The preliminary design currently has enough grade difference between the existing railroad grade and the proposed roadway grade along US 87 to allow for the inclusion of an underpass for pedestrian use. An additional underpass will also be required at the new roadway connecting US 87 westbound traffic to the truck bypass. These underpasses will be included and can be reasonably accommodated without affecting the current roadway design or the impacts identified in the Environmental Assessment.
Over the course of the development of this project, MDT had considered utilizing project funds to pay for the reclamation of the numerous at-grade crossings throughout Lewistown. MDT later discovered that by participating in this effort, the state would interfere with federal railroad abandonment regulations and procedures which require the railroad to perform this reclamation function. Thus, railroad crossing reclamation activities were eliminated from further consideration as part of this project. At the time of the distribution of the EA in September 2003, the City of Lewistown, Fergus County, BNSF, CMR, and the Lewistown Port Authority were involved in discussions concerning the ultimate disposition of the existing rail line and materials, and reclamation of the crossings. MDT has not played an active role in these discussions, but remains committed to participating in the reclamation efforts at the five crossings on the state-maintained route(s). This would be subject to a formal agreement between MDT and the City and/or County. It is unlikely that a “rails-to-trails” project could be constructed as part of this project. The property would have to be in public ownership, and as noted above, the future ownership of the existing rail line is still under negotiation. All activities under this project will be funded and constructed at the same time, and no funding will be held over for work outside the scope as defined by the EA.

General Note:
This commenter and several following refer to “mitigation funds” available for use relative to this project. It should be noted that there is no special or separate funding source identified for mitigation for this project. A portion of the money saved from not having to construct a new rail overpass structure has been identified (up to $2 million) to provide “compensatory mitigation for the loss of rail service to Lewistown.” MDT stipulated in the EA that the funding level was contingent upon the overall project cost, and “that the expenditure must be related to the proposed action and support the modal relationships between the highway, rail service, and local transportation needs.” See discussion in the Rail System Relationship section of Chapter 1 of the EA.
We invite your comments:

This shared approach is certainly feasible, and even desirable from an access management perspective. MDT will work with each individual land owner as the design progresses to ensure that your needs are considered. Once the design is complete, a detailed map of the area can be provided for your review.

To receive further project information, please provide your name and address:

Name: [Name]
Address: [Address]
The ability to potentially redistribute construction funds intended for structure replacement to other transportation improvements related to the loss of rail service is still contingent upon an agreement being reached between the City, County, and BNSF.

The concept of purchasing property for the establishment of an industrial park was in response to concerns expressed by the City and County for the loss of rail frontage along commercial/industrial properties in town. MDT was approached with this concept and FWHA agreed that this loss of rail frontage for commercial/industrial properties could feasibly be compensated through the purchase of other properties with similar rail access. This purchase and provision of a well are elements of the Preferred Alternative.

According to a preliminary estimate prepared by URS Corporation, the cost of extending municipal water and sewer to this site would total approximately $1.7 million. When added to the cost of the property itself, this would greatly exceed the maximum amount available of $2 million; thus, the Preferred Alternative includes only the purchase of the property and installation of a well.
As noted above in Comment/Response 2, MDT had considered reclamation of the rail crossings as a potential mitigation concept, but became aware of the potential conflict with the federal process to perform this function and eliminated this concept from further consideration.

Further, MDT cannot commit to conducting any reclamation activities on the rail lines themselves because they are not yet, and it is not clear when or if, they will be in public ownership.

Kathie A. Bailey,
Executive Director

C: Bruce Barrett
   City of Lewistown
   Fergus County
The Lewistown West Overpass project ends at 15th Avenue. The Main Street North project extends from 15th Avenue east into town. That project included reconstruction of the highway (Main Street) from 15th to 10th to include sidewalks and parking on both sides, and center turn lanes from approximately 10th Avenue east into town. The pavement markings could be changed to accommodate a center turn lane, but such a change is beyond the physical limits of this project. The MDT Lewistown Maintenance office will review the street width and if a third lane can be accommodated, the lanes will be re-striped with the next resurfacing/re-striping project.

Right-turn lanes were considered but are undesirable for several reasons. In this case, they could potentially “shadow” vehicles traveling too closely behind a turning vehicle and increase the likelihood of an accident, and they would present a very inconsistent travel way for bikes on the shoulder. It would be preferable to include a wider shoulder to provide additional refuge for right-turning vehicles to utilize when necessary. The Preferred Alternative has been modified to include 10 foot shoulders from Airport Road to the truck bypass.

The Proposed Action at Airport Road consists of shifting Airport Road to the east to align with Entrance Avenue to the north. The superelevation on Highway 87 at this location can also be reduced from 8 percent to 6 percent and provide a much flatter bank.

