at (406) 444-9415 at least two days before the
meeting. For the hearing impaired, the TTY number is (406) 444-7696 or 1-800-
335-7592, or call Montana Relay at 711. Alternative accessible formats of pertinent information will be provided upon request.
Press Release Notice 2

RR Overpass – Cut Bank                                                    Finding of No Significant Impact
STPS 213-0(12)0 CN 4158                                                    July 2007

Montana Department of Transportation

Cut Bank - EA Notice Of Availability & Hearing - RR Overpass

April 4, 2007

FOR IMMEDIATE RELEASE

For more information:
Hick Johnson, MDT Great Falls District Administrator, (406) 454-5887
Jean Riley, PhD, MDT Environmental Services Bureau Chief, (406) 444-7228
Rob Sellkeker, FHWA Operations Engineer, (406) 444-9302 ext. 244
Paul Grant, MDT Public Involvement Coordinator, (406) 444-9415

Notice of Availability of Environmental Assessment and public hearing for Railroad Overpass - Cut Bank project

The Montana Department of Transportation (MDT) has completed an Environmental Assessment (EA) for the Railroad Overpass - Cut Bank project and will conduct a public hearing on that EA. The public hearing is scheduled for Thursday, April 26, 2007, at the Cut Bank Civic Center at 890 S. Railroad in Cut Bank. A brief presentation will begin at 5:30 p.m., followed by the Public Hearing starting at 6 p.m.

The purpose of the proposed project is to provide continuous and safe travel through the northern portion of Cut Bank. The following objectives have been identified to address the need to improve safety and mobility:

* Reduce potential motorist and pedestrian conflicts at railroad crossings
* Improve emergency response times
* Provide a continuous travel route through Cut Bank
* Reduce out-of-direction travel caused by trains blocking railroad tracks

The Preferred Alternative identified in the EA includes elements that best satisfy the purpose of and need for the project while minimizing impacts to the surrounding built and natural environment. The Preferred Alternative would include intersection improvements at U.S. Highway 2, an overpass over the existing BNSF railroad tracks, improvements to existing Skyland Road and a transition into existing S-213/Centerville Avenue.

The EA document is available for review at the following locations:

- Glacier County Government/Planning Office, 512 E Main St., Cut Bank
- Glacier County Court House, 1210 E. Main St., Cut Bank
- Cut Bank City Hall, 221 W. Main St., Cut Bank
- Cut Bank Library 21 1st Ave. E, Cut Bank
- Montana Department of Transportation, 2701 Prospect Avenue, Helena
- Online at www.mt.gov/pubinvolve/eis_ea.shtml

For a copy, call MDT at (406) 444-7228

Community participation is a very important part of the process, and the public is encouraged to attend the Public Hearing. Oral or written opinions, comments, and concerns may be presented at the public hearing. Alternatively, written comments may be submitted to Jean Riley MDT Environmental Services, at 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001, or online at http://www.mt.gov/pubinvolve/eis_ea.shtml. Please indicate that comments are for project A158. The public review period for the EA will conclude on May 7, 2007. All comments are due by May 7, 2007.

Weigh right-of-way will be required, and MDT staff will continue to keep affected landowners advised prior to potential survey work on their property and regarding property acquisition.

MDT attempts to provide accommodations for any known disability that may interfere with a person's participation in any service, program
Finding of No Significant Impact

RR Overpass – Cut Bank
STPS 213-0(12)0 CN 4158

July 2007

Montana Department of Transportation

or activity of our department. If you require reasonable accommodations to participate in this meeting, please call Paul Grant at (406) 444-9415 at least two days before the meeting. For the hearing impaired, the TTY number is (406) 444-7895 or 1-800-335-7592, or call Montana Relay at 711. Alternative accessible formats of pertinent information will be provided upon request.

Project name: RR Overpass - Cut Bank
Project ID: STPS 213-0(12)0
Control number: 4158
Community of Cut Bank, Glacier County

--- END ---
RR Overpass – Cut Bank                                                    Finding of No Significant Impact
STPS 213-0(12)0 CN 4158

July 2007

Press Release Notice 3

Montana Department of Transportation
serving you with pride

PUBLIC HEARING

Railroad Overpass-Cut Bank Environmental Assessment
The Environmental Assessment (EA) is now available for public review and comment. The Preferred Alternative identified in the EA includes elements that best satisfy the need for the project while minimizing impacts. The Preferred Alternative includes intersection improvements at U.S. Highway 2, improvements to Skyland Rd., a transition into S-213/Central Ave. and a railroad overpass.

