

Appendix E

Appendix E: Summary Responses

The Federal Highway Administration, Western Federal Lands, thanks you for your comments on the Miller Creek Road Draft Environmental Impact Statement (DEIS) Alternatives. Approximately 270 comments were received.

All comments received on the Miller Creek Road Draft Environmental Impact Statement (DEIS) are contained in this Appendix. Because of the large number of similar comments received, Summary Responses have been developed to provide a simplified, yet comprehensive format for a specific issue in one of the following ways:

- **Summary responses:** This section provides responses to similar comments received on the DEIS. To find responses to a specific comment, locate the comment in the appendix, note the corresponding response letter (A, B, or C, etc.), and refer to the corresponding lettered response in this section.
- **Unique comment responses:** Responses to unique comments are provided on the same page with the comment.

At the end of each summary response, any modifications made to the Miller Creek Road Final Environmental Impact Statement (FEIS) in response to comments are noted in italics.

Table of Contents for Summary Responses

	Page No.
A. Issue: Identification of Preferred Alternative	1
Selection of Alternative 5A as the Preferred Alternative	1
Comments in Opposition of Alternative 5A as the Preferred Alternative	1
Comments in Support of Alternative 5A as the Preferred Alternative	1
Comment Status of Alternatives 2B, 3B, or 4C	2
B. Issue: NEPA Process and Project Purpose and Need (32 and 21 comments received, respectively)	2
NEPA Process Milestones	3
Public Notification	3
Change in Purpose and Need	4
The Preferred Alternative Related to the Purpose and Need	6
Notice of Intent	6
Inclusion of Old US 93 as a Design Component	6
Purpose of Congressional Appropriation	7
Local Land Use Plan Conformity	8
Reasonable Alternatives for Old US 93	9
<i>Modifications Made to FEIS in Response to NEPA Process and Project Purpose and Need Comments</i>	9
C. Issue: Funding (14 comments received)	10
Cost Estimates for Build Alternatives	10
Project Funding	11

D. Issue: Bridge Alternatives (123 comments received)	12
Why a Bridge Alternative was not the Preferred Alternative	12
<i>Modifications Made to FEIS in Response to Bridge Alternative Comments</i>	13
E. Issue: Need Second Access for Emergencies (51 comments received)	13
<i>Modifications Made to FEIS in Response to Need for Second Access for Emergencies</i>	14
F. Issue: Old US 93 and Adjacent Intersections – Traffic and Design (45 comments received)	14
Why Old US 93 is Key to Solving Traffic Issues	15
Intersection Operations with No-Action Alternative	15
Signal Synchronization	16
FEIS Design Revisions Along Old US 93 to Avoid and Minimize Impacts	16
Design of Old US 93 as Proposed in DEIS [Note: The FEIS modifies this design]	16
Modified Design of Old US 93 in FEIS to Avoid and Minimize Impacts	17
Access Issues-Missoula Country Club, Businesses, Post Siding Road	21
AM Peak Period	21
PM Peak Period	21
Economic Impacts to Businesses	22
Why Not Turn Old US 93 into a Two-Lane One-Way Southbound Road Funneling Traffic Off of Reserve Street?	22
<i>Modifications Made to FEIS in Response to Old US 93 and Adjacent Intersections – Traffic and Design Comments</i>	22
G. Issue: Missoula Country Club (MCC) (65 comments received)	23
Missoula Country Club Golf Course Holes Eight and Nine and Landscaping	23
Missoula Country Club Access During Construction	24
Construction Easement	24
Noise and Visual	24
Air Quality	25
Historical Property Status	25
Liability for Errant Golf Balls	26
<i>Modifications Made to FEIS in Response to Missoula Country Club Comments</i>	26
H. Issue: Miller Creek Road Issues (13 comments received)	26
No-Action Improvements and Traffic Operations	27
Build Alternative Improvements and Traffic Operations	27
Cut-Through Traffic/Briggs Street/Signal Improvements	27
North “Y” Intersection (Upper Miller Creek Road at Lower Miller Creek Road)	28
Private Property Impacts	29
Wal-Mart Coordination	29
Bike Lanes	29
<i>Modifications Made to FEIS in Response to Miller Creek Road Issues Comments</i>	29
I. Issue: Traffic Forecasting (63 comments received)	30
Traffic Forecasting Methodology	30
2025 Average Daily Traffic Volumes	30
2025 Peak Hour Major Intersection Volumes	32

ADT:	Average Daily Traffic
CEQ:	Council on Environmental Quality
DEIS:	Draft Environmental Impact Statement
EIS:	Environmental Impact Statement
EPA:	US Environmental Protection Agency
FEIS:	Final Environmental Impact Statement
FHWA:	Federal Highway Administration
ID:	Interdisciplinary
ITE:	Institute of Transportation Engineers
LRTP:	Long-Range Transportation Plan
MDT:	Montana Department of Transportation
MUTP:	Missoula Urban Transportation Plan
NEPA:	National Environmental Policy Act
NRHP:	National Register of Historic Places
OPG:	Missoula Office of Planning and Grants
ROD:	Record of Decision
SEE:	Social, Economic, Environmental
SHPO:	State Historic Preservation Officer
TIP:	Transportation Improvement Program
TIS:	Traffic Impact Study
TNM:	Traffic Noise Model
USACE:	US Army Corps of Engineers
vpd:	Vehicles Per Day

information and the potential environmental impacts of the proposed action and alternatives in an EIS, the DEIS has been rated as Category LO (Lack of Objections).”

Comment Status of Alternatives 2B, 3B, or 4C

While the decision to select a preferred alternative is not based on numerical voting, the following table provides a summary of the comments received.

Alternative	Comments Received In Support of Alternative	Comments Received in Opposition to Alternative
2B	29	1
3B	25	15
4C	12	5
5A	37	103

B. Issue: NEPA Process and Project Purpose and Need (32 and 21 comments received, respectively)

Topics under this issue include:

- NEPA Process Milestones
- Public Notification
- Change in Purpose and Need
- The Preferred Alternative Related to the Purpose and Need
- Notice of Intent
- Inclusion of Old US 93 as a Design Component
- Purpose of Congressional Appropriation
- Local Land Use Plan Conformity
- Reasonable Alternatives for Old US 93

This section responds to comments received stating that the project and scoping do not comply with the National Environmental Policy Act (NEPA), that the purpose and need should not have been changed from the original project intent to provide a second access and that the purpose and need was changed “at the last minute,” the public and businesses along Old US 93 were not sufficiently notified of both the change in purpose and need and the inclusion of Old US 93 as a design component with all alternatives, that the public was not given the opportunity to provide input to the project, that the Preferred Alternative does not meet the project purpose and need, that the Notice of Intent should have been reissued to include the revised purpose and need statement, that Old US 93 was included late in the process and therefore was not fully evaluated in the DEIS, that the DEIS must conform to the Congressional appropriation, that the project conflicts with local land use plans, and no reasonable alternatives for Old US 93 were considered in the DEIS.

- ## Change in Purpose and Need

The original purpose and need statement was developed based in part on the language contained in the Congressional appropriation funding application, which focused on the construction of a secondary access to US 93 from Lower Miller Creek Road. The funding application itself is not law, but provides background on why the appropriation was requested. Initial scoping and screening of alternatives occurred based on the original purpose and need statement. This resulted in all initial build alternatives to include a new bridge over the Bitterroot River.

4

The Preferred Alternative Related to the Purpose and Need

The Preferred Alternative meets the project purpose and need of providing safe and improved access between US 93 and the Miller Creek area as stated in the EIS. Please refer to Chapter 2.0 of the EIS, which fully explains the screening and assessment of all alternatives based on the criteria listed in Section 2.3. Additionally, Section 2.7 of the EIS provides the reasons that Alternative 5A was selected as the Preferred Alternative for best meeting the project purpose and need (see Table 2-3).

Notice of Intent

Per 40 CFR Section 1508.22, "Notice of intent" is a formal, legal notice that an environmental impact statement will be prepared and considered. The notice shall briefly (a) describe the proposed action and possible alternatives; (b) describe the agency's proposed scoping process including whether, when, and where any scoping meeting will be held; and (c) state the name and address of a person within the agency who can answer questions about the proposed action and the environmental impact statement.

The Notice of Intent (NOI) for the Miller Creek Road EIS project was published in the *Federal Register* on March 3, 2003 at the beginning of the project. It alerted the public and agencies about the project and that an EIS was being initiated, and included a general or initial purpose of the project.

It is not unusual for a project's purpose to be refined and modified as a result of scoping and better understanding of project needs during the NEPA process, when the project is studied in greater detail and public input is gathered. Refinement of the purpose and need during the NEPA process does not require a NOI to be reissued and published in the *Federal Register*. The public and agencies were notified that the project purpose and need had been modified in the June 22, 2004 public meeting notices and it was presented at that meeting, where 127 people signed in. Methods used to advertise that public meeting are listed in the section above titled "Change in Purpose and Need."

Inclusion of Old US 93 as a Design Component

The National Environmental Policy Act (NEPA) process for the Miller Creek Road Environmental Impact Statement (EIS) project began in March 2003, and is anticipated to conclude in early 2008. Old US 93 was included in the study area in June 2004, and inclusion of Old US 93 improvements with the build alternatives occurred shortly after that time. That occurred in conjunction with the modified purpose and need discussed above. However, it should be pointed out that the inclusion of Old US 93 improvements with all build alternatives (including the three bridge alternatives) did not occur as a result of the changed purpose and need, but because of the updated traffic volumes and traffic modeling.

Over the next two years, four build alternatives, which included improvements to Old US 93, as well as the No-Action Alternative, were fully evaluated and assessed in the Draft EIS (DEIS) document that was published in September 2006. These alternatives are presented and discussed in Chapter 2.0 of the EIS. Assessment of impacts and mitigation associated with all alternatives is discussed in Chapter 4.0 of the EIS.

- June 22, 2004: The first notification that Old US 93 was included in an alternative was at this public meeting. A presentation described how Old US 93 was included with Alternative 5A. In addition, the “Alternatives Dismissed and Advanced” wall display indicated that the Miller Creek Alternative (Alt. 5A) included Old US 93 and Old US 93 was included in the study area map displayed at the meeting.
- March 23, 2006: At this public workshop, attended by approximately 160 people, the transportation operation need for improvements to Old US 93 and adjacent intersections to be included with all the build alternatives as a result of revised traffic forecasting was presented.
- September 20, 2006: The inclusion of Old US 93 improvements as a necessary component of all the build alternatives was presented in the Notice of Availability/public hearing announcement newsletter, mailed September 20, 2006. The newsletter was mailed to all individuals on the project mailing list and bulk mailed within the study area.
- September 22, 2006: The inclusion of Old US 93 improvements with all the build alternatives was included in Chapter 2.0 of the DEIS.
- October 17, 2006: The inclusion of Old US 93 improvements with all the build alternatives was presented at the October 17, 2006 public hearing.

The appropriation of federal funds for transportation improvements requires that the National Environmental Policy Act (NEPA) process be followed. NEPA and the Council on Environmental Quality (CEQ) require that a range of reasonable alternatives be developed, rigorously explored, and objectively evaluated, and reasonable alternatives cannot be constrained based on the intent of a Congressional appropriation. Other alternatives may be eliminated from detailed study with a brief discussion of the reasons for eliminating them.

A substantial amount of public comment was received concerning the fact that the initial range of alternatives only considered bridge options across the Bitterroot River. Many people asked why no other alternatives, such as improving the existing access along Miller Creek Road, were considered. Based on these comments, an alternative to upgrade the existing access was added (Alternative 5A).

7

(which included the US EPA, US Fish and Wildlife Service, and US Army Corps of Engineers) that the transportation needs could be met with fewer impacts by selecting Alternative 5A as the Preferred Alternative. In addition, USACE Section 404 permitting regulations require that the least environmentally damaging practicable alternative be selected. Alternative 5A has fewer environmental impacts than the three bridge alternatives.

The EIS fully assessed and evaluated bridge alternatives, as intended with the Congressional appropriation, as part of the reasonable range of alternatives required by NEPA. Three of the five alternatives fully evaluated in the EIS included a bridge across the Bitterroot River to access US 93. These were Alternatives 2B, 3B, and 4C. The other two alternatives were Alternative 5A, which involved improving existing access along Miller Creek Road, and the No-Action Alternative. All alternatives were assessed equally in the EIS. The reasons that Alternative 5A was identified as the Preferred Alternative are presented in Section 2.7 of the EIS. The Preferred Alternative does not preclude construction of a bridge in the future.

Scoping requirements under NEPA are defined in 40 Code of Federal Regulations (CFR) 1501.7. These requirements have been fully adhered to during this process. Scoping activities conducted included the public scoping meeting held on March 26, 2003 as stated in the Notice of Availability, public opinion surveys, public workshops, newsletter and postcard mailings, community meetings, visioning workshops, property owner meetings, and public hearing.

The public and agency scoping conducted for the Miller Creek Road EIS project, as detailed in Section 5.3 of the EIS, is also in compliance with 23 CFR 771.111. Early coordination and public involvement was conducted to provide public awareness of the project and project decision-making, and to ensure that interested and potentially affected parties had opportunities to provide timely input into the development of the project and be directly involved in major EIS activities.

Local Land Use Plan Conformity

Three of the five alternatives evaluated in the EIS include a bridge across the Bitterroot River to access US 93. The Preferred Alternative does not conflict with local land use plans that show a new bridge across the Bitterroot River. Although Alternative 5A does not include a bridge, it does not preclude construction of a bridge in the future.

Local land use plans were considered during development of the alternatives. Consistent with the *1997 Miller Creek Area Comprehensive Plan* identified need, Alternative 5A would improve access to and from the Miller Creek area, as discussed in Section 1.3.2 of the EIS. A discussion of how each alternative complemented or conflicted with those plans is presented in Section 3.1, Figure 3-2, and Section 3.4 of the EIS. The plans used included:

- 1996 Maloney Ranch Miller Creek Area Transportation Study
- 1997 Miller Creek Area Comprehensive Plan Amendment
- 2001 Non-Motorized Transportation Plan
- 2004 Missoula Urban Transportation Plan Update

Reasonable Alternatives for Old US 93

NEPA requires that a range of reasonable alternatives be developed, rigorously explored, and objectively evaluated. Other alternatives may be eliminated from detailed study with a brief discussion of the reasons for eliminating them.

One alternative to avoid improvements to Old US 93 was to widen US 93 by adding two travel lanes (one northbound and one southbound). See Section 2.5.3 of the FEIS for a complete description of this alternative and associated impacts. This alternative was considered but eliminated from detailed study for the following reasons:

- Widening Buckhouse Bridge would result in additional impacts to fisheries, wetlands, vegetation, floodplain, and the Bitterroot River, and would increase project costs by \$2.0 million to \$5.0 million for upgrading Buckhouse Bridge.
- The Brooks Street/Reserve Street intersection would fail to meet operational standards.
- The potential for side-swipe crashes resulting from vehicles changing lanes due to merging within a relatively short distance would likely increase with an additional travel lane. Pedestrians crossing at the Brooks Street/Reserve Street intersection and the Miller Creek Road/US 93 intersection would need to cross two additional lanes of traffic.
- Widening US 93 near Blue Mountain Road would impact a protected historic ditch, requiring appropriate approvals and mitigation.