The American Association of State Highway Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities is generally followed by MDT on highway improvement projects involving pedestrian and bicycle use. The AASHTO guidance recommends paved shoulders of at least four feet. The 10 foot shoulder now proposed in the EA will accommodate a rumble strip and more than six feet of clear path for bicycles and pedestrians along the shoulder. When considering a sidewalk, or shared-use path adjacent to the roadway, AASHTO warns that some operational problems are likely to occur, including:

(continued on next page)
Bicyclists continue to use the roadway instead of the shared use path because they have found the roadway to be more convenient, better maintained, and safer. Bicyclists using the roadway may be harassed by some motorists who feel that in all cases bicyclists should be on the adjacent path.

Although the shared use path should be given the same priority through intersections as the parallel highway, motorists falsely expect bicyclists to stop or yield at each cross-street and driveway. Efforts to require or encourage bicyclists to yield or stop at each cross-street and driveway are inappropriate and frequently ignored by bicyclists.

Please refer to Comment/Response 8 and 9 above regarding the center turn lane and right turn lanes.

The proposed cul-de-sac will have to be paved, and include curb and gutter, which will be completed as part of this project. A portion of Entrance Avenue will also have to be paved to provide an adequate intersection design and pavement markings for delineation of travel lanes.
de sac on its east end. By making the street a dead end street, the traffic on the street surface will increase greatly. I would like you to consider paving the street surface and installing curb and gutter at appropriate locations. Most of the street currently has curb and gutter with the exception of the cul de sac area.

Finally, I am very concerned about the storm water management in the project area. The final highway design will be close to twice the as much pavement which will create much more runoff. Most of the runoff from the project area flows into and through the City of Lewistown. An example is the culvert that drains the valley by the Airport road intersection empties onto 15th Avenue S. and then into the frog ponds area. Possibly the use of storm water retention areas would be helpful. Lewistown’s storm drain system only serves the lower area of the city. The city requires storm water retention facilities in new development outside of the current storm drainage system.

I know that many things will change prior to the completion of the project both in the geographical area and the details of the project design and I would ask for the Montana Department of Transportation’s consideration in making the project a success and a success for the Lewistown community well into the future. Thank you for the opportunity to comment on the project and please contact me anytime if you have any questions or I can be of assistance.

Sincerely,

Kevin L. Myhre
City Manager

c. Lewistown City Commission
Leo Kapp, Public Works Director
Bruce Barrett, MDOT

Storm water retention facilities will be provided in accordance with local criteria in addition to MDT’s criteria. This will be completed as part of the final design for this project.

Thank you for your active participation in the development of this project and your comments on the EA.
Please see Comment/Response 6 regarding the prohibitive cost of construction of the municipal water and sewer as part of this project. For the sake of clarification, it may be worth noting that MDT is not, and cannot attempt to compensate the Lewistown area for “impacts to the community for the loss of railroad service.” The decision regarding termination of railroad service is in the authority of BNSF and Surface Transportation Board, and is unrelated to this proposed highway improvement project. MDT has committed to mitigate transportation-related impacts resulting directly from the loss of railroad service. Feasible options were outlined in the EA – some of which are no longer deemed valid due to a conflict with federal procedures, and others no longer necessary due to decisions made by local authorities.

Please see Comment/Response 2 regarding the conflict with federal procedures regarding rail crossing reclamation.

A representative from the Big Spring Creek Watershed Partnership informed MDT of plans for a trail system in the Lewistown area during a public meeting during project development. At that time, plans for the trail were neither complete nor approved, and accommodations for that system could not be reasonably considered under this project. At the Public Hearing for this project, MDT was presented with a copy of the Conceptual Design Report for the Brewery Flats Trail Addition and Lewistown Trail System (dated August 2003). Given that the trail plans have progressed, MDT has considered, and can reasonably accommodate an underpass at the current railroad overpass location as well as the proposed connection to the bypass, and incorporate an underpass in the new Airport Road alignment design. Those changes are reflected in the current preliminary design. The project now also includes a separated trail to connect the proposed underpasses.

(Note: The “Attachment B” referred to in this comment letter is available from MDT, but has not been included in this document due to its lengthy volume.)
highway will force pedestrian and bike traffic to cross the traffic lanes and create a dangerous situation. Another pedestrian underpass should be located at the trail crossing at the intersection of Airport Road. The City of Lewistown has been committed to the creation and improvement of trails in and adjacent to the city. The Incorporated city limit is the center line along most of the project. We feel that it would be appropriate to include concrete sidewalks or a walking path off of the roadway to allow safe and efficient movement of pedestrians along the entire length of the project. Examples of similar trails can be seen in the Hungry Horse, Kalispell, and Harlem communities. The current design which designates an eight foot shoulder for non-motorized traffic is inadequate for urban pedestrian and bicycling traffic.