Review the EA at:
• Glacier County Government/Planning Office, 512 E. Main Street, Cut Bank
• Glacier County Courthouse, 1210 E. Main Street, Cut Bank
• Cut Bank City Hall, 221 W. Main Street
• Cut Bank Library, 21 1st Avenue SE
• Montana Department of Transportation, 2701 Prospect Avenue, Helena
• Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml
• Call MDT Environmental Services at (406) 444-7228 for a copy

Comment period: April 4 - May 7, 2007
• Present oral or written comments at the public hearing
• Written comments to Jean Riley, MDT, PO Box 201001, 2701 Prospect Ave., Helena, MT 59620
• Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

For more information:
• Jean Riley, MDT, (406) 444-7228
• Mick Johnson, MDT, (406) 454-5880

MDT attempts to provide accommodations for any known disability that may interfere with a person’s participation in any service, program or activity of our department. For reasonable accommodations to participate in this meeting, call Paul Grant at (406) 444-9415 at least two days before the meeting. For the hearing impaired: TTY (406) 444-7696, (800) 335-7592, or Montana Relay at 711. Alternative accessible formats of pertinent information provided on request.

Public Hearing: Thursday, April 26, 5:30 - 7:30 p.m
Cut Bank Civic Center, 800 E. Railroad Street
RR Overpass - Cut Bank

Montana Department of Transportation

Railroad Overpass - Cut Bank

✓ An Environmental Assessment (EA) has been prepared for the Cut Bank RR Overpass project and is now available for public review at the following locations:
  - Glacier County Government/Planning Office, 312 E. Main St., Cut Bank
  - Glacier County Courthouse, 1210 E. Main St., Cut Bank
  - Cut Bank City Hall, 221 W. Main St., Cut Bank
  - Cut Bank Library, 21 1st Avenue SE, Cut Bank
  - MDT Headquarters, 2701 Prospect Avenue, Helena
  - Online at www.mdt.mt.gov/publicweb/ca_ca.shtml
  - For a copy, call MDT at (406) 444-7228

✓ Community participation is an important part of the process. A public hearing will be held:
  - Thursday, April 26, 2007
  - Cut Bank Civic Center, 800 E. Railroad Street, 5:30 - 7:30 pm

✓ The public is encouraged to provide comments. You may do so at the public hearing, or submit written comments to:
  - Jean A. Riley PE, MDT Environmental Services Bureau Chief, at 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001.
  - Comments may also be submitted online at www.mdt.mt.gov/publicweb/ca_ca.shtml.
  - The deadline for comments is May 7, 2007.

Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001
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Appendix B

MDT Public Hearing Sign-In Sheets
Comments and Responses
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**Public Hearing: Thursday, April 26, 2007 Sign-in Sheet**

<table>
<thead>
<tr>
<th>Name</th>
<th>Mailing Address</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert Levens 2033</td>
<td>501 West Main</td>
<td>59427</td>
</tr>
<tr>
<td>Scott F. Penny</td>
<td>416 S.W. Cut Bank</td>
<td></td>
</tr>
<tr>
<td>Mary Faye Powell</td>
<td>123 4th Ave NW CB</td>
<td>59427</td>
</tr>
<tr>
<td>Mark Monroe Powell</td>
<td>127 4th Ave NW CB</td>
<td>95427</td>
</tr>
<tr>
<td>Scott Rocki</td>
<td>Box 1196 Cut Bank Mt</td>
<td>59427</td>
</tr>
<tr>
<td>Marsha McAlpine</td>
<td>443 May 213</td>
<td>59427</td>
</tr>
<tr>
<td>Marcia</td>
<td>4d Ave Mt. View</td>
<td>59427</td>
</tr>
<tr>
<td>William T. McClainy</td>
<td>318 1st Ave SW</td>
<td>59427</td>
</tr>
<tr>
<td>Don Weaver</td>
<td>50 Lueldke Road</td>
<td>59427</td>
</tr>
</tbody>
</table>
### Public Meeting Sign-in Sheet

Project name: RR Overpass ~ Cut Bank ~ Glacier County  
Project ID: STPS 213-1(12)0 Control Number: CN A158/4158  
Meeting date and time: Thursday, April 26, 2007 Location: Cut Bank Civic Center, 800 E. Railroad St