For these reasons, widening US 93 was not considered to be an acceptable solution due to the additional impacts to environmental resources and private property, and increased cost. However, even with widening US 93 south of Miller Creek Road, traffic projections and resulting congestion would require either widening US 93 north of Miller Creek Road or Old US 93 and adjacent intersection improvements.

Also see Issue F for more detail concerning why Old US 93 is key to solving the project's traffic issues.

Modifications Made to FEIS in Response to NEPA Process and Project Purpose and Need Comments

In response to comments received regarding the NEPA process and project purpose and need, modifications were made to the FEIS in sections ES.1, 1.1.1, 2.5.3, 2.6.1, and 4.1.3.

If the preferred build alternative is included in a fiscally constrained conforming transportation plan and TIP, the FHWA can sign a Record of Decision (ROD) for Alternative 5A. Conversely, if it is not in such plans, then FHWA could not sign a ROD advancing a build alternative. In addition, FHWA can delay issue of a ROD until the LRTP and TIP include the project or can select the No-Action Alternative. The relatively low cost of the preferred alternative compared to the other build alternatives may make it easier to identify funding to include the preferred alternative in local planning documents, given that this alternative adequately meets and enhances the overall plan's goals and objectives to facilitate the safe and efficient movement of people and goods for current and future transportation demand. See Section ES.7 of the FEIS for definitions of the planning terms discussed here.

Project Funding

An environmental study is required for any project for which federal funds are used. Federal funds were obtained for the *Miller Creek Road preliminary design and EIA, Montana*, as worded in the federal appropriations bill. These funds were used to prepare an Environmental Impact Statement (EIS) for the project in accordance with the National Environmental Policy Act (NEPA).

In general terms, the EIS process consists of identifying and evaluating alternatives, performing preliminary design, assessing impacts and mitigation for alternatives, developing preliminary costs for alternatives, identifying a Preferred Alternative, and identifying funding for the Preferred Alternative. This process is documented in two documents: the EIS and the Record of Decision (ROD), which completes the EIS process.

Funds required to perform final design and build a project cannot be known until a Preferred Alternative is identified and estimated costs for the Preferred Alternative are prepared, which is accomplished through the EIS process.

During the initial development plans for two major subdivisions in the Miller Creek area, the County's comprehensive plan identified the need for a secondary access into the Miller Creek area. A bridge was proposed at the Blue Mountain Road vicinity. The County began "saving" for the match money necessary to construct a bridge by assessing each new lot \$1,800 to be paid into this fund. The fund was never intended to pay in whole for a new bridge.

The federal appropriation process was the primary funding vehicle hoped to pay for a second access or new bridge. The initial federal appropriation of \$5 million was intended to prepare the NEPA study, not pay for project construction. The County has had plans to three-lane Miller Creek Road. When the Miller Creek Road EIS process identified a non-bridge alternative as preferred, the County staff decided to use the escrowed money for the County's local Miller Creek Road improvements.

Alternative 5A is not in Missoula's current TIP (2007-2011). The project would need to be included in a fiscally constrained LRTP (and currently it is not) prior to inclusion in the TIP. The preferred alternative is not considered to be of regional significance to the area. However, it would be in the mix of projects used to evaluate conformity during the current transportation plan process if the alternative proceeds successfully through the

comments were received stating that the Preferred Alternative would increase traffic on Old US 93, creating access and economic impacts to businesses.

Also, several comments were received regarding impacts that widening Old US 93 would have on the Missoula Country Club.

Why Old US 93 is Key to Solving Traffic Issues

The project roadway system has three primary intersections. The three intersections of Reserve Street and Old US 93, Reserve Street and US 93 (Brooks Street), and US 93 (Brooks Street) and Miller Creek Road are in close proximity to one another. By splitting the traffic flows between US 93 and Old US 93 the roadway system will operate more efficiently and reduce intersection queuing and delay, ultimately reducing travel times both near-term and within the 20-year design horizon. By creating an integrated signal system between the three intersections and removing/reducing signal green times of redundant movements between these intersections, traffic can flow through the system more efficiently.

The need for improved traffic flow on the section of the US 93/Old US 93 corridor between Miller Creek Road and Reserve Street is predicated on year 2025 forecasts of substantial traffic growth on the major roadways serving this area, including US 93, Reserve Street, Old US 93, and Miller Creek Road, and the limited capacity of the current roadway system to accommodate the forecasted traffic. Approximately 50 percent of the traffic heading toward Missoula from the Bitterroot Valley and from the Miller Creek area is destined northbound along Reserve Street in the morning peak hour (AM peak) and conversely returning southbound along Reserve Street during the afternoon peak hour (PM peak). This primary northbound AM peak and southbound PM peak travel flow would be accommodated under all of the build alternatives by providing additional capacity for northbound and southbound traffic on Old US 93 and on Reserve Street between US 93 and Old US 93, thereby relieving the bottleneck at the intersections of US 93 (Brooks Street)/Miller Creek Road and US 93 (Brooks Street)/Reserve Street, and resulting in overall improved traffic operations along study area roadways.

Traffic flow along all study area roadways (US 93, Miller Creek Road, Reserve Street, Old US 93) would be improved by adding capacity to Old US 93 with an additional northbound travel lane, additional intersection approach lanes for the major travel movements, a new signal at Reserve Street with coordinated (synchronized) signal timing and progression at the three signalized intersections of US 93/Old US 93/Miller Creek Road, US 93 (Brooks/Reserve), and Reserve/Old US 93. This includes the replacement of the low-volume northbound left-turn movement from Reserve Street to Old US 93 with additional lane capacity on the southbound Reserve Street approach to US 93. These improvements would result in more even traffic distribution between US 93 and Old US 93. This more even split of traffic between the parallel facilities would allow the roadway system to operate more efficiently and reduce intersection queuing and travel delay through the frequently congested section of US 93 through the project area.

Intersection Operations with No-Action Alternative

Under the No-Action Alternative, no construction improvements would occur on Old US 93. However, as discussed in Section 4.4 of the EIS, traffic along Old US 93 is expected

typical section meet City of Missoula Standards and reduce impacts to properties adjacent to Old US 93 compared to the design proposed in the DEIS.

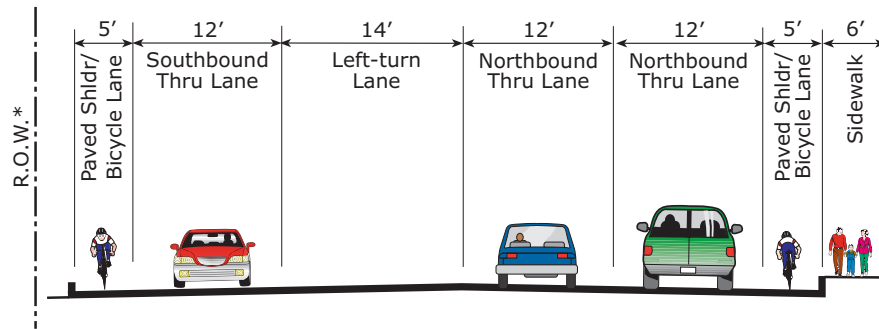
The modified typical section for Old US 93 eliminates the proposed drainage ditch and eight-foot shoulder and replaces it with an underground stormwater system with curb and gutter and a five-foot bicycle lane. The five-foot bicycle lane would replace the existing shoulder that may be used currently as a bicycle lane. Three-foot-high retaining walls are anticipated to be used behind the curb to further reduce right-of-way impacts, but the actual need for, and location of the retaining walls will be determined during final design. These revisions to the proposed typical section would reduce the impacts to the Missoula Country Club.

The revised construction footprint would result in the following impacts to the Missoula Country Club property:

- From the existing driveway entrance along the southwest property line toward US 93, approximately 30 feet of right-of-way would be acquired from the Country Club in order to accommodate the additional turning lanes at the Old US 93 and US 93 intersection. The area impacted is the landscaped area adjacent to the parking lot and entrance road. No impacts would occur to the parking lot.
- The existing entrance road to the Country Club would remain in its current location but would be shortened by approximately 30 feet to match the new Old US 93 edge of pavement.
- The only holes in the vicinity of Old US 93 are holes 8 and 9. The only impact that would occur to the Country Club along the southern property line east of the entrance road in the area of holes 8 and 9 fairway and rough is to portions of the vegetative hedge or gravel maintenance area. In order to accommodate the wider Old US 93 typical section, an area of right-of-way approximately 250 feet long by five feet wide would be acquired as permanent right-of-way. No impacts to the 8th and 9th holes, fairways, or trees along the fairways would occur.
- For the remainder of the property line to Post Siding Road, all permanent improvements would remain within the existing highway right-of-way. However, to provide access for construction of the improvements, a five- to ten-foot temporary construction easement may be needed from the Missoula Country Club. It is not anticipated that use of the golf course would be limited by the construction easement. The temporary construction easement would be defined during final design and coordinated between the property owner and the project owner.

This modified design of Old US 93 in the FEIS reduces the estimated right-of-way impacts along Old US 93 from 2.3 acres (as stated in the DEIS) to approximately 1.0 acre, of which 0.2 acre represents impacts to the Missoula Country Club. The following graphic presents the revised typical section for Old US 93:

Old US 93 Typical Section (looking east toward Reserve Street) Modified in the FEIS

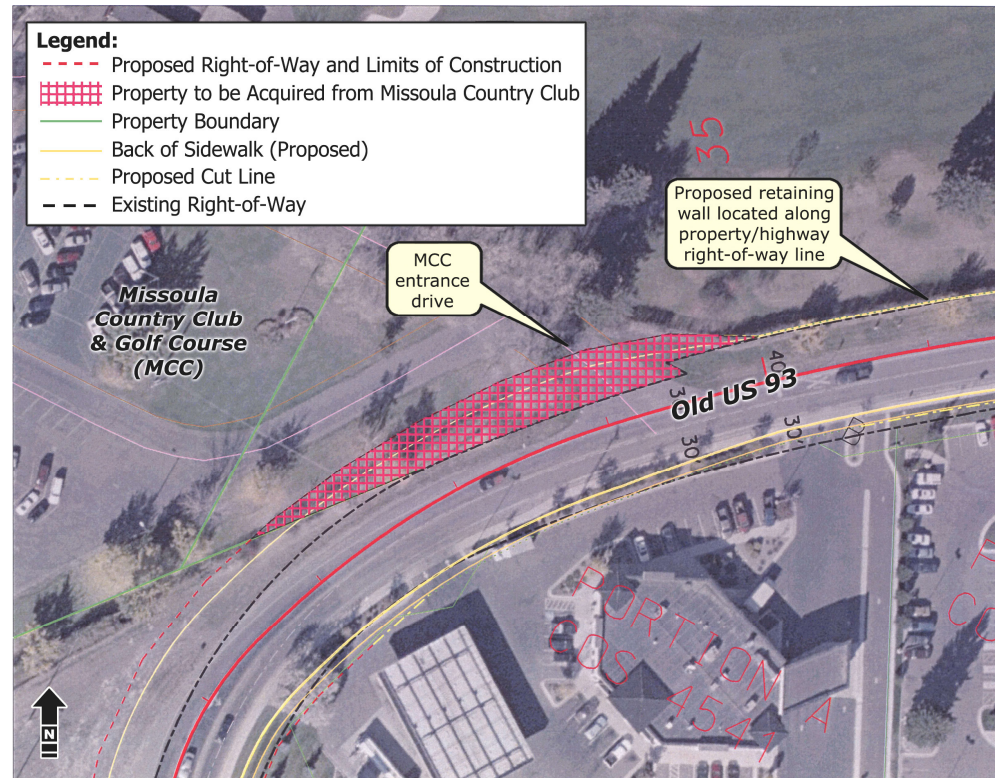


**Northern Right-of-Way line is Missoula Country Club and Larchmont Golf Course property lines.*

This revised Old US 93 typical section (see Section 2.6.2.1 in the EIS) meets City of Missoula Standards and reduces impacts to properties adjacent to Old US 93 compared to the design shown in the DEIS. Although the revised design minimizes right-of-way and construction easement impacts, it will require additional walls and installation of an underground stormwater system.

Mapping and aerial photography show that the existing Missoula Country Club fence lies on the Old US 93 right-of-way line. Aerial photography also indicates that the hedge is located within the Old US 93 right-of-way. Where new right-of-way or a construction easement is needed on Missoula Country Club property for completing improvements and the fence or hedge is impacted, replacement fencing and landscaping would be provided by the project. Where existing fence and hedge is located on Old US 93 right-of-way and is impacted but right-of-way and construction easement are not needed, replacement fence and landscaping would be the responsibility of the Missoula Country Club. Approximate impacts to the Missoula Country Club are presented in the following figure:

Impacts to Missoula Country Club Associated with Modified Old US 93 Design



In the DEIS, it was proposed that the left-turn movement from Old US 93 to US 93 be eliminated for Alternative 5A. In response to public comments, the project team re-evaluated maintaining the left-turn movement from Old US 93 to US 93. However, MDT expressed concerns regarding the operations of the intersection if the left-turn movement was maintained. It was determined that the left-turn movement could be maintained during non-peak hours; however, it may need to be restricted in the future depending on intersection operations. While the exclusive left-turn lane is provided in other build alternatives (2B, 3B, and 4C), this left-turn movement under Alternative 5A is designed to occur as a shared left/through traffic lane during non-peak hours. This condition would result in increased delay for through traffic on Old US 93 destined to the Miller Creek area as drivers wait for left-turn movements to occur. The difference between Alternative 5A and the No-Action Alternative is that Alternative 5A would provide additional capacity in the form of an adjacent southbound through lane into the Miller Creek area, whereas the shared left/through lane provides the only through movement capacity under the No-Action Alternative.

With projected traffic increases, it will eventually be necessary to further increase or provide more efficient use of the available capacity of the Old US 93/Miller Creek Road/US 93 intersection. Increasing the capacity using available approach lanes would require a longer signal cycle length, beyond what may be acceptable to most drivers and to affected jurisdictions. Alternatively, it is possible to maximize the available capacity by removing an underutilized turn movement from the intersection. The left-turn lane from Old US 93 to US 93 has a low volume during peak and off-peak periods compared

to other movements. Complete restriction of this left-turn movement may be warranted in the future at the discretion of the Montana Department of Transportation (MDT), who has jurisdiction of US 93.

Access Issues-Missoula Country Club, Businesses, Post Siding Road

Whether or not improvements are made to Old US 93, traffic is expected to more than double along Old US 93 between 2005 and 2025 (see Section 4.4.1.1 of the EIS). If improvements to the Miller Creek area system (Old US 93, Miller Creek Road, Reserve Street, and US 93) are not made, the system is expected to fail. Under the No-Action Alternative, lengthy delays and long queues are expected as the street system becomes saturated with traffic and movement becomes very difficult. Congested conditions on Old US 93 without capacity improvements, including left-turn provisions, would make access to and from adjacent businesses and Post Siding Road difficult. The Old US 93 link between US 93 and Reserve Street is approximately 3,500 feet in length. In the AM, queues in the southbound direction at US 93 are approximately 300 feet, while queues in the northeastbound direction at Reserve Street are approximately 3,500 feet. During the PM, the queues in the southbound direction at US 93 are approximately 3,350 feet, while queues in the northeastbound direction at Reserve Street are approximately 2,625 feet.