The current project will directly affect the current trail system as well as future additions. Final project design should ensure that the trails are restored and pedestrian access to the trail is unrestricted after the project is completed.

The National Association of Realtors recently found that home buyers ranked access to walking, jogging, and biking trails second in a list of 16 amenities (sidewalks, access to highways, shopping, etc.) when purchasing a home. Thus the trail system is an important part of this community’s efforts to attract new businesses and residents. As you can see from the attached plan, the abandoned rail line is an important component of the master trails plan the community has already initiated. We believe that mitigation funds should help cover the costs of converting abandoned railroad line into trails and utility right-of-way. This investment of highway mitigation funds is consistent with the inter-modal transportation approach advocated by the Federal DOT. It qualifies as a transportation enhancement measure and it would certainly help mitigate the loss of rail service.

The Montana Department of Transportation has repeatedly said that it could spend up to $2.1 million for transportation-related mitigation measures for our community if the overpass is removed. There is no doubt that the removal of the overpass structure will end any future possibilities of rail service into Lewistown. Our community is losing an asset that we have enjoyed for almost a century and our future is uncertain. We compete in a economic realm where other areas have passenger and freight rail service, interstate highways, and developed air service. Our assets will be the amenities that we can offer. Healthy and growing communities have identified infrastructure and quality of life issues as major factors in the recruitment of business and economic development. Our group has come together to try to maintain Lewistown’s safety, health, and economic stability. We feel that our recommendations are in line with our communities needs now and in the future.

Again, thank you for the opportunity to provide comments on the Lewistown West Overpass EA. We appreciate your commitment to our community, and we look forward to continued cooperation with your department on this project.

Please see Comment/Responses 11 and 12 regarding the proposed separated path.

Any impacts to existing trails will be restored, and trail continuity will be perpetuated following project completion.

To clarify Comment/Response 3 regarding the “rails-to-trails” proposal, the project does now include the underpasses and a section of trail located in the immediate vicinity of the project, and will be considered as an enhancement aspect of this project. Further construction of a “rails-to-trails” project under this project is not feasible due to the fact that the existing railroad right-of-way is not in public ownership, and it is uncertain when or if it will be. Other funding sources are available for trails, multi-modal projects, and transportation enhancement projects and should be pursued for future expansion of the trail system in Lewistown.

While we appreciate the desire of the community to invest in your future, MDT and FHWA are unable to provide the funding for the types of improvements you are requesting as part of this project. All construction funded under this project must be directly related to the “purpose and need” for transportation improvements identified in the EA, and/or be in direct response to impacts imposed by the MDT/FWHA action.

Thank you for your interest in the project, and your comments on behalf of the community. MDT and FHWA remain committed to providing the necessary and desirable transportation improvements for the Lewistown area.
Sincerely,

Ed Butcher
Montana State Senator

Bill Thomas
Montana State Representative

Jim Peterson
Montana State Representative

John Hertel, President
Fergus County Port Authority

Kathy Bailey, Director
Snowy Mountain Development Corporation

Don Pfau, Chairman
Big Spring Creek Watershed Partnership

Will Donahue, RN, MSN, FNP-BC
Chief Nursing Officer, Central Montana Medical Center

Signature page attachment – no response necessary.
Specific Recommendations in the letter to the Montana Department of Transportation:

Background:

- The Montana State Department of Transportation (DOT) will save slightly more than $2 million by not having to rebuild the overpass west of town if the rail line is abandoned.
- On several occasions, the Montana DOT has committed to spending up to that amount of money to pay for transportation-related mitigation for the loss of rail service to our community.
- The Montana DOT has already agreed to purchase land west of Lewistown for an industrial park.

The attached letter expresses support for the purchase of land for an industrial park and the following additional mitigation measures:

Recommendations:

The available mitigation dollars should also be used to:

- Reclaim the abandoned railroad crossings in the city and county.
- Convert abandoned railroad line into trails, as proposed in the community’s Master Trails Plan.
- Install two pedestrian underpasses west of town when construction begins on the bypass.
- Widen and mark the shoulder for a designated bike and pedestrian lane along the roadway west of town to enhance safety of non-vehicular traffic.