<table>
<thead>
<tr>
<th>Name</th>
<th>Mailing Address</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>11. Leslie Langford</td>
<td>P.O. Box 1174</td>
<td>59427</td>
</tr>
<tr>
<td>12. Joann Neidhardt</td>
<td>Box 274</td>
<td>59427</td>
</tr>
<tr>
<td>13. Ralph Dempsey</td>
<td>Cut Bank MT</td>
<td>59427</td>
</tr>
<tr>
<td>14. Ron Dempsey</td>
<td>201 3rd St SW</td>
<td>59427</td>
</tr>
<tr>
<td>15. Sandy Campbell</td>
<td>111 10th St SE</td>
<td>59427</td>
</tr>
<tr>
<td>16. J. W. Eaton Jr.</td>
<td>Box 161</td>
<td>59427</td>
</tr>
<tr>
<td>17. Ron Campbell</td>
<td>310 14th Ave S</td>
<td>59427</td>
</tr>
<tr>
<td>18. Donna Vickers</td>
<td>Box 32, Cut Bank</td>
<td>59427</td>
</tr>
<tr>
<td>19. Paul Mander</td>
<td>117 8th Ave SE</td>
<td>59427</td>
</tr>
<tr>
<td>20. Cheryl Campbell</td>
<td>117 8th Ave SE</td>
<td>59427</td>
</tr>
</tbody>
</table>
## Public Meeting Sign-in Sheet

Project name: RR Overpass - Cut Bank - Glacier County  
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<thead>
<tr>
<th>Name</th>
<th>Mailing Address</th>
<th>Zip Code</th>
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</thead>
<tbody>
<tr>
<td>21. Larry Merhartt</td>
<td>402 West Main</td>
<td>59427</td>
</tr>
<tr>
<td>22. Mel Kays</td>
<td>114 9 AV NE</td>
<td>59427</td>
</tr>
<tr>
<td>23. Jude Rafferty</td>
<td>132 5 Ave NW</td>
<td>59427</td>
</tr>
<tr>
<td>24. Mark Kraff</td>
<td>422 2nd St. NW</td>
<td>59427</td>
</tr>
<tr>
<td>25. Seth Baechler</td>
<td>105 Shriver Ave.</td>
<td>59427</td>
</tr>
<tr>
<td>26. Alice Cullen</td>
<td>317 6th Ave SE Cut Bank</td>
<td>59427</td>
</tr>
<tr>
<td>27. Michael Bank</td>
<td>201 11th Ave SW Cut Bank</td>
<td>59427</td>
</tr>
<tr>
<td>28. Brad St.</td>
<td>10 N Central Ave Cut Bank</td>
<td>59427</td>
</tr>
<tr>
<td>29. Scott Robert</td>
<td>413 8th Ave S</td>
<td>59427</td>
</tr>
<tr>
<td>30. Raymond Jacob</td>
<td>AT Bank</td>
<td>59427</td>
</tr>
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Please print!
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Project name: RR Overpass – Cut Bank – Glacier County  
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Location: Cut Bank Civic Center, 800 E. Railroad St

<table>
<thead>
<tr>
<th>Name</th>
<th>Mailing Address</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>41. Steph Browning</td>
<td>601 W. Main, MT</td>
<td>59427</td>
</tr>
<tr>
<td>42. Lyle Eagles</td>
<td>319 S. 5th Ave, MT</td>
<td>59427</td>
</tr>
<tr>
<td>43. Noel Duram</td>
<td>143 Hwy 213, MT</td>
<td>59427</td>
</tr>
<tr>
<td>44. Julian Tague</td>
<td>P.O. Box 847</td>
<td>59427</td>
</tr>
<tr>
<td>45. John Stewert</td>
<td>271 W Main</td>
<td>59427</td>
</tr>
<tr>
<td>46. Jim Key</td>
<td>338-35th Ave, MT</td>
<td>59427</td>
</tr>
<tr>
<td>47. Stephanie Bey</td>
<td>338-35th Ave, MT</td>
<td>59427</td>
</tr>
<tr>
<td>48. Alene Eibell</td>
<td>1001 1st St, SE</td>
<td>59427</td>
</tr>
<tr>
<td>49. Kathleen Eibell</td>
<td>PO Box 2000</td>
<td>59427</td>
</tr>
<tr>
<td>50. Quadrant 7</td>
<td>101 Bank of America Co</td>
<td>59427</td>
</tr>
</tbody>
</table>
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**Project name:** RR Overpass ~ Cut Bank ~ Glacier County  
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<thead>
<tr>
<th>Name</th>
<th>Mailing Address</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>61. Fitzpatrick</td>
<td>LOGI W. MAIN</td>
<td>59427</td>
</tr>
<tr>
<td>62. Liker</td>
<td>PO BOX 2134</td>
<td>59427</td>
</tr>
<tr>
<td>63. Bill Barone</td>
<td>BOX 51 CUT BANK</td>
<td>59427</td>
</tr>
<tr>
<td>64. Peter Billman</td>
<td>BOX 153</td>
<td>59427</td>
</tr>
<tr>
<td>65. Ray Salter</td>
<td>402 14 stw</td>
<td></td>
</tr>
<tr>
<td>66. Shirley Salter</td>
<td></td>
<td></td>
</tr>
<tr>
<td>67. Edna Pereling</td>
<td>BOX 26 CUT BANK</td>
<td>59427</td>
</tr>
<tr>
<td>68. Chris Barsness</td>
<td>216 3ave SW</td>
<td>59427</td>
</tr>
<tr>
<td>69. Pat Compton</td>
<td>50 Gunnigal Cut Bank</td>
<td>59427</td>
</tr>
<tr>
<td>70. Jeanine Zajac</td>
<td>302 1st Ave SE CB</td>
<td>59427</td>
</tr>
</tbody>
</table>