Under all of the build alternatives, traffic operations for the major traffic movements would be improved over the No-Action Alternative. Traffic queues along Old US 93 under Alternative 5A are expected to be as follows:

AM Peak Period

- **Old US 93 and Reserve Street:** At the intersection of Old US 93 and Reserve Street, the northbound queue would extend approximately 400 feet from the intersection during the AM Peak period. This queue would impede access to business driveways near the Old US 93 and Reserve Street intersection.
- **US 93/Miller Creek Road/Old US 93:** At the intersection of US 93/Miller Creek Road/Old US 93, the southbound queue would extend approximately 300 feet along Old US 93 during the AM Peak period. The queue would end short of the Missoula Country Club entrance that is located 400 feet north of US 93.

PM Peak Period

- **Old US 93 and Reserve Street:** At the intersection of Old US 93 and Reserve Street, the southbound queue would extend approximately 400 feet along Reserve Street during the PM peak period.
- **US 93/Miller Creek Road/Old US 93:** At the intersection of US 93/Miller Creek Road/Old US 93, the southbound queue would extend approximately 600 feet north along Old US 93 during the PM Peak period. This queue would impede access to the Missoula Country Club golf course.

Under all of the build alternatives, access to adjacent businesses would be maintained. Southbound drivers attempting to access businesses along Old US 93 and northbound drivers turning into the Missoula Country Club and onto Post Siding Road would be

G. Issue: Missoula Country Club (MCC) (65 comments received)

Topics under this issue include:

- **Missoula Country Club Golf Course Holes Eight and Nine, Landscaping**
- **Missoula Country Club Access During Construction**
- **Construction Easement**
- **Noise and Visual**
- **Air Quality**
- **Historical Property Status**
- **Liability for Errant Golf Balls**

Many comments were received regarding impacts to the Missoula Country Club that would result from the widening of Old US 93. Members of the public thought there would be more impacts to the Missoula Country Club than were presented in the DEIS, including right-of-way, noise and visual, air quality, and construction impacts. Some comments stated that the Missoula Country Club was a historic property and that was not addressed in the DEIS.

Old US 93 traffic and design issues are discussed in the previous Issue F. Also, for details regarding right-of-way impacts and access to and from the Missoula Country Club, refer to Issue F.

Missoula Country Club Golf Course Holes Eight and Nine and Landscaping

Golf course holes eight and nine and the eighth and ninth hole tee boxes or fairways would not be impacted with the Old US 93 improvements as proposed in the DEIS or in the FEIS revised design. The greens, holes, tee boxes, or fairways were never proposed to be impacted. The only impact that would occur to the Country Club along the southern property line east of the entrance road in the area of holes eight and nine fairway and rough is to portions of the vegetative hedge or gravel maintenance area. In order to accommodate the wider Old US 93 typical section, an area of right-of-way approximately 250 feet long by five feet wide would be acquired as permanent right-of-way. No impacts to the eighth and ninth holes, fairways, or trees along the fairways would occur. The vegetative hedge will be preserved where possible. Where the vegetative hedge is impacted on Missoula Country Club property, replacement vegetation will be coordinated with the property owner during final design. Where vegetation exists within the highway right-of-way, the vegetation will be maintained where feasible and practicable.

From the existing driveway entrance along the southwest property line toward US 93, approximately 30 feet of right-of-way would be acquired from the Country Club in order to accommodate the additional turning lanes at the Old US 93 and US 93 intersection. The area impacted is the landscaped area adjacent to the parking lot and entrance road. No impacts would occur to the parking lot. The existing entrance road would remain in its current location but would be shortened by approximately 30 feet to match the new Old US 93 edge of pavement. A graphic depicting impacts to the Missoula Country Club associated with the modified Old US 93 Design can be found in Issue F.

made over the years. The State Historic Preservation Office (SHPO) concurred with that finding in the EIS. Refer to the *Cultural Resources Report*, HRA, 2003 and *Addendum to Cultural Resources Report*, 2004 (listed on second page of Appendix C of the EIS) for a complete description of the Missoula Country Club historical status and findings.

Section 4(f) of the United States Department of Transportation (USDOT) Act of 1966, as amended, and codified in 49 United States Code (USC) Section 303, declares that “[i]t is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.” In accordance with the FHWA regulations, Section 4(f) requirements are applicable only to significant historic resources (i.e., those sites listed on or eligible for listing on the National Register of Historic Places, or sites otherwise determined significant by the FHWA Administrator [23 CFR Section 771.135(e) and FHWA Section 4(f) Policy Paper]).

The Missoula Country Club's non-Section 4(f) status is supported by the fact that it is not eligible for, or listed on, the NRHP (see Section 3.15 of the EIS) and that it is privately-owned and, therefore, is not a public recreation area (see Section 3.18.1 of the EIS). Based on the Revised FHWA Section 4(f) Policy Paper (March 2, 2005) Question 11A, the definition of applicability of Section 4(f) to golf courses has to do with ownership. The Missoula Country Club is a privately owned course and club for use of members only. It is not open for public use. Since Missoula Country Club is owned, operated, and managed by the private membership, it is considered private, even if it is occasionally open to public use for a charity or social event.

Liability for Errant Golf Balls

Liability for errant golf balls will remain as it is currently.

Modifications Made to FEIS in Response to Missoula Country Club Comments

In response to comments received regarding the Missoula Country Club, modifications were made to the FEIS in sections ES.3, 2.6.2, 3.3.5, 3.15, 3.18.4, 4.3.2, 4.4.2.2, 4.5.2, 4.5.9, 4.6.2, 4.8.2, 4.17.2, 4.17.9, 4.18, and 4.19.2.4, and Tables ES-1 and 4-37, and Figure 4-7.

H. Issue: Miller Creek Road Issues (13 comments received)

Topics under this issue include:

- **No-Action Improvements and Traffic Operations**
- **Action Alternative Improvements and Traffic Operations**
- **Cut-Through Traffic/Briggs Street/Signal Improvements**

Comments were received that voiced concern about impacts to Miller Creek Road, including increased traffic, increased cut-through traffic, proposed design and traffic signal for the north “Y” intersection, impacts to private property, desire for bike lanes, and Wal-Mart plans and access.

volumes on Briggs and Gharrett due to congested and constrained conditions on Miller Creek Road.

Regardless of the build alternative, signals will encourage cut-through traffic; however, the Preferred Alternative improves traffic movements during the AM and PM peak so that cut-through traffic is reduced when compared to the No-Action Alternative. All of the build alternatives would reduce the number of neighborhood cut-through trips on Briggs, Gharrett, and 39th Streets to and from the Miller Creek area compared to the No-Action Alternative by providing increased capacity on Miller Creek Road as the primary access route that will move traffic more efficiently into and out of the Miller Creek area.

Under the build alternatives, 2025 forecasted traffic volumes are expected to be reduced on Briggs and Gharrett when compared to the No-Action Alternative (see Table 4-4 of the EIS.) On Briggs, volumes would be reduced between 10 percent and 18 percent, and on Gharrett south of 39th Street volumes would be reduced between 3 percent and 12 percent, depending on the alternative. For Alternative 5A (the Preferred Alternative), the forecasted traffic volumes on Briggs and Gharrett would be expected to be reduced by 12 percent and 11 percent, respectively. This reduction in traffic volumes is expected to improve conditions over the No-Action Alternative, resulting in less traffic on Briggs and Gharrett.

North “Y” Intersection (Upper Miller Creek Road at Lower Miller Creek Road)

Currently, northbound traffic turning left onto Miller Creek Road from Lower Miller Creek Road experiences delays during AM and PM peaks. This back up is a recognized concern. All of the alternatives, including the No-Action Alternative, include improvements to the north “Y” intersection that will facilitate more efficient traffic movements.

It is assumed that the “Y” intersection will be reconfigured and a signal installed as part of the locally-funded city and county improvements in the No-Action Alternative. Under the build alternatives, the intersection of Upper and Lower Miller Creek roads would include turning lanes. To accommodate forecasted traffic volumes, there would be two northbound through travel lanes on Miller Creek Road north of the north “Y” intersection. Traffic traveling northbound on Upper Miller Creek Road to Miller Creek Road would be accommodated in a dedicated "bypass" lane and would not be required to stop at the signal. To eliminate conflicts between travel movements, this northbound through lane would be separated from the adjacent northbound left turn lane by a raised curb barrier that would extend through the intersection. According to traffic modeling, this signalized intersection would function sufficiently during 2025 peak travel periods with forecasted traffic volumes.

The proposed improvements for the “Y” intersection of Upper and Lower Miller Creek roads include flattening of the grade on both Upper Miller Creek Road and Lower Miller Creek Road as they approach the intersection. The existing grade of Upper Miller Creek Road at the intersection is approximately 12 percent and the proposed new grade would be 8 percent. The existing grade of Lower Miller Creek Road at the intersection is approximately 6 percent and the proposed new grade would be 4 percent.

None of the potential solutions reviewed during the alternatives development and analysis process were found to be as feasible as the intersection configuration shown in the EIS (Figure 2-10).

Private Property Impacts

Landowners affected by the project would be entitled to receive compensation for any land or building acquired and any damages to remaining land caused by highway construction, as discussed in Section 4.5.9 of the EIS. Wells, septic systems, fences, landscaping, and other improvements located on private property and impacted by the project would be replaced or compensation made to the landowner. These details are negotiated after final design is completed.

Costs for these impacts have been considered in the estimated costs for the project. Contingency items were included in the estimate to cover any of these impacts that would arise during final design.

Wal-Mart Coordination

Forecasted 2025 traffic volumes included in the EIS considered increases in traffic volumes associated with the proposed Super Wal-Mart development. The Missoula Office of Planning and Grants (OPG) should be contacted for the status of the development plans regarding the proposed Wal-Mart expansion.

For all build alternatives, the proposed improvements to Miller Creek Road include a slightly modified access to Wal-Mart, rather than a new access. The existing access is proposed to be relocated approximately 100 feet away from the Miller Creek Road and US 93 intersection to better accommodate proposed turning lanes and the intersection. Additionally, it is recommended that turn movements from this relocated access be restricted to right-in/right-out only.

Other access changes, such as eliminating access from Wal-Mart to Miller Creek Road or adding an access from Wal-Mart to Briggs, would be part of the proposed Super Wal-Mart development and not a part of this project.

Bike Lanes

Under all the build alternatives, bike lanes would be included on Miller Creek Road. However, bike lanes are not included on Upper and Lower Miller Creek Road south of the north “Y” intersection. Those improvements would be the responsibility of local jurisdictions concurrent with other roadway improvements.

Modifications Made to FEIS in Response to Miller Creek Road Issues Comments

In response to comments received about Miller Creek Road issues, modifications were made to the FEIS in Sections 2.6.2.2, 2.6.2.6, 4.4.1.6, 4.4.2.2, 4.4.3.2, and 4.6.7, and Table ES-1 and Figure 2-7.

revised US 93 ADT forecast, the US 93 through volumes were adjusted. Finally, the volumes were adjusted to account for the proposed additional Wal-Mart development.

2025 Peak Hour Major Intersection Volumes

The 2025 forecast AM and PM peak hour intersection approach volumes, developed as the basis for the build alternatives traffic operations analyses, are based on the future daily traffic distribution volumes described in the previous section. The peak hour approach volumes were derived from daily traffic volumes using a percentage for peak hour travel. The starting point for this percentage was derived from 2003 ADT and 2003 peak hour link volumes, as was done for the original November 2004 analysis. In the original analysis, however, these percentages ranged from 7 percent to 11 percent during the PM peak hour, and were generally consistent with existing rural to suburban conditions. By 2025, the study area, including the Miller Creek area, will be characterized as representative of suburban to urban conditions with a relatively low portion of daily travel occurring during the AM and PM peak hours. Due to the increasingly urban condition of the study area, combined with spreading of commuter travel through a longer peak period (also known as “peak spreading”), it is expected that these percentages will decrease in the future.

For the revised analyses, the peak hour percentages of the daily volumes would likely range from between 6 and 9 percent - slightly less than existing conditions. The percentages would vary by roadway type and intersection approach. For example, the intersection of US 93 and Miller Creek Road is considered to have slightly different peak hour percentages on each approach of the intersection. The additional Wal-Mart trips and respective distributions are based on the *Wal-Mart Traffic Impact Study* (Wal-Mart TIS) prepared by CLC Associates (June 2005) and slightly modified to reflect the future growth in the Miller Creek area not accounted for in the Wal-Mart TIS. These intersection approach volumes were then adjusted to account for the additional Wal-Mart traffic within the Miller Creek analysis area. All peak period operations output is based on Synchro model results.

Clarification of Traffic Forecasts in the EIS

Some comments regarding traffic forecasts require a clarification of the traffic information presented in the EIS (i.e., some comments stated that Old US 93 would experience a 375% to 475% increase in traffic with the build alternatives, which is not the case). To clarify, build alternative traffic forecasts for year 2025 were compared to the year 2025 No-Action traffic forecasts – not to existing (year 2003) traffic volumes. For example, for Old US 93, existing (year 2003) traffic volume is 3,700, year 2025 No-Action forecasted traffic volume is 8,520, and year 2025 forecasted traffic volume for build alternatives is 20,300. This represents an increase of 138% from the year 2025 No-Action forecasted traffic volume of 8,520 to the year 2025 build alternatives forecasted traffic volume of 20,300. Information presented in this example is provided in Sections 3.4.1 and 4.4 of the EIS (specifically Table 3-9, Table 3-5 and Figures 4-2, 4-3, 4-4, and 4-5).

Modifications Made to FEIS in Response to Traffic Forecasting Comments

In response to comments received on traffic forecasting, modifications were made to the FEIS in Sections 4.4.1.1, 4.4.1.2, 4.4.1.6, 4.4.2.1, 4.4.2.2, 4.4.3.2, and 4.4.3.3..

Modifications Made to FEIS in Response to Transit, Rail, and Bus Comments

O. Issue: Community Planning and Missoula Bypass (5 comments)

In addition to the local and regional plans discussed in Section 1.3.2 “Relationship to Local and Regional Plans” of the EIS, the Missoula Office of Planning and Grants (OPG) has initiated a project for the preparation of a multimodal, Long-Range Transportation Plan (LRTP) for the Missoula Transportation Study Area that complies with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). There will be opportunities for the public to learn and discuss transportation challenges and opportunities in the area through this effort. You may contact the Missoula Office of Planning and Grants regarding these efforts.

List of Comments

Please note: Some emailed comments include a confidentiality disclaimer; permission was obtained from those individuals to publish their comments in this FEIS.