Most of these comments were raised and addressed in the preceding letter. The final “recommendation” (fourth bullet at left) does, however, introduce a new concept. While the shoulder width has been increased to 10 feet, and is more than adequate to safely accommodate bicycle and pedestrian traffic according to federal guidelines, the project does not include specifications for special markings for this facility. The wider shoulders and provision of a separated path should eliminate the need to mark the shoulder for exclusive bike/pedestrian use. This marking would also discourage the intended joint use for motorists wishing to use the wider shoulder as a refuge for their right-turn movements in heavy traffic.
The project does currently include a historic turnout and marker to identify the Lewistown Satellite Airfield Historic District. Rather than including an additional turnout, it may be more desirable from a roadside safety standpoint to expand the proposed turnout to also include an interpretive sign for the Nez Perce Trail. This change has been incorporated into the preliminary design.

Please refer to Comment/Response 12 regarding the parallel trail now included as part of this project.

As noted in the EA, the length of the project includes a plan for limited access control. Please refer to Section 2.4 (Three Lane Section and Access Management Concept) of the EA.

Please see Comment/Response 1 regarding the accommodation of trail crossings; however, it is unlikely that an equestrian passage (which would require more height clearance) is possible without substantial grade changes which would create undesirable hills or rolls in the otherwise improved roadway.
I encourage you to explore the merits of investing in a business incubator with those “Highway 87 railroad overpass removal mitigation funds” not spent on remediation work and the industrial park. Specifically, invest in a structure to house equipment resources for incubating businesses being established by local innovators and entrepreneurs. This structure could be constructed on the industrial park site or it might be a school or other building that is not in use. To best learn what I mean by a business incubator, I encourage you to get acquainted with the successful Mission Mountain Market business incubator in Ronan, Montana. This incubator is a project of the Lake County Development Corporation. Contact: Jan Tusick, Mission Mountain Market Project Agriculture & Cooperative Development Specialist (406) 679-5501 email: jktusick@ronan.net.

In the following commentary, I will go beyond using excess remediation funds.

A business incubator provides various resources depending on its equipment, space and staffing. These may include: reduced up front capital cost, access to processing knowledge and experience, better market access, and an association with others in a similar business development mode. How many good business ideas fail because the upfront overhead was too burdensome? This structure could/should be equipped with a variety of equipment (most of it small scale by today’s standards). Ideally, the equipment would be arranged in a manner that would allow for multiple entrepreneurs to be using the various equipment at the same time or for one business to set up an assembly line should they have multi-stage processing needs. The important thing is that the structure fits the purpose rather than just finding any structure that is available. I am not prepared to offer any details on structure size or shape is needed. It would be pertinent to involve Montana Manufacturing Extension Center (MMEC) www.montana.edu/wwweb/univ/mmec Montana Manufacturing Center http://www.mtmanufacturingcenter.com and others such as Mission Mountain Marketing staff in designing such a structure. The businesses are expected to pay an hourly use rental fee.

The equipment might be directed toward either Ag related product processing and/or wood, metal or others. Some of the equipment might be flour mills, dough mixers, rollers, dough cutters, cooling racks, juicers, heated vats for syrups, a bottler, super quick freezer for meats and fruit, vacuum sealers, and cafeteria size ovens. Some equipment, like a sacker/bagger, could be used on food, feed and household items such as ground flour, grain, pet food, cat nip, and potpourri. I have listed equipment items primarily associated with processing Ag products because that is what I am acquainted with, but the incubator could be equipped to serve non-Ag
products, also. These are just a few pieces of equipment that might be pertinent to getting new central Montana business up, processing, selling products, and employing people.

Another option would be to have two or three incubator structures within the Snowy Mountain Development Corporation’s (SMDC) service area. Hardwood might house equipment dealing with cereal grain products. Roundup might have a wood and energy products incubator. Lewistown might serve as the meat, fruit, and metal works incubator. These issues can be dealt with once a decision is made on whether or not central Montana wants to support such an initiative.

A major resource that an incubator can provide for entrepreneurs dealing in food and beverage products is the necessary federal and state licensing and operator certification. The cost of training to secure the appropriate certification and licenses can be quite burdensome in time and money. With an incubator facility, one individual can serve as the certified individual for multiple entrepreneurs by reviewing the operation procedures and overseeing the on-site processing at the incubator. The incubator operations manager can also be an invaluable resource to processors by helping them avoid various pitfalls that are learned through experience.

Our sparsely populated towns and communities in the Snowy Mountain Development’s service area need each other to survive and thrive for central Montana to be vibrant and economically successful. I do not wish to diminish the importance of a trail system around Lewistown, but I think a business incubator facility could go a long way toward ensuring that we have people with children living in the SMDC area to walk and ride their bicycles on those trails.

Cc:
Bruce Barrett, Montana DOT Administrator
Fergus County Commissioners
Judith Basin County Commissioners
Petroleum County Commissioners
Wheatland County Commissioners
Fergus County Extension Service
Judith Basin County Extension Service
Lewistown Ag Chamber
Lewistown Chamber of Commerce
Judith Basin County Chamber of Commerce