Please print!
## Public Meeting Sign-in Sheet

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<table>
<thead>
<tr>
<th>Name</th>
<th>Mailing Address</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>81. John Sheffield</td>
<td>324 4th Ave SE-CB</td>
<td>5477</td>
</tr>
<tr>
<td>82. Kim E. Norman</td>
<td>PO Box 1345</td>
<td>59427</td>
</tr>
<tr>
<td>83. Jonathan Bergeron</td>
<td>PO Box 1113</td>
<td>59427</td>
</tr>
<tr>
<td>84. Steve Voldy</td>
<td>425 7th Ave SE</td>
<td>59427</td>
</tr>
<tr>
<td>85. Kathy Campbell</td>
<td>21 8th Ave SE</td>
<td>59427</td>
</tr>
<tr>
<td>86. Tony Schultz</td>
<td>12 Wedge Rd</td>
<td>59427</td>
</tr>
<tr>
<td>87. Joe St.</td>
<td>215 2nd Street SE</td>
<td>59427</td>
</tr>
</tbody>
</table>

Please print!
Comments 1-18 are from the April 26, 2007 Public Hearing. Comments 19-33 are public and agency comments submitted during the public comment period.

<table>
<thead>
<tr>
<th>Comment Number</th>
<th>Commenter</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dick Palmer</td>
<td>Individual 14 Fourth Ave SW</td>
</tr>
<tr>
<td>2</td>
<td>William McCauley</td>
<td>City Council 218 First Ave SW</td>
</tr>
<tr>
<td>3</td>
<td>Alice Brotnov</td>
<td>City Council</td>
</tr>
<tr>
<td>4</td>
<td>Unidentified woman</td>
<td>Individual</td>
</tr>
</tbody>
</table>

2a. Comment noted.

2b. Following approval of a Finding of No Significant Impact (FONSI) by MDT and FHWA, the project will be eligible for federal funding and construction. The project is targeted for construction to begin between 2009 and 2011, depending on the availability of funding, right-of-way acquisition, utility relocation and permitting requirements.

The purpose of the overpass project is to improve safety by reducing potential motorist and pedestrian conflicts at railroad crossings. Removal of the at-grade crossing of Old Country Road and the railroad tracks is consistent with this purpose.