Comment # 1: Robert Stewart, US Department of the Interior	1
Comment # 2: John F. Wardell, US Environmental Protection Agency	2
Comment # 3: Todd N. Tillinger, US Army Corps of Engineers	15
Comment # 4 Jim Skinner, Montana Department of Transportation	17
Comment # 5 Jim Skinner, Montana Department of Transportation	22
Comment # 6: Barbara Evans, Missoula County Commissioner	23
Comment # 7: Don Nicholson, Missoula City Councilman	28
Comment # 8: Steve King representing the City Council Public Works Committee	29
Comment # 9: Tom Steenberg, Missoula Fire Dept.	32
Comment # 10: Webb Harrington, Cold Springs Elementary School Principal	33
Comment # 11: Webb Harrington, Cold Springs Elementary School Principal	34
Comment # 12: Gerard P. Berens	35
Comment # 13: Bob Giordano	37
Comment # 14: Stephen G. Earle	38
Comment # 15: Carol Key	39
Comment # 16: Phoebe Patterson	40
Comment # 17: Karen Brakefield	41
Comment # 18: Carl Thompson	42
Comment # 19: Bob Beach	43
Comment # 20: Brad Dantic	44
Comment # 21: Glen Bumgardner	46
Comment # 22: Skip Koprivica	47
Comment # 23: Mike McCourt	48
Comment # 24: Bob Cole	49

Comment # 25: Martin King	50
Comment # 26: Bill Ritchie	52
Comment # 27: George Stern	53
Comment # 28: Allen Kessler	54
Comment # 29: Janet Donahue	55
Comment # 30: Steve McCool	56
Comment # 31: Charlie Brown	57
Comment # 32: Sue O'Neil	59
Comment # 33: Paul Marshall.....	60
Comment # 34: Tom Russell	61
Comment # 35: Bob Knapp	62
Comment # 36: Neil Michelson	63
Comment # 37: Don Nordstrom.....	64
Comment # 38: Woody Wilson	65
Comment # 39: Rick Snowden	66
Comment # 40: Mike Walker.....	67
Comment # 41: Andy Shott	68
Comment # 42: John Davies	69
Comment # 43: Dick Haines.....	70
Comment # 44: Gene Peterson.....	71
Comment # 45: Hal Ort	72
Comment # 46: Dan Cederberg	73
Comment # 47: Fred Stuart	74
Comment # 48: Paul B. Wilson	75
Comment # 50: Ken Barbian	76
Comment # 51: Kandi Matthew Jenkins	77
Comment # 52: Kathy Ogren	78
Comment # 53: Margaret Churchwell	79
Comment # 54: Eileen Ort	80
Comment # 55: Ken Rolfe.....	81
Comment # 56: Robert Cole.....	82
Comment # 57: Carl Thompson	83
Comment # 58: Don Perisini	84
Comment # 59: James Bullock	85
Comment # 60: Brad Dantic.....	86
Comment # 61: Jon Wilkins	92

Comment # 98: Greg D. Anderson	137
Comment # 99: Kathleen Snodgrass	138
Comment # 100: Brian Walter.....	139
Comment # 101: George A. Stern.....	142
Comment # 102: Cynthia H. Stern	145
Comment # 103: Mike Walker	148
Comment # 104: Bob Tutskey	151
Comment # 105: Michael & Patricia Gray	153
Comment # 106: John McAfee.....	154
Comment # 107: Diane Delaney	155
Comment # 108: Kathera Raup	156
Comment # 109: Julio K. Morales	158
Comment # 110: Jennifer Muzzana	159
Comment # 111: Donald Gifford Gaumer.....	160
Comment # 112: Bradley D. Dantic.....	162
Comment # 113: Patricia Corrigan Ekness	163
Comment # 114: Joan Sisson	166
Comment # 115: Thomas E. Butorac.....	167
Comment # 116: Jeannette Williams.....	169
Comment # 117: Susan Morgan	170
Comment # 118: Roy Curet	171
Comment # 119: Donna Franklin	172
Comment # 120: Gene Peterson	173
Comment # 121: Larry Jacobs.....	174
Comment # 122: Denice Prideaux.....	176
Comment # 123: Norman & Doris Balko	177
Comment # 124: Harve Brown	178
Comment # 125: Warren Dexter.....	179
Comment # 126 Charles L. Walter, PE.....	180
Comment # 127: Steve Romero	182
Comment # 128: Dorothy H. Patent	183
Comment # 129: Don Peressini	185
Comment # 130: Delmer and Virginia Vietz.....	187
Comment # 131: Collette Johnson	188
Comment # 132: Vicky Edon	189
Comment # 133: Beth Swan	190

Comment # 134: Kevin Gardner.....	191
Comment # 135: Joseph W. Gorsh, PE	192
Comment # 136: John Dilley	193
Comment # 137: Carol M. Key	194
Comment # 138: Mike and Pam Shapiro	195
Comment # 139: Miles Whipple	196
Comment # 140: Lana Hamilton	198
Comment # 141: Paul F. Nyquist	200
Comment # 142: Paul and Beth Loehnen	201
Comment # 143: Ron Perrin.....	202
Comment # 144: Gary Sorensen.....	204
Comment # 145: Doug Hadnot.....	205
Comment # 146: Ulysses and Jane Doss.....	207
Comment # 147: John D. Schindler.....	208
Comment # 148: Terry Key.....	209
Comment # 149: Minnie Smith.....	210
Comment # 150: Alice Layne	211
Comment # 151: Louis Hayes.....	212
Comment # 152: Ronald Kullick.....	213
Comment # 153: Carl Thompson	215
Comment # 154: Steven Hall	217
Comment # 155: Melody Jeffries Peters.....	219
Comment # 156: Stewart and Mysta Ward.....	220
Comment # 157: Stewart and Mysta Ward.....	221
Comment # 158: Bill Squires.....	222
Comment # 159: John E. Bohyer	225
Comment # 160: Julaine "Jude" Monson	228
Comment # 161: Barbara Milligan.....	229
Comment # 162: B.K. Milligan.....	231
Comment # 163: Karen Walden.....	234
Comment # 164: Roger Austin	235
Comment # 165: Carolyn Gibbons	236
Comment # 166 Rick Oncken	237
Comment # 167: Mike McCourt	238
Comment # 168: Gregory Utter	239
Comment # 169: Kerry Kammer.....	240

Comment # 170: Daniel DeGrandpre.....	242
Comment # 171: Cyd Grovenstein	243
Comment # 172: Diane Pontrelli.....	244
Comment # 173: Bruce Adams.....	245
Comment # 174: James Reardon.....	246
Comment # 175: Kathy Johnson.....	247
Comment # 176: Helen Orendain.....	248
Comment # 177: Marc Olson.....	249
Comment # 178: Fred A. Olson	250
Comment # 179: Tim Geiszler	251
Comment # 180: Eleanor Turunen	253
Comment # 181: Susan K. O'Neil.....	254
Comment # 182: Robert W. Stage	256
Comment # 183: Lenny Stevens.....	258
Comment # 184: Christina Stevens.....	260
Comment # 185: Gert Stevens	262
Comment # 186: Marlene and Gil Koch.....	264
Comment # 187 Lynn Tennefoss.....	266
Comment # 188: Rodger P. and Hanya Salkeld.....	268
Comment # 189: Donald N. Gillespie.....	269
Comment # 190 Kevin Miltko	270
Comment # 191: Jerry and Margaret Gall	271
Comment # 192: Bob Massey	272
Comment # 193: Jack E. Wenger.....	273
Comment # 194: Steve Wojcik	277
Comment # 195: Pete Joy.....	278
Comment # 196: Lorraine Houppert.....	279
Comment # 197: James D. Basolo	281
Comment # 198: Alice Thompson	283
Comment # 199: Dennis Gergen.....	284
Comment # 200: John Brown	285
Comment # 201: Walter Billings	286
Comment # 202: Sally Hickman	288
Comment # 203: Gregory Salisbury	289
Comment # 204: Don Lorenzen	290
Comment # 205: Jim Hogan.....	291

Page No.

Comment # 206: Chris Hindoen	292
Comment # 207: John Wagner	293
Comment # 208: Steve Seninger	294
Comment # 209: Kerry Miller	295
Comment # 210: George Leighton	296
Comment # 211: Bill Riggert	297
Comment # 212: Richard & LeeAnne Huffman	299
Comment # 213: Bob Nordberg	300
Comment # 214: Denis P. Thane	301
Comment # 215: Chris Cole	302
Comment # 216: Thomas and Jennifer Fink	303
Comment # 217: Chris Cole	304
Comment # 218: Dennis Barthel	305
Comment # 219: Jim and Lari Ann Taylor	306
Comment # 220: Dar Palen	307
Comment # 221: William Thompson	308
Comment # 222: Denise Hamersley and Jim Harkins	309
Comment # 223: Colleen, Mark, Cassidy and Cale Alber	311
Comment # 224: Lauralee Bell	312
Comment # 225: Stephen G. and Margaret R. Johnson	313
Comment # 226: Liz Lombardi	314
Comment # 227: Joel Henry	315
Comment # 228: Mary Jo Rehbein	316
Comment # 229: Jean Logan	317
Comment # 230: Mark Comfort	318
Comment # 231: Paul and Alexandria Davenport	319
Comment # 232: Nancy Wilson	320
Comment # 233: Edward and Sharon Linjala	321
Comment # 234: Paul Befumo and Laura Lee	323
Comment # 235: W. Robert Knapp, Jr.	324
Comment # 236: Vince & Elizabeth Marciano	326
Comment # 237: Jason Emery	327
Comment # 238: Keith and Marie Swinger	328
Comment # 239: Paul Befumo	329
Comment # 240: Willis Cotant	330
Comment # 241: Kathy Turner	331

Page No.

Comment # 242:	Marguerite Lehman	333
Comment # 243:	Marguerite Lehman	333
Comment # 244:	Lola Goss	334
Comment # 245:	David Hickman	336
Comment # 246:	John & Shannon Jacobs	338
Comment # 247:	Kevin Gardner	339
Comment # 248:	Kent D. Barbian	340
Comment # 249:	Harold Ort	341
Comment # 250:	Linda & Larry Manchester	342
Comment # 251:	Allen L. Kessler	343
Comment # 252:	Janet Rice	344
Comment # 253:	Gil Rice	345
Comment # 254:	Sherri Kenyon & Craig Krueger	346
Comment # 255:	Chris Johnson	347
Comment # 256:	Karen A. Wagner	349
Comment # 257:	Fred J. Stewart	351
Comment # 258:	Linda & Richard McCool	353
Comment # 259:	Michael Kennedy	355
Comment # 260:	Philip L. Barney	357
Comment # 261:	Kelly M. Wills	358
Comment # 262:	Kurtis N. Mayne	361
Comment # 263:	Marilyn Gogas	362
Comment # 264:	Martin King	363
Comment # 265:	Blaise Hartman	378
Comment # 266:	Norm Balko	379
Comment # 267:	Stephen R. Dailey	383
Comment # 268:	David V. Diggs	384
Comment # 269:	Kaye & Roger Helms	385
Comment # 270:	Amy Joyner	386
Comment # 271:	MJ Horner	387
Comment # 272:	Deborah P. Cole	389

Responses

Thank you for your comment.



November 1, 2006

cc: Craig Genzlinger, Project Manager

Comments

Responses

Comment # 2: John F. Wardell, US Environmental Protection Agency



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 West 15th St, Suite 3200
HELENA, MONTANA 59626

RECEIVED
DEC 05 2006
PHWG
MONTANA DIVISION

Ref: 8MO

November 28, 2006

Craig Genzlinger, P.E.
Operations Engineer
Montana Division, Federal Highway Administration
2880 Skyway Drive
Helena, Montana 59602

Re: CEQ # 20060375; EPA Comments on Miller
Creek Road Draft Environmental Impact
Statement

Dear Mr. Genzlinger:

The Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Draft Environmental Impact Statement (DEIS) for the Miller Creek Road Project in accordance with its responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 of the Clean Air Act directs EPA to review and comment in writing on the environmental impacts of any major Federal agency action. EPA's comments include a rating of both the environmental impact of the proposed action and the adequacy of the NEPA document.

A

The EPA agrees with the Federal Highway Administration's (FHWA's) identification of Alternative 5A, Miller Creek Road At-Grade Intersection, as the preferred alternative in the DEIS. The DEIS states that Alternative 5A would avoid impacts to the Bitterroot River, riparian vegetation and associated wildlife habitat; minimize impacts to wetlands and floodplains; generate the lowest volume of stormwater runoff from impervious surfaces; have little or no effect to threatened and endangered species; have the least impact to US 93 traffic volume and overall flow; and would adequately accommodate and enhance mobility and safety for multiple transportation modes through 2025. In addition, Alternative 5A can be implemented at an estimated cost of \$13 million while all the other build alternatives, that involve a new road and bridge over the Bitterroot River, would cost over \$42 million (i.e., from \$42.5 to \$45.4 million). The significantly lower cost of the preferred alternative would likely allow it to be implemented in a more timely manner to address the existing high congestion levels and roadway deficiency and safety concerns.

Response to Comment # 2

Responses to this comment letter can be found under Summary Response issue letters A, F, G, H, J, and N.

Responses

Response to Comment # 2 (continued)

EPA considers Alternative 5A to be the environmentally preferred alternative, and supports the position of the U.S. Army Corps of Engineers that Alternative 5A is the least environmentally damaging practicable alternative that meets the project purpose relative to Section 404 of the Clean Water Act. The Section 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material (40 CFR Part 230) state that, “*no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences.*” A bridge with piers in the Bitterroot River would involve direct fill impacts in the river, and a new transportation corridor across the riparian area of the Bitterroot River that would result in additional adverse indirect and cumulative impacts to the riverine ecosystem. In addition, construction of a bridge would involve disturbances to river banks, the river channel, riparian areas and water quality, including habitat of the threatened bull trout. Alternative 5A has less aquatic impacts than the bridge alternatives, is practicable, and meets the project purpose, and is thus, most consistent with the 404(b)(1) requirements.

We do, however, have comments and questions regarding traffic flow and access relative to the preferred alternative, which are described in our more detailed comments. We also acknowledge that at some point in the future as the Miller Creek area and other areas east of the Bitterroot River experience continued population growth, a new road and Bitterroot River bridge may be needed. At this time, however, we believe that it is logical and appropriate to consider the less environmentally impactful and much less costly Alternative 5A to address the immediate traffic mobility and safety needs in the project area.

We also want to state that we fully support proposed provisions for public transit and ride sharing and the addition of pedestrian and bicycle facilities as part of the Miller Creek Road project. The DEIS states that nearly all trips in and out of the Miller Creek area are made by single occupancy vehicles, indicating that there is good opportunity for improved transportation demand management. We encourage development and implementation of transportation demand management strategies for the project area.

The EPA's further discussion and more detailed questions, comments, and concerns regarding the analysis, documentation, or potential environmental impacts of the Miller Creek Road Project are included in the enclosure with this letter. Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and alternatives in an EIS, the DEIS has been rated as Category LO (Lack of Objections). The review has not identified potential environmental impacts requiring substantive changes to the proposal, although the review disclosed opportunities to provide improved disclosure and application of mitigation measures with no more than minor changes to the proposal. A copy of EPA's rating criteria is attached.

The EPA appreciates the opportunity to review and comment on the DEIS, and the opportunity to review the proposed project in the field. If we may provide further explanation of our comments please contact Mr. Steve Potts of my staff in Helena at 406-457-5022 or in Missoula at 406-329-3313. Thank you for your consideration.