Comment noted.
<table>
<thead>
<tr>
<th>Commenter</th>
<th>Role/Position</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark Krapf</td>
<td>Individual</td>
<td>I think most of Cut Bank likes the whole rural idea of our town. It is a great place to raise your kids, we like the field right next door. We've had a lot of changes over the years and everybody pretty much rolls with them and a lot of them are for the better. I'm looking at this as kind of a big, concrete monstrosity as far as I'm concerned it's going to really take away from the rural atmosphere, especially in my neighborhood, and if people want that they'd move to the city. I kind of like things the way they are.</td>
</tr>
<tr>
<td>Jonathon Bergeron</td>
<td>Individual</td>
<td>I think we have to ask ourselves is it worth 50 million dollars to just overpass a ten minute wait for a train. And to take away from our scenery and just the hassle of a huge project and is it just not worth waiting for the train. It is a great convenience, but is it worth the cost?</td>
</tr>
<tr>
<td>Gerald Ebelt</td>
<td>Chairman of the Board of Trustees Northern Rockies Medical Center</td>
<td>The Board is in favor of the overpass for the primary reason of safety and having medical attention to people on the north side. We would be in favor of the overpass as it stands.</td>
</tr>
<tr>
<td>Alice Brotnov</td>
<td>City Council 317 Sixth Ave SE</td>
<td>I think the overpass is very, very necessary especially for emergency reasons. And I think a positive way to look at this is that the growth of Cut Bank may someday actually happen and it might be a good thing. And with the overpass and all of that extra highway that will be at Skyland Road, there could someday be businesses who may actually want to develop in that area.</td>
</tr>
<tr>
<td>Stephanie King</td>
<td>Individual 338 Fifth Ave SE</td>
<td>I worked for the Sheriff's office here for 20 years and more occasions than you would care to know about we had emergency vehicles that needed to get across the railroad tracks for people with heart attacks, gunshots, you name it. We had many, many incidences in 20 years. And for those people that lost people on the other side of the tracks because nobody could get there or nobody could get back over the tracks to get to the hospital, it's a real concern. You know, when you're losing family, I don't think there's a price tag that's going to cover that. I understand the concerns of the people here tonight that are living over there and I think there's some solution that can be made, possibly by going out further north, straight north, and then turning off. Maybe just the one section staying there to divert the traffic that lives on the north side and then the other, heavier traffic goes straight north. That might be a solution, but there is an absolute need for emergency purposes, fire, ambulance, and sheriff to have that overpass.</td>
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<td>Name</td>
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<tr>
<td>10</td>
<td>Jim Suta</td>
<td>City of Cut Bank, 215 Second Ave SW</td>
</tr>
<tr>
<td>11</td>
<td>Bud Stewart</td>
<td>Individual, 302 Eighth Ave SE</td>
</tr>
<tr>
<td>12</td>
<td>Joan Stewart</td>
<td>Individual, 302 Eighth Ave SE</td>
</tr>
<tr>
<td>13</td>
<td>Kathy Campbell</td>
<td>Individual, 21 Eighth Ave SE</td>
</tr>
<tr>
<td>14</td>
<td>Dick Palmer</td>
<td>Individual, 14 Fourth Ave SW</td>
</tr>
<tr>
<td></td>
<td>My husband told me not to talk, but I'm going to anyway. I'm Linda Dempsey and I really understand the concerns of anybody that lives over there because ironically enough I drive from Glacier Motors, I take that road that he's talking about, I go out Skyland to my barn many times a day. And I know how quiet and nice it is over there and I totally understand where they're coming from, but I guess if they looked at all the alternatives, we do need an overpass, there's no doubt about that. Maybe as this progresses MDT can work with the residents over there to show them exactly what's coming. So, you know a lot of us feel a little blindsided by some of the decisions we've made and so maybe if we can kind of show the impact it's going to have on your home, your business or whatever that would help. I think it that you know then maybe it won't be quite as bad but I understand where they're coming from with truck traffic and everything else. And maybe it might turn out the trucks won't even use that because they can still come up Central and go down Railroad Street to head west, provided we don't have any medians.</td>
<td>Comment noted.</td>
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<tr>
<td>15</td>
<td>Linda Dempsey</td>
<td>15a. Comment noted.</td>
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<td></td>
<td>Individual</td>
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<td>15b. During the final design process, MDT will determine actual right-of-way impacts and coordinate with adjacent property owners on potential design elements to avoid or minimize those impacts.</td>
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<td>16</td>
<td>I just have one little bit of humor to go with this meeting that we had in Helena. Marvin Dye came out and Mrs. Campbell had been to a meeting over there and had the local Catholic priest with her. And he was dressed in his garb and Marvin came out and took one look and he said, 'Now look...I will go ahead and I will talk to you people, but don't you try to be puttin' anything over on me that I don't know what's goin' on.'</td>
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<td></td>
<td>William McCauley</td>
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<td></td>
<td>City Council</td>
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<td></td>
<td>218 First Ave SW</td>
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<td>17</td>
<td>The overpass is a great idea and it's a feasibility we looked through the lot of meetings, in the last seven years and this is, unfortunately the only option with it that that I can see. As far as privacy and sound, I think one of the sound issues [are semi trucks] especially with 68,000 pounds being the limit. The sound projects up and if there's any barrier at all it still goes up. But the other issue is that is that on your side of the road where that corner will be pretty much eliminated, you'll have a big barricade or whatever you want to call it there. I wouldn't like that either. Unfortunately, I do agree that it's a good idea, so I wish it wasn't in your place. And, unfortunately what we see is we have that's the only place feasible when you cross six tracks. From everything that I've seen in just the 7 years that I've been looking at it, it's unfortunate this is the only one that's feasible.</td>
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<td></td>
<td>Noel Duram</td>
<td>17a. Traffic noise levels in the neighborhood and along proposed S-213 are not predicted to exceed the 66-dBA noise threshold or the 13 dBA increase criterion in the design year 2027 (see the EA Chapter 3-Noise for information on noise thresholds). Because the thresholds are not exceeded through the year 2027, no mitigation is required.</td>
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<td>Individual</td>
<td>17b. Comment noted.</td>
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<td>18</td>
<td>When I came on board as Commissioner in 2001, this program was in the works then and I support it 100% even though I don't like the location of it now, but I do support it and we do need one. And I know we're going to lose that west crossing. The county owns the east crossing down there and in just the near future we're going to lose that one, too. They came to the commissioners here about a year ago and told us. Just a matter of time.</td>
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<td></td>
<td>Ray Salois</td>
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<td></td>
<td>Former Glacier County Commissioner</td>
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</table>
19a. Comment noted.

19b. The proposed S-213 roadway typical section includes a 1.6m (5.2') sidewalk on the south side of the roadway from the intersection of US2/S-213, extending east over the bridge to the city limits near Soroptomist park.
You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to MDT Environmental Services, at 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001. Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolv/eis_ea.shtml. The deadline for comments is MAY 7, 2007.

Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address:  Sharon Wollan
Box 854
Cut Bank, MT

Comments:  I was born, raised, educated and retired in Cut Bank. The Railroad Overpass has been suggested, proposed and different locations considered for the last 50 years. Our citizens on the North side of the track and our rural population have always disapproved of overpass, not only for reasons mentioned but for an easy access to the main part of our business district of the Town.
A new alignment north of Skyland Road was previously evaluated (2000), but was eliminated due to extensive new right-of-way requirements and comparatively high cost due to right-of-way acquisition in comparison to the Preferred Build alternative.
22a. The proposed project would not change the overall character of the visual environment from the existing residential and commercial uses. The aesthetics of the retaining wall design such as color, texture, etc. will be considered during final design. Please see Chapter 3-Visual Impacts for more information.

22b. Maintenance such as snow plowing and trash removal will continue to be the responsibility of the City. During final design MDT will evaluate the effectiveness of measures such as a living snowfence to address snow drifting issues.

22c. Please see Response #17a regarding noise.
Jean A. Riley, PE  
MDT Environmental Services Bureau Chief  
Montana Department of Transportation  
2701 Prospect Ave  
PO Box 202001  
Helena, MT 59620-1001  

4-2-07

To Whom It May Concern:

As Superintendent of Schools for Cut Bank Public Schools in Cut Bank, Montana, the idea of an overpass for Cut Bank is an idea that I strongly support. Our bus barn is on the North side of the railroad tracks and two of our schools are on the South side of the tracks. In the interest of safety alone, I encourage MDT to complete this project as outlined as soon as possible. With this overpass in place, school busses will cross railroad tracks much less frequently creating a safer, more reliable school transportation system.

Please take action and complete the railroad overpass in Cut Bank as soon as possible. I can be reached for further comment at 406-873-2229.

Sincerely,

Wade Johnson, Superintendent  
Cut Bank Schools
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<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Address</th>
<th>Email</th>
<th>Date</th>
<th>Time</th>
<th>Comment</th>
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<tbody>
<tr>
<td>24</td>
<td>Melvin &quot;Mel&quot; M. Kays</td>
<td>Individual 114 Second Ave NE</td>
<td><a href="mailto:melkays@northernmt.net">melkays@northernmt.net</a></td>
<td>Sunday, May 06, 2007 8:59 PM</td>
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<td>Comment noted.</td>
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<td></td>
<td>Jane Board</td>
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<td></td>
<td>From: Mel Kays [<a href="mailto:melkays@northernmt.net">melkays@northernmt.net</a>]</td>
<td></td>
<td>Sent: Sunday, May 06, 2007 8:59 PM</td>
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<td></td>
<td>To: <a href="mailto:mtdcommentscutbankea@mt.gov">mtdcommentscutbankea@mt.gov</a></td>
<td></td>
<td>Cc: Jane Boand; Larry Olson</td>
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<td></td>
<td>Subject: Comment on RR Overpass - Cut Bank EA</td>
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<td>Having lived in Cut Bank on the northside of the railroad for 69 years I think it is high time that we had an overpass. I have never seen a dire emergency that the railroad wasn't pretty accommodating and would break a train if it was necessary. This doesn't help when thousands of hours of man hours have been wasted over the years waiting for the many freight trains on the crossings which are increasing in number much faster than anyone that hasn't seen it would believe, not to mention the switch engines that seem to block the crossing when everyone wants to get somewhere to eat lunch.</td>
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<td>This would be a little funny if it were only one train blocking the crossing but I can say the time is coming very soon when there may be more than two trains across the crossing as the railroad will increase the traffic as much as is possible because they are in the business of moving freight.</td>
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<td>We really need an overpass and the sooner the better. They have been talking about this since WW2 and I would like to live to see it really happen.</td>
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<td></td>
<td>Melvin M. Kays</td>
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<td>114 2nd Ave NE</td>
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<td>Cut Bank, Montana 59427</td>
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<tr>
<td>25</td>
<td>Melvin &quot;Mel&quot; M. Kays</td>
<td>Individual 114 Second Ave NE</td>
<td><a href="mailto:melkays@northernmt.net">melkays@northernmt.net</a></td>
<td>Sunday, May 06, 2007 8:47 PM</td>
<td></td>
<td>Additional comment noted.</td>
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<td>Jane Board</td>
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<td>I have lived in Cut Bank for 69 years on the north side of the tracks. I have never seen a time when the railroad wouldn't break a train in a dire emergency. However, I have seen many thousands of man hours wasted waiting for freight trains on the crossing not to mention switch engines moving local freight. The future plans of the railroad seem to indicate a lot more traffic, and the crossings will be blocked a lot more, We really should have an overpass.</td>
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<td></td>
<td>Melvin Kays</td>
<td></td>
<td>114 2nd Ave NE</td>
<td></td>
<td>Cut Bank, Mt. 59427</td>
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</table>
26a. The distance between the overpass and your property is expected to be greater than 40 feet. Preliminary design shows the alignment shifting approximately 12 feet north of the existing alignment. As a result, the distance between your property and the roadway is expected to increase with the proposed project. Please see Response #15b regarding right-of-way for additional information. Please see Response #17a regarding noise. The project is not expected to result in decreased air quality. Please see Chapter 3-Air Quality for more information. Please see Response #22a regarding aesthetics.