Responses

Sincerely,

John F. Wardell
Director
Montana Office

cc: Larry Svoboda/Julia Johnson, EPA 8EPR-N, Denver
Todd.N.Tillinger, COE, Helena

Responses

Response to Comment # 2 (continued)

Environmental Impact of the Action

EU - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Category 3 - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEO.

A = Reference number for summary response issue

Comments

Responses

Comment # 2 (continued)

EPA COMMENTS ON THE MILLER CREEK ROAD PROJECT DRAFT ENVIRONMENTAL IMPACT STATEMENT

Brief Project Overview:

The Federal Highway Administration (FHWA) prepared the Miller Creek Road DEIS to evaluate alternatives and environmental impacts associated with providing safe and improved access between US 93 and the Miller Creek area in Missoula County, Montana. The Miller Creek area of south Missoula is generally bounded by Miller Creek Road/Upper Miller Creek Road on the east and Lower Miller Creek Road on the west and south and extending to include areas to the south of the Miller Creek. Primary access to the Miller Creek area is currently provided by Miller Creek Road with an indirect access provided by Gharrett Street. The Miller Creek area is rapidly growing and the existing Miller Creek Road access to US 93 is at capacity. The proposed project is intended to address high congestion levels; roadway deficiency and safety concerns; provide pedestrian and bicycle facilities; and improve access for emergency service providers. Originally nine build alternatives were evaluated, and these were screened down to four alternatives which were evaluated in detail, along with the no action alternative. Alternatives evaluated include:

Alternative 2B: North Lower Miller Creek Grade-Separated Intersection with Limited Improvements to Miller Creek Road, which would involve building a new road with bicycle lanes and sidewalks that would extend north from the junction of Maloney Ranch Road and Lower Miller Creek Road on a bridge across the Bitterroot River to connect with US 93. With Alternative 2B, the bridge would cross over the Montana Rail Link (MRL) track and US 93 then descend to a location approximately 350 feet north of US 93. From this point, the road would curve to the east and south back to a new signalized intersection with US 93. This "T" intersection with US 93 would provide full movement access/egress to and from US 93.

Alternative 3B: Blue Mountain Road Grade-Separated Intersection with Limited Improvements to Miller Creek Road, which would involve building a new road with bicycle lanes and sidewalks extending Blue Mountain Road south in a grade-separated bridge crossing of US 93, the MRL track, and the Bitterroot River to connect to Lower Miller Creek Road in the Miller Creek area. A new two-lane access ramp would connect US 93 and Blue Mountain Road with right-in/right-out unsignalized intersections. This access ramp could connect with Blue Mountain Road in a modern roundabout or "T" intersection.

Alternative 4C: South Lower Miller Creek Interchange with Limited Improvements to Miller Creek Road, which would provide an interchange with the addition of ramp merge and diverge lanes at US 93, north of the intersection of US 93 and Hayes Creek Road. Two two-lane bridges would be required: one to cross over the Bitterroot River and MRL track, and a second bridge to cross over the US 93 mainline and interchange ramp transitions. East of the Bitterroot River, a new two-lane roadway with bicycle lanes and sidewalks would connect to the realigned segment of Lower Miller Creek Road.

Response to Comment # 2 (continued)

Responses

Response to Comment # 2 (continued)

* **1**: Suggested change was made.

Responses

Response to Comment # 2 (continued)

We do recognize, however, that at some point in the future as the Miller Creek area and other areas east of the Bitterroot River experience continued population growth, a new access road and Bitterroot River bridge may be needed. We believe at this time, however, it is logical and appropriate to consider the less environmentally impactful and much less costly current preferred alternative to address the immediate traffic mobility and safety needs in the project area.

- ## Traffic Mobility

- * 2

- FG

*** 2:** Discussion of signal improvements was added as new Section 4.4.2.2.

Responses

Response to Comment # 2 (continued)

9. Table 4-5 (page 4-21) shows a 7% increase in traffic on Miller Creek Road at the intersection with US 93 (Brooks Street) for Alternative 5A in comparison to no action, resulting in the greatest increase in traffic on Miller Creek Road of all the build alternatives (page 4-50). The DEIS states that this will result in increased risk of vehicle/train conflicts at the MRL railroad crossing on Miller Creek Road (page 4-51). While we realize that the MRL railroad generally only operates one train per week and typically has relatively short 7 to 9 car trains, there is still potential for vehicle/train conflicts at the Miller Creek Road crossing, since traffic volume at this crossing will be greatly increased. Are any additional safety or mitigation measures proposed to address potential vehicle/train conflicts?

*** 6:** See Section 2.6 in the EIS. For the Preferred Alternative, Alternative 5A, the traffic signal at Miller Creek Road and US 93 would include a “clear-out cycle that would provide a green light to clear traffic off the railroad crossing prior to the crossing gates going down. This “clear out” cycle would run in conjunction with the left-turn lane signals defaulting to a stop condition to prevent turning movements from US 93 into the railroad crossing.

Comments

Responses

Comment # 2 (continued)

Water Quality

10. We note that the Bitterroot River and Miller Creek in the project area are listed under Section 303(d) of the Clean Water Act as water quality impaired by the Montana Dept. of Environmental Quality (MDEQ), and land development and highway, road and bridge construction are identified among the activities that may impact water bodies (page 3-58). It is important that the proposed road improvements be consistent with Total Maximum Daily Loads (TMDLs) and Water Quality Restoration Plans being developed by the MDEQ to restore water quality in the Bitterroot River and Miller Creek.

We are pleased that the DEIS states that proposed road improvements will be designed to be consistent with TMDLs and Water Quality Restoration Plans prepared in association with TMDLs being prepared by MDEQ (page 4-90). We recommend that the FHWA coordinate with the MDEQ TMDL and Watershed Protection program staff to stay apprized of the water quality assessments and TMDLs for the Bitterroot River and Miller Creek, and to ensure MDEQ concurrence on, and coordination of proposed road improvement activities with the MDEQ's TMDL development for these impaired 303(d) listed water bodies (contact Robert Ray of MDEQ at 406-444-5319 and George Mathieus 406-444-7423).

11. We are also pleased that a Stormwater Pollution Prevention Plan (SWPPP) employing BMPs for controlling erosion and sediment transport will be implemented in the project area, along with a revegetation plan, and winter maintenance BMPs (page 4-90). We are pleased that the preferred alternative will generate the lowest volume of surface water runoff from impervious surfaces of all build alternatives (page 4-86). We very much support proposed use of bioswales, detention ponds and/or infiltration beds to capture and treat roadway runoff (page 4-84), and the conduct of winter maintenance operations such as road sanding and snow plowing in a manner that avoids entry of sediment and pollutants into surface waters.

- * 8 We note that it is important that road maintenance crews be trained to minimize adverse impacts to streams and wetlands. Snow plowing subsequent to sanding moves sand off the roadbed to the adjacent ditch line and fill slopes, filling depressions and ditches and widening shoulders, which can have adverse effects upon streams, wetlands, and riparian areas. The impacts of winter maintenance activities are more a matter of long-term indirect and cumulative effects than any one incident. We note that there is training available for road maintenance crews regarding conduct of road maintenance in a manner that protects streams and wetlands (contact, Montana Local/Tribal Technical Assistance Program at Montana State University, Steven J. Jenkins, P.E, at 406-994-6100 or 1-800-541-6671).

Response to Comment # 2 (continued)

*** 7:** These commitments will be taken into consideration during final design.

*** 8:** Your concern will be forwarded to the Montana Department of Transportation for their information and consideration.

Response to Comment # 2 (continued)

*** 9:** Improvements along Old US 93 and adjacent intersections include a curb and gutter and storm sewer connection along the south side. No direct impacts to surface drainage would occur in this area. With the Preferred Alternative, runoff would accumulate and drain from US 93 in a similar manner to existing conditions. Improvements to existing water quality facilities or a new detention pond would need to be constructed to handle the additional runoff volume created from the increased impervious surface area. Another water quality facility would be needed along Miller Creek Road to treat the increased runoff volume from the increased impervious surface area. This facility is recommended to be constructed in the 100-year floodplain to the west of Miller Creek Road and would then discharge to the Bitterroot River after treatment. Dry wells are only one of a number of water quality treatment facilities that will be considered during final design. However, much of the stormwater runoff will be contained in the stormwater sewer system along Miller Creek Road and US 93. Inclusion of dry wells was primarily a concern with the bridge alternatives in the area of the Missoula Valley Aquifer. The selection of an appropriate water quality treatment facility or facilities will be made based their ability to meet US EPA and Missoula Water Quality District requirements and ensure protection of the Missoula Valley Aquifer.

- The DEIS indicates that dry wells may be proposed as a means of minimizing storm water runoff impacts associated with the proposed road improvements to the Missoula Valley Sole Source Aquifer (page 4-89). However there is not a definitive commitment that dry wells will be used, nor is there much information about design of the dry well treatment system. Dry wells can be an effective way to remove contaminants from storm water runoff, but we would like to see a more definitive commitment in the FEIS that dry wells would in fact be used to capture and treat roadway runoff, and would like additional information to assure that the proposed treatment system would effectively capture and treat roadway runoff and protect aquifer quality. Also, it is important that a regular dry well inspection and maintenance schedule be implemented, and that groundwater monitoring be performed to assure that dry wells provide effective treatment of storm water runoff from the roadway.

We are pleased that the Missoula Water Quality District operates 36 monitoring wells to assess aquifer water quality (page 3-63). We recommend that the FHWA work with the Missoula Water Quality District to provide additional information on the proposed dry well treatment system, including implementation of a regular dry well inspection and maintenance schedule, and assurance that the District's ground water monitoring program adequately assess impacts of pollutant delivery from roadway runoff through the dry well system to the Sole Source Aquifer. It is only through monitoring of groundwater quality that actual impacts to the aquifer can be determined, and adverse impacts mitigated. If you have any questions regarding the requested groundwater protection information please contact Mr. Christopher Guzzetti of EPA's Region 8 Groundwater Protection Program Office in Denver at 303-312-6453.

Wetlands and 404 Permitting

13. Thank you for providing good analysis and disclosure regarding potential impacts to the 17 wetlands that cover approximately 5.6 acres in the project area (e.g., Figure 3-19 shows the general location of delineated wetlands, and Figures 2-6, 2-12, 2-13, 2-14, 2-15, 2-16, and Figure 2-18 show the wetland locations in relation to the conceptual designs for alternatives; and DEIS Sections 3.10, 4.10 and Appendix D includes clear discussion and disclosure of potential impacts to wetlands). We are pleased that the preferred

Comments

Responses

Comment # 2 (continued)

alternative would minimize impacts to wetlands (i.e., estimated impacts to 0.2 acres of non-jurisdictional wetlands, page 4-92).

As noted in the DEIS, the Section 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material (40 CFR 230) state that “no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences” (page 4-93). We agree with the discussion and conclusion reached in the DEIS (page 4-94) that identifies Alternative 5A as the least environmentally damaging practicable alternative that meets the project purpose relative to Section 404 of the Clean Water Act.

We support the position of the U.S. Army Corps of Engineers that an alternative that includes construction of a bridge with placement of fill material in the Bitterroot River would not be in compliance with the Section 404(b)(1) Guidelines as long as a non-bridge alternative with less aquatic impacts, such as Alternative 5A, were practicable and met the project purpose. As the DEIS states, a bridge with piers in the Bitterroot River would involve direct fill impacts in the river, as well as adverse indirect and cumulative impacts to the riverine ecosystem (page 4-112). Also, during bridge construction disturbances would occur to river banks, river channel, riparian areas, and water quality, including habitat of the threatened bull trout.

Hazardous Waste Sites

- * 10 14. State Hazardous Waste Sites (Montana Comprehensive Environmental Cleanup and Responsibility Act, CECRA) and Leaking Underground Storage Tank (LUST) sites are mentioned in the Section 4.16 discussion of Hazardous Waste Impacts and Mitigation (page 4-126). We suggest that you contact Ms. Denise Martin of the MDEQ in Helena at 406-841-5060 for information on requirements for road construction work that may impact CECRA sites, and contact Mr. Bill Rule of MDEQ at 406-444-0493 for information on any requirements for road construction work that may impact underground storage tanks.

Indirect Impacts

15. Activities that improve road access and reduce traffic congestion and promote quicker travel and commuting times can facilitate and hasten growth and development, and thus, contribute to indirect environmental effects associated with growth and development (e.g., loss of open space, loss of wildlife habitat and habitat connectivity, loss of agricultural land, etc.). We agree, however, with the statement in the DEIS that there are fewer indirect effects associated with Alternative 5A in comparison to the other build alternatives, although a wider Miller Creek Road will likely perpetuate and/or accelerate growth in the Miller Creek area (page 4-7). We are pleased that the preferred alternative

Response to Comment # 2 (continued)

* 10: Bill Rule and Denise Martin were contacted in March 2007 to obtain requested information. They provided ARMs and Montana Codes Annotated to be referenced in the EIS; these were added to Section 4.16.9, “Hazardous Waste Mitigation.”

Response to Comment # 2 (continued)

*** 11:** As shown on Figures 3-1 and 3-2 of the EIS, the undeveloped land is designated for highway/heavy commercial and/or residential land use.

*** 12:** The rationale for this conclusion is that the 13% increase in traffic will be negligible and will not have measurable impacts to the Blue Mountain Recreation Area.

- * 13:** Based on FHWA guidance and general technical information on sources of PM_{2.5}, we would only expect PM_{2.5} to be a pollutant of concern for a highway project that involves very high numbers of diesel fueled vehicles, such as a port or bus terminal. The Miller Creek project alternatives do not include components that would indicate PM_{2.5} is a pollutant of concern for the project, and we did not focus on it in the EIS. The differences in vehicle miles traveled between alternatives are not large (refer to Table 4-21 of the EIS), and as a result, the Miller Creek Road project would not be expected to have much effect on PM_{2.5} emissions. In the recently completed *Missoula Montana Source Apportionment Research Study*, diesel exhaust, street sanding, and automobiles were found to represent approximately 6 percent of the total primary PM_{2.5} emissions inventory.

18. We are pleased that a quantitative CO hot spot analysis and qualitative PM10 hot spot analysis was conducted for localized air quality impacts for the preferred alternative, and that these analyses predict no exceedances of the National Ambient Air Quality Standards (NAAQS) for CO and PM10 (page 4-66). We are also pleased that signalized intersection operation improves in almost all cases between the No-Action Alternative and the build alternatives, and that it is anticipated that ADT levels will not be large enough to trigger concerns for mobile source air toxics (MSATs, page 4-74).
19. One shortcoming is the lack of analysis of PM2.5. While DEIS Section 3.7 explains the current PM2.5 baseline, Section 4.7 does not estimate the impacts of the alternatives on the PM2.5 pollution levels. EPA does not anticipate a NAAQS problem with PM2.5 when considering the past monitored levels, however, high levels of PM2.5 are seen in areas of EPA Region 8 similar to the Miller Creek area such as the Cache Valley area of Utah. At a minimum we recommend that the sources and associated growth trends, including mobile, stationary (woodburning or industry) and area (agriculture) of PM2.5 be analyzed to provide some indication of the expected PM2.5 levels compared with current or historical levels. We also recommend showing in Table 3-17 (page 3-52) the PM2.5 standards in micrograms/cubic meter for comparison to the Missoula ambient

Comments

Responses

Comment # 2 (continued)

values shown in the table.