The alignment of proposed S-213 would be shifted slightly to the north, away from existing residential properties. The intersection of 5th Ave. NW and 2nd St. NW would be reconfigured to eliminate the intersection with Skyland Road, but the intersection would remain in place to provide circulation and emergency vehicle access within the neighborhood.

One of the key purposes of the project is to address overall safety concerns with the northeast Cut Bank area by reducing vehicular/train conflicts. In recognition of the residential character of the area, the Preferred Build alternative includes a sidewalk on the south side of Skyland Road/proposed S-213 to accommodate pedestrians and bicyclists.

26b. The projected traffic volume on Skyland Road/proposed S-213 is approximately 2,900 vehicles per day in the year 2027. Southbound traffic on Skyland Road/proposed S-213 will be regulated by a new traffic signal at US
Why would you not want to go east to Alternate #5? However more costly, it could help create possible development on the east side of Cut Bank. Additionally, alternate #6, as stated in the environmental assessment, would cause the least disruption to the existing land, have an acceptable grade, and has the least cost of all the alternatives. With an overpass on the east side of town, future industry could be developed, creating a more symmetric balance to our community as a whole.

For my situation and our neighborhood, the 2000 new alignment would be better for the whole northwest side residential and school area.

The overpass ordeal started out as a safety issue. Its main purpose was to create unhindered access to the properties north of the railroad tracks for emergency vehicles (police, fire department, and medical services.) As far as these emergency vehicles are concerned, the fire department, police department, hospital, and clinic are all situated on the east side of Cut Bank, making Alternates #5 or #6 prime candidates for the overpass.

I have been a resident of Cut Bank for my entire life. Not only do I own a home at my current address, but I own and operate a machine shop on North Central Avenue. After speaking with many residents of the northwest side of town and business owners on Central Avenue, we don’t think the proposed overpass would benefit our situation. Even though these residents may not want to speak out publicly, I think their voice should be heard. You have turned a simple bridge into a big city fiasco, and I don’t know if that is what is best for our community.

I could go on for hours, but that is not what this is about. I would be more than happy to visit with anyone who would like to talk about the overpass situation. You can reach me at the above address and phone number.

Sincerely,

Mark J. Krapf

26c. Plans for any future development in the City of Cut Bank are unknown at this time. The degree to which commercial services grow is often linked to the population growth of the city and county. The project would not be anticipated to change the total volume of sales for the regional or local economy. Overall, the project is expected to have positive effects on community resources due to improved travel efficiency and safety for motorists and pedestrians.

26d. Traffic control measures are included to enhance safety, including turn lanes, traffic signals and incorporation of medians to be constructed in the Cut Bank west roadway project. Old County Road will provide an alternate access from US 2/Main Street to the Albertsons parking and truck unloading area. MDT will also coordinate with adjoining property owners during final design to discuss issues and identify access plans.

26e. Alternative 5 was located considerably farther east of the desired Skyland location and would not improve safety or mobility in the more heavily
traveled western portion of Cut Bank. Alternative 6 provided a poor connection to the existing street system on the north side of the RR tracks, and was located 3,600 feet east of the optimal crossing location. The 2000 study concluded that the Skyland Road alignment was the preferred alignment. This alignment minimized right-of-way requirements, met MDT design criteria for grade and turning radii and was a lower cost than a new alignment north of Skyland.