- 20. In addition, we recommend that more detail be provided in the FEIS in regard to minimizing the dust and other emissions during construction and from the indirect impacts (rock crushing and other material production and processing) as well as dust and mud tracking. In addition we recommend mention of limiting diesel emissions by reduced idling and modern diesel engines and/or use of Ultra Low Sulfur Diesel in the construction equipment.
- * 14
- 21. We note that impacts to air quality are not identified among the cumulative impacts discussed in DEIS Section 4.23. The direct, indirect, and cumulative impacts of the project will include impacts to air quality. Increased driving, development activities, emissions from production of construction materials such as rock crushing and cement plants, wood burning stove use, and all other emissions associated with the development facilitated by this project will likely increase pollutant emissions to the air.
- * 15

Response to Comment # 2 (continued)

*** 14:** Section 4.7.11 of the DEIS includes a discussion of dust and mud tracking, and reducing MSAT (which includes diesel) emissions. The potential use of ultra-low sulfur diesel is mentioned. Rock crushing and other material production and processing are not mentioned. These activities would normally be regulated under local stationary source permitting programs and would not normally require mitigation through the NEPA process.

*** 15:** You are correct that air quality impacts were not included in the cumulative impacts section of the DEIS. However, the direct and indirect impacts, including a number of the specific activities that you mention were discussed in the air quality section of the DEIS (see Sections 4.7.1 and 4.7.2). Cumulative impacts include the incremental impact when added to other past, present and reasonably foreseeable future actions. In regard to air quality, it is difficult to conclude that increased emissions, or air quality impacts from increased emissions will occur. Despite widespread development since the late 1970s, air quality has improved substantially in most areas of the U.S. and pollutant emissions have generally either decreased, or increased into the 1980s and then decreased (<http://www.epa.gov/ttn/chief/trends/index.html>). In addition, EPA has promulgated regulations that will decrease emissions from diesel engines and reduce regional haze. These regulations can be expected to further reduce emissions in the future. The CO hot spot analysis for this project showed lower expected pollutant concentrations in future years relative to existing conditions for this project.

To summarize, although additional development is expected, it is difficult to conclude that the development will result in air quality impacts. In addition, the Missoula area has been redesignated as a CO attainment area by the US EPA, and the transportation plan, including the Miller Creek Road project, has been found to conform with the CO emissions budgets in the maintenance plan.

Comments

Responses

Comment # 3: Todd N. Tillinger, US Army Corps of Engineers



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
HELENA REGULATORY OFFICE
10 WEST 15TH STREET, SUITE 2200
HELENA MT 59626

December 1, 2006

Helena Regulatory Office
(406) 441-1375 Phone
(406) 441-1380 Fax

Subject: Corps File Number **2003-90-136**
Miller Creek Road - Environmental Impact Statement
Comments on Draft EIS

Mr. Craig Genzlinger, Operations Engineer
US Department of Transportation
Federal Highway Administration - Montana Division
2880 Skyway Drive
Helena, Montana 59602

Dear Mr. Genzlinger:

This letter is in response to your request that the US Army Corps of Engineers (Corps) provide comments on the subject project DEIS. The project area is along Miller Creek Road near the southwest edge of the City of Missoula in Missoula County, Montana.

Alternatives: Construction of a new bridge over the Bitterroot River is required with some, but not all, of the build alternatives. The Section 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material found at 40 CFR 230 states that "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences." For the purpose of this requirement, practicable alternatives include, but are not limited to activities which do not involve a discharge of dredged or fill material into the WUS or discharges of dredged or fill material at other locations in WUS. An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

CEQ regulations found at 40 CFR 1500.2(c) require that environmental review for required permits should be integrated into the NEPA process so that the alternatives analysis and permit review procedures can be done concurrently rather than consecutively. This prevents un-permittable alternatives from being carried forward in the NEPA process. Normally, for projects expected to require a Section 404 permit, this review takes the form of a Draft 404(b)(1) Analysis. Such an analysis is not included in the PDEIS, perhaps because the impacts are expected to be minor. Nonetheless, as stated above it is required that the review and analysis be

* 16

Printed on Recycled Paper

Response to Comment # 3

Responses to this comment letter can be found under Summary Response issue letter A.

* **16:** Mr. Tillinger was contacted on December 15, 2006 to discuss that a Draft 404(b)(1) analysis was included in the DEIS as Appendix D.

Responses

- 2 -

A

* 17

Sincerely,

Todd N. Tillinger, P.E.
Project Manager

Printed on  Recycled Paper

*** 17:** Once final design is complete and wetland impacts can be more precisely identified, a compensatory mitigation plan can be developed, if necessary.

Responses

Response to Comment # 4

Responses to this comment letter can be found under Summary Response issue letter I.

Subject: Miller Creek Road Draft Environmental Impact Statement – Montana
Department of Transportation Comments

We have reviewed the subject document and have the following comments:

Section ES.6 - Other Major Governmental Actions

- * **18:** Suggested change was made to the FEIS.

& Policy Analysis Bureau
(406) 444-3423
(406) 444-7671

Rail, Transit and Planning Division
 TTY: (800) 335-7592
 Web Page: www.mdt.state.mt.us

Comments

Responses

Comment # 4 (continued)

Page ES-16

Section ES.7 - Major Unresolved Issue

- * 19 **C**
- The project is required to be in a fiscally constrained Transportation Plan and Transportation Improvement Plan. In this case, the project would need to be in the Missoula Area TIP. The discussion of fiscal constraint should include a description of the funding mechanisms that are currently available, and a likely funding time line for the proposed alternatives within those funding mechanisms.

Pages 1-5

Sections 1.3.1 – Historic and Future Land Use Trends

- * 20
- Regarding the noted increase in Miller Creek residential population - is it increasing "to 7,250" as indicated or "by 7,250"?
 - The previous comment also applies to; Page 3-2 Section 3.1.1 and Page 3-11 Section 3.3.2.

Page 2-19

Section 2.6.2.2 - Design Features Common to Bridge Alternatives

- * 21
- Vertical clearance over MRL track: This description indicates that MDT determined that the minimum required vertical clearance over MRL's rail line. Is it appropriate for MDT to be making this determination and was MRL contacted by the EIS team to verify the minimum required vertical clearance over their facility?

Page 3-21

Figure 3-5

- * 22
- It would be helpful to include the Federally approved Urban Boundary and all roadways and their functional class, as illustrated at;
http://www.mdt.mt.gov/other/urban_maps/fc_internet/MISSOULAFUNC.PDF,

Page 3-22 & 3-23

Section 3.4.1 - Roadway Conditions

Descriptions of the roads are incorrect. Revise the descriptions as follows;

- * 23
- Old US 93 – a two-lane urban **local** road
 - Upper Miller Creek Road – begins as a two-lane **urban** collector and transitions into a **rural major collector**
 - Lower Miller Creek Road – begins as a two-lane **urban collector** and transitions into a **local rural** road
 - Linda Vista Boulevard – a two-lane urban **local** road
 - Gharrett Street – a two-lane **urban** collector
 - Blue Mountain Road – a two-lane rural **major** collector
 - MaclayBridge – a one-lane **local** bridge
 - South Avenue – a **urban minor** arterial
 - Hayes Creek Road – a two-lane rural **local** road

Response to Comment # 4 (continued)

* **19:** Discussion of project funding was added to "Major Unresolved Issue" section in the Executive Summary.

* **20:** Miller Creek population increase "to 7,250" is correct.

* **21:** Agency coordination with MRL occurred and is documented in Chapter 5 and Appendix A of the EIS. See also Section 2.6.2.2 of the EIS.

* **22:** Figure 3-5 currently shows the urban boundary. Roadway functional classifications were added as suggested.

* **23:** Suggested changes were made.

Comments

Responses

Comment # 4 (continued)

Page 3-24

Section 3.4.1.1 Roadway System Inventory

- * 24 • Table 3-7 - revise the functional classifications based on the official federally approved functional classifications as illustrated on the corrected attachment. Also attached is a current functional classification map of the project area for reference.

Page 3-29

Table 3-9

- I** • 2025 Forecasted Traffic Volumes on Miller Creek Road from Reserve Street to the "Y" seems quite high considering that the growth in dwelling units of 1380 noted in the EIS is only slightly higher than those noted in the 2004 Missoula transportation plan (1245). Please include the method used for developing this forecast.

Page 5-2

Table 5-1

- * 25 • 2nd item – Remove the quotation marks in the agency name Missoula Transportation "Policy" Coordinating Committee.

Thank you for the opportunity to comment on this draft document. If you have any questions or need clarification, please don't hesitate to contact me at (406) 444-9233.

Sincerely,

Jim Skinner, Manager
 Program & Policy Analysis Section
 Rail, Transit & Planning Division

Copies: Dwane Kailey, PE, Missoula District Administrator
 Sandra Straehl, Rail, Transit & Planning Division Administrator
 Danielle Bolan, PE, State Traffic Engineer
 Shane Stack, Missoula District Engineering Design Manager
 Jean Riley, P.E., Environmental Services Bureau Chief
 Susan Kilcrease, Missoula District Environmental

Response to Comment # 4 (continued)

* **24:** Suggested changes were made to the FEIS.

* **25:** Suggested change was made to the FEIS.

Responses

Response to Comment # 4 (continued)

Appendix E: Comments and Responses

Response to Comment # 4 (continued)

Affected Environment

E-21

Comments

Responses

Comment # 5 Jim Skinner, Montana Department of Transportation



Montana Department of Transportation

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

Jim Lynch, Director
Brian Schwelzer, Governor

RECEIVED
OCT 25 2007
FHWA
MONTANA DIVISION

October 23, 2007

Mr. Craig Genzlinger, PE
Project Manager
Federal Highway Administration
585 Shepard Way
Helena, MT 59601

Subject: Miller Creek Road Final Environmental Impact Statement – Montana Department of Transportation Additional Comment

Craig;

Understanding the deadline for submitting comments on the subject project has passed, the Montana Department of Transportation submits the following additional comment. Please accept the following comment as part of our review:

Page 2-18
Section 2.6.2 - Build Alternatives

- * 26
- The intersection of Old 93 and US 93 should be given a thorough operational review to determine the impacts of providing a left turn as stated in the report. The FEIS should discuss the operational issues related to providing a left turn movement without the benefit of an exclusive left turn lane and if it is determined to be detrimental to operations at the subject intersection then the left turn should be prohibited.

Thank you for the opportunity to submit an additional comment on this document. If you have any questions or need clarification, please don't hesitate to contact me at (406) 444-9233.

Sincerely,

Jim Skinner, Manager
Program & Policy Analysis Section
Rail, Transit & Planning Division

Copies: Dwane Kailey, PE, Missoula District Administrator
Sandra Straehl, Rail, Transit & Planning Division Administrator
Danielle Bolan, PE, State Traffic Engineer
Shane Stack, Missoula District Engineering Design Manager
Jean Riley, P.E., Environmental Services Bureau Chief
Susan Kilcrease, Missoula District Environmental
File

Program & Policy Analysis Bureau
Phone: (406) 444-3423
Fax: (406) 444-7671

An Equal Opportunity Employer

Rail, Transit and Planning Division
TTY: (800) 335-7592
Web Page: www.mdt.state.mt.us

Response to Comment # 5:

* 26: The second paragraph on page 2-18 was modified as follows: In the DEIS, it was proposed that the left-turn movement from Old US 93 to US 93 be eliminated for Alternative 5A. That movement could be maintained during non-peak hours; however, it may need to be restricted in the future depending on intersection operations. While the exclusive left-turn lane is provided in other build alternatives (2B, 3B, and 4C); this left-turn movement under Alternative 5A is designed to occur as a shared left/through traffic lane when not restricted. This condition would result in increased delay for through traffic on Old US 93 destined to the Miller Creek area as drivers wait for left-turn movements to occur. The difference between Alternative 5A and the No-Action Alternative is that Alternative 5A would provide additional capacity in the form of an adjacent southbound through lane into the Miller Creek area, whereas the shared left/through lane provides the only through movement capacity under the No-Action Alternative.

With projected traffic increases, it will eventually be necessary to further increase or provide more efficient use of the available capacity of the Old US 93/Miller Creek Road/US 93 intersection. Increasing the capacity using available approach lanes would require a longer signal cycle length, beyond what may be acceptable to most drivers and to affected jurisdictions. Alternately, it is possible to maximize the available capacity by removing an underutilized turn movement from the intersection. The left-turn lane from Old US 93 to US 93 has a low volume during peak and off-peak periods compared to other movements. Complete restriction of this left-turn movement may be warranted in the future at the discretion of the Montana Department of Transportation (MDT), who has jurisdiction of US 93.

Responses

Comments

Responses

Comment # 6 (continued)

- * 27 • Briggs Street has been identified as part of the preferred alternative to take much of the traffic load; however, Cold Springs Elementary School is located on that street. The principal of the school is very much opposed to this, as am I.
- L** A copy of the letter from Cold Springs Principal Webb Harrington is attached. I have also
F enclosed a letter from Kelly Wills, a member of the Missoula Country Club. I totally agree with
G the content of both letters.
- B** There are roughly an additional 1,000 homes that have been approved for the Miller Creek area
B and the current problem will only get worse. When the project "creped" into the County Club
B area, none of the folks along the road were consulted. If I'm not mistaken, that is one of the
B requirements.
- D** WE NEED A SECOND ACCESS INTO AND OUT OF MILLER CREEK.
- I ask you to disapprove this alternative. It is my understanding that Jan Brown attended a
hearing with the citizens that testified as to their frustration and lack of support for the preferred
alternative. As she is going to be leaving the position, I ask that the new director have a similar
hearing to listen to, in person, the concerns of the people.
- I understand that the FHWA will work with local government on this matter. I look forward to
meeting with you.
- Sincerely,

Barbara Evans
Missoula County Commissioner
- BE/ppr
Enclosures

Response to Comment # 6 (continued)

- * **27:** The project includes installing a light and adding turning lanes at the intersection of Briggs Street and Miller Creek, but does not include any improvements along Briggs Street. The FEIS discusses expected traffic impacts on Briggs Street that will result from any of the build alternatives and provides a comparison to expected traffic that would occur under the No-Action alternative. All of the alternative evaluated would reduce traffic on Briggs Street compared to the No-Action Alternative. Average daily traffic (ADT) percent change is presented in Table 4-5 of the FEIS.
- * **28:** During the last four years of the NEPA process, multiple public meetings and the public hearing for the DEIS have been held to identify public comments and concerns. All analysis and information gathered during the ongoing process will be reviewed and carefully considered prior to making any final decision. Opportunities for additional comments will be provided during circulation of the Final EIS.

Comments

Responses

Comment # 6 (continued)

Barbara Evans - Miller Creek EIS

From: "Kelly M. Wills" <kmwills@GARLINGTON.COM>
To: <craig.genzlinger@fhwa.dot.gov>
Date: 12/6/2006 10:49:42 AM
Subject: Miller Creek EIS
CC: "Brad Dantic" <bdantic@alpsnet.com>, "Neil Michelson" <nrmichelson@missoulacountryclub.com>, <mayor@ci.missoula.mt.us>, <bevans@co.missoula.mt.us>

Dear Mr. Genzlinger:

I and my family are members of the Missoula Country Club. I am aware of the Miller Creek Bridge Project that is being administered by the Federal Highway Administration (FHWA). I have reviewed information concerning the project and the draft EIS issued by FHWA. I believe the draft EIS violates the dictates of the Public Lands Highway Discretionary Program project application which was to:

Proposed Work: Transportation improvements to the Miller Creek area will include a new bridge to be constructed across the Bitterroot River to access Highway 93. A new road will also be constructed to the bridge from Lower Miller Creek road.