26f. The public has had opportunity to comment verbally or in writing at the public meetings held in March 2003 and April 2007, and by mail or email to the MDT. Mailing addresses for written comments were provided in public news releases, postcard mailers and on the MDT website.
Comment noted. Multiple other public and private projects are planned or underway in the project area (see Chapter 3-Secondary and Cumulative Impacts). This project, when added to the other planned projects, is not expected to contribute to cumulative negative social, community or economic impacts.
| **28** | Scott Jackson  
US Fish and Wildlife Service  
585 Shepard Way  
Helena, MT 59601 |
|---|---|
| | -----Original Message-----  
From: Scott.Jackson@fws.gov [mailto:Scott.Jackson@fws.gov]  
Sent: Tuesday, April 24, 2007 10:10 AM  
To: Riley, Jean  
Cc: Anne.Vandehey@fws.gov  
Subject: Cutbank RR overpass EA  

Hi Jean,  

Thank you for the chance to review the EA for the RR Overpass in Cutbank (STPS 213-1(12)0; CN 4158). I have looked it over and have no substantive comments. In a letter to MDT's consultant dated 3/18/07, FWS indicated that no threatened or endangered species or their habitat are likely to be present in the project area, and the EA indicates that the preferred alternative would have no effect on listed species. Therefore, no ESA 3.7 consultation is required for this project. Please contact me if I can be of further assistance.  

Scott Jackson, Fish and Wildlife Biologist U.S. Fish and Wildlife Service Montana Field Office  
585 Shepard Way  
Helena, Montana 59601  
(406)449-5225, extension 201  
(406)449-5339 (fax)  
scott.jackson@fws.gov |
| **29** | Rachelle Fitzpatrick  
Individual  
Home: 401 Skyland Rd  
Work: 601 West Main |
| | -----Original Message-----  
From: Dennis Fitzpatrick [mailto:fitzcrew4@yahoo.com]  
Sent: Friday, April 27, 2007 3:13 PM  
To: MDT Comments - Cut Bank RR EA  
Subject: Jebo@deainc.com  

Hello,  

I am a resident of Cut Bank. My home is located at 401 Skyland Road; one of the residences listed as a possible relocation site. My husband Dennis and I have four children. We are just requesting that if relocation is to occur for us, we would like ample time to make the necessary arrangements. Please notify us as soon as possible once more is known about boundaries and dates.  

Our second concern is our business. We have a business located in the Northern Village Shopping Center. Our business is "A Buck or $2.00". We are very much concerned about the road on the West project and are against any type of restriction of motorists turning into the current southeast entrance of the mall from the East or the West.  

Thank you for your time,  
Rachelle Fitzpatrick  
A Buck or $2.00  
601 West Main  
Cut Bank, MT 59427  
406.873.2949 |
Comment form

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to: MDT Environmental Services, at 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001. Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/ela_ca.shtml. The deadline for comments is MAY 7, 2007.

Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address: Rick and Glenda Billman
PO Box 153
313 13th Ave SE
Cut Bank, MT 59427

Comments:
We have lived in Cut Bank over 35 years. I have always thought an overpass would be beneficial. With our elementary school on the north side it has always been a worry with children riding their bikes across the tracks and trying to beat the train. With the numerous farmers and oil field workers who go back and forth several times daily it would be way more beneficial to not spend as much time waiting on a train. We have grandchildren in daycare and when transporting them to and from daycare we wait on a train at least once per trip.

Comment noted.
Comment form

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to MDT Environmental Services, at 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001. Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml. The deadline for comments is May 7, 2007.

Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address: Billman's Inc
133 W Railroad St
Cut Bank, MT 59427
(Rick/Glenda Billman)

Comments:
As business with trucks doing deliveries, employees who commute across the tracks, we are in full support of this overpass. It is very important to the Cut Bank economy. Our staff is also supporting the construction of an overpass. This would help while waiting for trains to go quickly.

Comment noted.
Comment form

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to: MDT Environmental Services, at 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001. Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolv/eis_ea.shtml. The deadline for comments is MAY 7, 2007.

Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address: Billman’s Home Décor
18 First Ave SW
Cut Bank MT 59427

Comments: We support building an overpass in Cut Bank as soon as possible. Our store delivers and our delivery guys waste lots of time sitting at the railroad. It has always been a concern what either the ambulance or fire truck or (an) enforcement is stalled at the tracks.
<table>
<thead>
<tr>
<th>Comment form</th>
</tr>
</thead>
</table>
| **Project name:** RR Overpass - Cut Bank  
| **Type:** Cut Bank  
| **Control Number:** 4158  
| **Location:** Cut Bank  
| **Deadline:** MAY 7, 2007  
| **Comments:**  
| Helen Y. McCauley  
| 318 First Ave SW  
| Cut Bank, MT  
| Comment noted. |
Appendix C

Environmental Assessment
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MDT attempts to provide accommodation for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats of this information will be provided upon request. For further information, call 406.444.7228 or TTY (800.335.7592) or call Montana Relay at 711.