Project Purpose & Benefits . . . The need is for two accesses out of the Miller Creek area. The new bridge will make that possible. This will improve the health and safety of the public. In an emergency the two ways out will add to the safety and welfare of the public.

The draft EIS further appears to violate the Purpose and Need statement as expressed in the FHWA's NEPA study:

The primary purpose of the Miller Creek Road project is to provide a safe, multi-modal *secondary access* to US 93 from Lower Miller Creek Road. This access will be compatible with local and regional plans, provide for bicycle/pedestrian connectivity, provide additional truck and vehicular access, and support transit and Transportation Demand Management (TDM) activities.

The needs for the project include:

- Consider development and planned growth within the Miller Creek area.
- Dispersion of traffic and provisions for efficient and safe movement to, from and within the study area and US 93.
- Provisions for access that can accommodate pedestrians, bicycles, and transit.
- Provision of alternate access for emergency service providers.

With the draft EIS, the FHWA has unilaterally chosen to abandon the spirit, purpose and intent of the Project. According to Preferred Alternative 5A as articulated in the pending draft EIS, the Project *does not* include a new bridge or even provide a second access to the Miller Creek area from U.S. Highway 93. Instead, the FHWA has spent nearly \$3 Million (and counting) to simply recommend a band-aid solution to an increasingly congested and problematic traffic area affecting our community. The FHWA recommends, among other things, the widening of Miller Creek Road, the expansion of Old Highway 93 and resulting condemnation of a portion of Missoula Country Club and other business properties, and re-designed traffic control devices on various Missoula surface streets – a far cry from the Project's original purposes, needs and goals. Further, the FHWA began the EIS process in 2003 and clearly identified Old Highway 93 as lying *outside* the boundaries and scope of the Project study area. Our Club and other businesses impacted by the draft EIS had no fair notice or expectation that our properties would be impacted by the Project. Moreover, throughout the EIS process, the FHWA did not seek input from our Club regarding any expansion of Old Highway 93. In fact, the FHWA did not present its expansion alternative until 2006 – nearly 3 years into the EIS process. As a result, the FHWA failed to adequately consider the impacts on our Club and identify reasonable alternatives to mitigate those impacts.

We believe the draft EIS is deficient in many aspects and the FHWA's Preferred Alternative 5A is a major and unexpected deviation from the original purpose of the Project and fails to conform to the stated purpose behind the appropriation or the underlying application. We believe the FHWA is moving ahead with this Project in total disregard of the appropriations process. We further believe that this Project, if completed pursuant to Preferred Alternative 5A, will make it difficult if not impossible for our Club to continue to operate as a golf course after more than 90 years of service, benefit and enjoyment to our community and the State of Montana. I have also expressed these concerns to our United States Senators and Congressman. We hope that your office

file://C:\Documents and Settings\bevans\Local Settings\Temp\GW\00018.HTM

12/6/2006

Response to Comment # 6 (continued)

This letter was an attachment to Barbara Evans' letter. It was also received as a separate comment letter, and is contained in this appendix under Comment # 261. Please refer to that comment number for a response.

Responses

Response to Comment # 6 (continued)

E-27

Responses

Response to Comment # 7

Responses to this comment letter can be found under Summary Response issue letters F, H, and O.

*** 29:** Based on the forecast travel demand and proposed improvements under Alternative 5A, this alternative would improve conditions for vehicular and non-motorized travel compared to the No-Action Alternative. Geometric improvements and addition of a signal at the Upper/Lower Miller Creek Road intersection were determined to be the most feasible means of accommodating forecast traffic and non-motorized uses, and a grade separation of this intersection is not warranted.

If 5A is our only possibility, then a grade separation should be incorporated at the upper/lower Miller Creek Road intersection

Donald Nicholson
Missoula City Councilman

Response to Comment # 8 (continued)

- Steve King asked for direction from the Committee. Jack Reidy said to keep this item on the agenda for further discussion.

Both the Missoula City Council and City Administration favor construction of a second access into the Miller Creek area. The City Council has authorized the City Administrator to proceed with the construction of the second access into the Miller Creek area.

Responses

Response to Comment # 8 (continued)

A RESOLUTION SUPPORTING THE CONSTRUCTION OF A SECONDARY ACCESS INTO THE MILLER CREEK AREA AND THREE LANE RECONSTRUCTION OF A PORTION OF MILLER CREEK ROAD

WHEREAS the City of Missoula, in conjunction with the community's Metropolitan Planning Organization in partnership with Missoula County, the Montana Department of Transportation, and other interested agencies has adopted the 2004 Missoula Urban Transportation Plan Update which documents regional transportation goals;

WHEREAS, the City of Missoula, Missoula County, area developers and property owners are currently working on a project for the reconstruction of a portion of Miller Creek Road from the intersection of Upper and Lower Miller Creek Road to Briggs Street which includes three traffic lanes, curbs, sidewalks, bicycle lanes and drainage improvements in conformance with the adopted Transportation Plan and pre-existing developer agreements;

WHEREAS, the U.S. Department of Transportation Federal Highway Administration is working in conjunction with Missoula Metropolitan Planning Organization agencies on an environmental impact statement for enhanced access into the Miller Creek area;

NOW, THEREFORE, BE IT RESOLVED that the Missoula City Council hereby expresses support for the reconstruction of Miller Creek Road to a three lane road from Mocking Bird Way on Upper Miller Creek Road to Briggs Street in conformance with the Missoula Transportation Plan and pre-existing developer agreements;

PASSED AND ADOPTED this 13th day of March, 2006.

APPROVED:

/s/ John Engen
John Engen
Mayor

A = Reference number for summary response issue

Comments

Responses

Comment # 9: Tom Steenberg, Missoula Fire Dept.



December 5, 2006

Craig Genzlinger, P.E.
Project Manager
Federal Highway Administration
585 Shepard Way,
Helena, MT 59601

RECEIVED
DEC 07 2006
FHWA
MONTANA DIVISION

Dear Mr. Genzlinger:

We are writing in response to the Miller Creek Road Draft Environmental Impact Statement (DEIS). Frankly, we are disappointed with the identified preferred alternative, 5A.

From a public safety perspective, we believe a need exists for an alternative access into the Miller Creek / Linda Vista area. This area of our community has been identified as one of the fastest growing locales in Missoula County, and we feel the projected build out and growing population necessitate another means of ingress / egress, e.g. a bridge across the Bitterroot River.

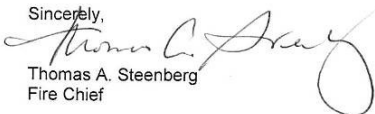
A bridge accessing the Miller Creek / Linda Vista area would enhance public safety by:

- Providing access for emergency vehicles in the event Miller Creek Road was impassable.
- Providing area residents a primary or secondary evacuation route in the event of an emergency.
- Reducing the current traffic congestion on Miller Creek Road that can affect emergency response times.
- Reducing emergency response times both into the Miller Creek / Linda Vista area as well as the areas to the south.

We realize there are other factors that are necessary to consider within the context of the DEIS and the identified alternatives. However we feel strongly that a bridge alternative would best address public safety needs.

We appreciate the opportunity to comment on the Miller Creek Road DEIS. Please feel free to contact me for additional information or clarification.

Sincerely,


Thomas A. Steenberg
Fire Chief

cc: Asst. Chief Painter, Asst. to the Chief Diehl; Battalion Chief Logan; Public Works Director Steve King



AN EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER M/F/V/H



Response to Comment # 9

Responses to this comment letter can be found under Summary Response issue letters D, E, F, and H.

*** 30:** Regarding your concern for providing access to the Miller Creek area in the event that Miller Creek Road becomes impassable, we acknowledge that a bridge alternative would provide a secondary access should such a situation occur. However, Alternative 5A (Preferred Alternative) would provide a wider cross-section with additional lanes on Miller Creek Road, which would provide flexibility for alternate lane usage should some lanes become impassable. Overall traffic congestion on Miller Creek Road would be improved with Alternative 5A compared to the No-Build Alternative.

*** 31:** We understand and appreciate your concerns regarding public safety for residents of the Miller Creek area. We acknowledge that emergency response and evacuation for the Miller Creek area would be enhanced by a bridge alternative, and that was fully considered along with the costs, impacts, benefits, and how well each alternative meets the project's purpose and need. Although Missoula County has no requirement to provide more than one access to a subdivision, the Miller Creek area has a secondary access route to use in the event of an emergency via Gharrett Street to 39th Street. Alternative 5A would improve traffic flow on Miller Creek Road, US 93, and area roadways which would enhance the ability for existing roads to evacuate the Miller Creek Road area or provide emergency response to areas to the south.

Responses

Response to Comment # 10

FIELD

EL

Responses to this comment can be found under Summary Response issue letters H, I and L.

E-34

Comments

Responses

Comment # 12: Gerard P. Berens

TARGET RANGE HOMEOWNERS ASSOCIATION

"Rural By Design"

3416 SOUTH AVENUE WEST ~ Target Range, Montana, 59804
Phone 543-5334 ~ Fax 549-8673 ~ Email, GerardPBerens@bresnan.net
Gerard Berens, President 542-0187 Charlene Miller ~ Sec / Treasurer 543-5334; Paul Laisy, Vice Pres. ~ 543-8540;
Hilary Benbenek, Area 1, 721-0629; Anne Rupkalvis Area 2, 549-8689 Carol McQuade, Area 3, 728-5673; Fred Stewart
Area 4, 549-9017; Helen Orendain, 721-8995, Area 5; Sue Mathewson, 728-0249; Wally Sept 543-6837

Mr. Craig Genzlinger, P.E.
Federal Highway Administration
Project Leader, Miller Creek Road EIS

* 32

We would like to acknowledge the major shift in direction for the Miller Creek Road DEIS as a result of the new purpose and need statement that allowed you to focus on how to best alleviate the serious traffic problems encountered by residents of Miller Creek. You are now looking at how to "provide safe and improved access between US 93 and the Miller Creek area" rather than how to make another point of access into Miller Creek by building a bridge across the Bitterroot River. You are to be commended for listening to comments and suggestions from many individuals including our members at your earlier scoping and public involvement sessions. We want to again thank Mr. Gunslinger and other members of the team for agreeing to attend a public meeting arranged by our organization at the Target Range School in February, 2004, to hear the concerns we had with the direction the study was originally taking.

What a difference the alternatives in the DEIS are compared to the alternatives that were originally presented in 2003! It is particularly interesting to note that as a result of the new purpose and need statement, all alternatives are addressing congestion at the existing intersection of Miller Creek Road and US 93.

Our organization wants to go on record as supporting the Preferred Alternative- 5A for the following reasons:

- It is clearly the most effective of all alternatives at improving expected future traffic volumes in terms of operations and volumes of traffic at US 93/Miller Creek Road intersection, and this is where the critical need for improvement exists.
- It has the least negative impact of all alternatives in terms of:
 - 1) conversion of residential and commercial land use to transportation use
 - 2) farmland or agricultural uses
 - 3) fewest overall right-of-way and access requirements
 - 4) no impacts on the Bitterroot River!
 - 5) no dredge/fill materials in "Waters of the United States"
 - 6) no effects on riparian or grassland wildlife habitat
 - 7) least fill within the floodplain
 - 8) no impacts on bull trout
 - 9) shortest construction period and least effect on US 93 traffic operations
- Preliminary cost assumptions show this alternative, at \$13.0 million, is less than one third the cost of the next cheapest alternative, 3B, at \$42.5 million.

Response to Comment # 12

* **32:** Your comments have been noted.

Comments

Responses

Comment # 12 (continued)

- It is the only build alternative that addresses improving traffic flows for Miller Creek residents without exporting negative impacts to other communities adjoining Miller Creek

In summary, Alternative 5A clearly is best at meeting the purpose and need identified for this project and we strongly support this alternative as the Preferred Alternative. Thank you for your conscientious efforts and willingness to meet with us and other members of the public.

Sincerely,


Gerard P. Berens

Points of Clarification

- * 33 1. Although documented in Appendix B, the public meeting held at Target Range School on February 5, 2004 is not listed in Section 5.3.5
- * 34 2. The level of ADT Volume/Percent Change from No-Action Alternative shown in Table 4-5 for the "Proposed" South Ave. Bridge is not credible for Alternative 3B. A South Ave. bridge would cut down commuting time and drivers coming out of Miller Creek would be more likely to stay on Blue Mountain road to get into town rather than join the traffic on US 93. The percentage change assumed is too low and negative impacts also too low.
- * 35 3. The assumption made in the traffic demand analysis that projects identified in the 2004 *Missoula Urban Transportation Plan Update* as recommended plan projects would be in place is not reasonable for either the South Avenue bridge or a Miller Creek Road bridge across the Bitterroot. (Page 4-154) There is no money reasonably available in the Missoula County budget for such high cost items. Including such items in your transportation analysis can lead to misleading results.

Response to Comment # 12 (continued)

* **33:** Reference to the Target Range School meeting was added to Section 5.3.5.

* **34:** The forecasted 4% increase in ADT under Alternative 3B compared to the No-Action is reasonable (see section 3.4.1.1 and Table 3-8). A travel time comparison study conducted during a congested weekday AM period in 2004 revealed that a route using Blue Mountain Road and South Avenue that also accounted for reduced travel time associated with a new South Avenue bridge for travel between the intersections of US 93/Blue Mountain Road and Reserve Street/South Avenue is substantially longer and requires slower travel speeds compared to the primary route on US 93.

* **35:** The forecasts for all alternatives evaluated were based on a future (year 2020) transportation system that consists of programmed projects and other reasonably foreseeable actions. The baseline transportation network used for the evaluation of all alternatives included projects identified in the adopted Missoula Urban Transportation Plan such as the planned South Avenue Bridge. While no current funding may be available to complete that project, the year 2020 forecasts incorporated this project based on availability of funding and advancement of the project to construction by the year 2020.

Response to Comment # 13

Responses to this comment can be found under Summary Response issue letters F, H, N, and O.

Responses to this comment can be found under Summary Response issue letters F, H, N, and O.

Responses

Response to Comment # 14

From: Steve Earle [mailto:searle@mountainline.com]

Sent: Wednesday, November 22, 2006 10:23 AM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: Miller Creek EIS

I would like to ask that you consider the following comments in regard to your draft of the Miller Creek Road improvement EIS:

1. Concerning alternatives that best lend themselves to building a better infrastructure for public transit – I believe alternatives 2B and 4C provide the best opportunities for our transit system to expand into the Miller Creek area. These alternatives secure sufficient right of way that could be used for bus stops, shelters and passenger amenities. They also illustrate several key locations where park and rides for transit, carpools and vanpools could potentially be established.

2. Alternatives 2B and 4C also illustrate key crossings with the existing rail infrastructure and adjacent property that is not currently developed commercially. This land could be used to establish park and rides and passenger boarding and de-boarding centers in the event that passenger rail (using DMU's) is established as a TDM measure in the 93 corridor.

3. As far as I can see, the preferred alternative (5A) does not secure enough right-of-way to create a useful transit corridor along the existing Miller Creek Road nor does it provide adequate access to any new park and ride locations. There simply won't be room to build bus stops and other passenger amenities. Overall, more consideration to planning for future development of fixed route bus transit and passenger light rail transit needs to be more clearly addressed in the illustrations for each of the alternatives before a ROD is made. When this is done I think the public will become aware that the preferred alternative does the least to meet the future needs of public transit.

Stephen G. Earle
Mountain Line General Manager

Responses to this comment letter can be found under Summary Response issue letter N.

Response to Comment # 15

Responses to this comment can be found under Summary
Response issue letters B, E, F, G, H, L and O.

Comments

Comment # 16: Phoebe Patterson

(Phoebe Patterson) 107 Morningside Court in Missoula, Montana 59803. The reason we are doing an Environmental Impact Statement is because Richard Nixon signed a law call NEPA, the National Environmental Policy Act. They have to follow the procedure that was signed in 1970. Personally I studied that Act as an undergraduate student; as a graduate student here at the University of Montana, and I have been what is known as a NEPA practitioner since 1984 putting these things together. So I want a little credibility with you because I'm not an attorney but I make a living doing this and last year every single paycheck I got was from teaching how to write environmental impact statements.

BAs community members I have a little bit of bad news for you, projects are not stopped because someone did not like the alternative selected; that is not a reason to stop a project. Projects are stopped or tied up in lengthy and costly litigation under the Administrative Procedure Act namely, in this case, were the procedural requirements of writing the impact statement followed? That is what I teach. So the process that was followed to produce this document is what can get somebody in trouble.

* 37 With that I have the following comments on the procedure to date: the availability of the Draft Environmental Impact Statement. Sorry, 40 CFR 1502.19 says "agencies shall circulate the entire draft unless it is really big then you will circulate the executive summary except that the entire statement shall be furnished to any person, organization, or agency requesting the entire Environmental Impact Statement." I have a home office full of these things. I do not have the time to go down to a government office during business hours and get this document, and I teach how to write them. I have no idea how you folks can. I hereby request that one of these be sent to my home address. I also suggest in compliance with the regulations that you have a sign-up sheet of whoever else in this room would like a copy of this so they can have a look-see at it in more than 20 minutes.

* 38

* 39 Back to the analysis, they are required in this document to discuss cumulative effects. That is what the two predecessors have briefly touched upon. Cumulative effects – I spend a three-day session teaching this, "Are the effects from your proposed action when added to past, present, and reasonably foreseeable..." My two predecessors have hit the nail on the head of reasonably foreseeable actions that we know are going to take place based on some of these proposals. They are not addressed in here. We are woefully silent on cumulative effects not only in transportation, water quality, land use, farm land, social, transportation, safety, economic, air quality, wetlands, and I stopped taking notes, do not mentioned cumulative effects. If you have any direct or indirect effects from your proposal you naturally must address the accumulation of that activity in context of what might take place. I brought some case laws and cited them. Again I make a living at this. I would love to take this one on and I can't wait to get my own copy and use it in my training session.

Responses

Response to Comment # 16

Responses to this comment can be found under Summary Response issue letter B.

*** 36:** Your comment has been noted.

*** 37:** The DEIS was made available for public review at several area locations and on the project Web site. A hard copy or CD version was sent to all individuals who made a request. A summary of DEIS alternatives was included in the Notice of Availability newsletter that announced availability of the DEIS for public review.

* **38:** A hard copy of the DEIS was sent via Federal Express to Ms. Patterson on October 18, 2006.

*** 39:** The introduction to Chapter 4.0, Section 4.23 and pages 4-151 through 4-160 of the DEIS described the cumulative effects analysis process and presented cumulative impacts for all resource categories.

Responses

Response to Comment # 17

(Karen Brakefield) 4319 Miller Creek Road, Missoula, MT 59803. There are three homes that are going to be directly impacted by this no matter what happens. So my comments are directed basically to that and are directed to the purpose. If you read on the bottom of the summary statement that you received, the purpose is "to provide a safe and improved access between Highway 93 and Miller Creek Road." I'm going to first read my comment and then I have one from a neighbor who could not be here and he provided me a letter to read if I have the time.

I reside at 4319 Miller Creek Road in a home nearly 100 years old that was a faculty house at the oval at the University and moved to its present site in 1960. When we purchased our home on Miller Creek Road in 1994, we were aware of developer's plans to build in the Miller Creek area. At that time I remembered the Belkers were granted permission by the county or the city to expand only if the developers made provision for a second way out of the Miller Creek area and that there was a bridge to be built, by the developers, to address this issue. I was told there was to be money set aside from the sale of the lots to provide for funding the project. As the years went by I was told that the bridge was being worked on, such as, investigating the funding for the project. It has been 12 years to this date and I don't see a bridge. Where is the money and why are there so many houses and no bridge?

In 2000 Wal-Mart approached the city for permission to expand and Wal-Mart would provide the funding for all the improvements addressed in 5A from Briggs Street to US 93 including addressing all the concerns of the three homes directly affected by these changes. The city of Missoula declined. In the beginning of the year 2000 many areas around the Missoula area were in danger of fires springing up in the areas around Missoula including the Upper Miller Creek area. We became aware then more than ever of the need for more than one exit out of the Miller Creek area in the event of an encroaching fire. The band-aid approach in Preferred Alternative 5A does nothing to address the safety concerns for any of the homeowners living in the Miller Creek area. It is naive to believe that any alternative that does not include bridging the Bitterroot and providing a second way out for thousands of homeowners in the Miller Creek area is a responsible decision. Please weigh carefully the responsibility of the cost of a human life.

Responses to this comment can be found under Summary Response issue letters C, D, E and H.

Response to Comment # 18

Responses to this comment can be found under Summary Response issue letters B, F, H, and I.

I also see that there are no plans for intersection improvement at Linda Vista Blvd. and Lower Miller Creek Road which is going to be a very congested intersection. The use of the traffic signals at the Y and down at Briggs I guess I don't feel are going to be good. You've got great problems coming into the signal and you are going to have tremendous delays dealing with the roads. I just don't think there is the capacity on the road system, as proposed, for dealing with the traffic that we have.

*** 40:** Traffic modeling indicates that the Linda Vista Boulevard and Lower Miller Creek Road intersection will function effectively with forecasted traffic; therefore, no improvements are needed.

The idea of a bleeder road up to Reserve Street on Old 93, maybe or maybe not, but to have a signal up at Old 93 and Reserve I think is going to be an absolute failure because of the dead space that is going to be between Old 93 and Brooks Street. I just don't think, given the volume of traffic and dead space in there and the amount of time that it is going take for that signal to function and cycle, that the traffic is going to be able to move from there. So I foresee a tremendously gridlocked section of town. The south end of Missoula just won't move. Basically this whole plan shift from a second access to the surface improvements, in my opinion, is tremendously flawed and has no merit.

Responses

Response to Comment # 19

B (Bob Beach) 4810 Miller Creek Road, Missoula, MT 59803. We've lived at this property for 40 years this past June. We have not met the purpose and need that we first started out with without a bridge. We've got to have a bridge! I'm willing to work with anybody and everybody to make the intersection is much safer. I want it safe for our school children down at Cold Springs. That is a mess if you go down there during the day and right after school. I run about 35 units through there a.m. and p.m. plus noon, hauling school children and a light possibly could work but it puts the traffic in front of Cold Springs which we do not need for our school children.

E As far as Wal-Mart is concerned, no one will tell me what the status of Wal-Mart is. How is it going to come out? Is it going to come out on Briggs Street? They won't say. I've asked but nobody seems to have that privilege to give me any information.

D Again we need a bridge, Janice, we need a bridge badly! I read where we couldn't have a bridge because the footings weren't strong enough. Have you ever been to Hamilton? We just finished a beautiful bridge at Hamilton over the Bitterroot River, why can't we do the footings similar to what they did there? We have the same soil here as they do there. There might be an alluvial fan here or there or something that is a little softer but we can dig deeper; we've got construction equipment that will make bridge abutments safe. Anyway, the purpose and need has not been met by not having a bridge in our entrance and exit to Miller Creek.

*** 41:** It is feasible to build a bridge. Soil conditions were not the reason Alternative 5A was selected as the Preferred Alternative. See also Summary Response Issue D "Bridge Alternatives."

Response to Comment # 20

B (Brad Dantic) 4019 Bellecrest Drive. First I want to say that this must be a hard job for Craig and his colleagues to hear all the negative public comment. I want to compliment them on all their hard work but all their hard work misses the mark. I want to comment on two things that relate to the NEPA process. What I've been able to gather so far is that we went to Congress with an application that said "Congress, we need money to study and identify alternative access, a secondary access to the Miller Creek area," that is the content of our application. That is the basis on which Congress awarded to us five million dollars for the Federal Highway Administration to conduct an EIS to identify an alternative access to the Miller Creek area. After three and a half years of that process, the Preferred Alternative does not include what Congress's intent was – to spend five million dollars to provide an alternative access. So number one, I don't think the EIS fulfills the intent of Congress in appropriating the five million dollars. That is not what we went to Congress and asked for money for – to expand these service routes.

B Second regarding the NEPA process, I'm commenting as the President of the Country Club this year, so I'm here commenting in the interest of the Missoula Country Club. We feel that we were snookered in the process. Originally the notice of intent that was published in the *Federal Register* said that we were going to consider a build alternative and a no-build alternative. The build alternative would connect US 93 and provide a new structure crossing the Bitterroot River. In the notices that occurred throughout 2003, Old Highway 93 was never included in the study area. If you look at the boundaries, Old Highway 93 was always excluded from the study area. Therefore, if you had an interest from the Missoula Country Club, you had no reason to comment on this project because there was no discussion of the expansion of Old Hwy 93. What was being discussed throughout the process was, consistent with Congress's intent, where are we going to put a bridge across the Bitterroot River. So

* 43. discussion of the expansion of Old Hwy 93. What was being discussed throughout the process was, consistent with Congress's intent, where are we going to put a bridge across the Bitterroot River. So throughout the process we weren't invited to comment, they didn't send us surveys, they didn't ask about our opinion, they didn't ask about how it will affect our Country Club, they didn't ask about the affect it is going to have on Old Highway 93 and the businesses like Bitterroot Motors, the Hotel, the Motel. All these businesses are on Old Highway 93. We were excluded from that process. Then about a year and a half into the process, understanding that there was clear opposition to the bridges, they changed the purpose and need so they don't have a second access point and for the first time we

* 44 were affected because now the Federal Highway Administration is starting to consider the expansion of Old Highway 93. But even at that point, they still didn't call us and ask for our opinion or give us a survey or ask us how it would affect the Club. The only notice we got was a published notice in the newspaper and even in those published notices in the newspaper, we were still excluded from the study area. So you would never know, from all the notices throughout the entire process, that they were considering the expansion of Old Highway 93. November of 2005 was the first time we heard there was going to be an expansion of Old Highway 93. So I guess in this NEPA process, we don't feel like we've been included in the process. We think we have been excluded. We don't think the Draft Environmental Impact Statement considers the affects on our Club in air quality, noise, or the economic impacts to the Club. I don't know the last time the Federal Highway Administration had a golf outing, but you don't play on a 16-hole golf course.

* 45

Responses to this comment can be found under Summary Response issue letters B, F, and G.

*** 42:** The appropriation of federal funds for transportation improvements requires that the National Environmental Policy Act (NEPA) process be followed. NEPA requires that a range of reasonable alternatives be developed and evaluated, and reasonable alternatives cannot be constrained based on the intent of a Congressional appropriation. Three bridge alternatives were fully evaluated in the EIS. (Also refer to Response Issue B, under "Purpose of Congressional Appropriation.")

*** 43:** Old US 93 was introduced to the public at the June 22, 2004 public meeting as a component of Alternative 5A. In addition, the March 23, 2006 public meeting presented the Old US 93 improvements as common to all of the build alternatives. According to the public meeting sign-in sheets, the Missoula Country Club General Manager, Neil Michelson, attended this meeting. At this meeting there was no apparent controversy related to the Old US 93 proposed improvements. Comments were received from Neil Michelson at the March 23, 2006 meeting regarding possible impacts to the golf course hedge.

*** 44:** Changing the purpose and need did not eliminate any bridge alternatives, it allowed for a broader range of alternatives to be considered in addition to the bridge alternatives. Inclusion of Old US 93 improvements with all build alternatives did not occur as a result of changing the project purpose and need. Old US 93 improvements were included with all build alternatives, including the three bridge alternatives, because updated traffic volumes and traffic modeling revealed that solely providing a bridge across the Bitterroot River would not sufficiently improve access for the Miller Creek area due to congestion on US 93 and nearby roadways.

*** 45:** Publication of the DEIS and public review period is the formal milestone in the NEPA process where project findings are provided to the public and the public is given the opportunity to review and provide comment on the project proposal (see also Response Issue B).

Response to Comment # 20 (continued)

* 46 **FC** It will have a dramatic effect. We think if it impacts our club enough, the EIS is deficient in that it does not adequately address the costs of the right-of-way because if it affects our club enough, you might as well condemn the entire club. You can't condemn two holes without condemning all 18 and the cost of that is far in excess of \$1.2 million.

Finally, I'm not sure that everybody understands this, but there is a subtle note in this EIS, and it is buried in page 462 of the document somewhere, but Alternative 5A does not include a left-turn lane at the light at Old Highway 93 and US 93. So what the Country Club members will be left with is this: I can come out to the gate, we're leaving, and I can turn left across 20,000 cars per day, which is not a safe alternative, or I can turn right and go down to the light and my house is to the left and I'm not going have any way to get home to Missoula, Montana. I'm going to have to go right to Lolo and flip a U-turn somewhere or go through the light and flip a U-turn up the Miller Creek area somewhere. So in that respect I think the EIS is lacking. Those are my initial comments and I've already shared comments in another room.

*** 46:** Golf course holes eight and nine and the eighth and ninth hole tee boxes or fairways would not be impacted with the Old US 93 improvements as proposed in the DEIS or in the FEIS revised design. Please refer to Response Issue G.

* **47:** As mentioned under Response Issue F, in the DEIS the left-turn movement from Old US 93 to US 93 was eliminated. In the FEIS, that movement could be maintained during non-peak hours; however, complete restriction of this left-turn movement may be warranted in the future, at the discretion of MDT who has jurisdiction of US 93.

Responses

Response to Comment # 21

Responses to this comment can be found under Summary Response issue letters B, D, F, H, and I.

One of the things you see and why this Preferred Alternative was picked is because it uses words like “acceptable” and “adequate.” I’m saying that when we are doing this, we don’t want to go that route. We want to think past the Reserve Street mistake. We want to think about a realistic idea about what the future is and how we want it to be, not so much for the old timers but for your children.

Comments

Comment # 22: Skip Koprivica

(Skip Koprivica) 621 Parkview Way. I'm here to speak on behalf of the Missoula Country Club. The main thing I want to bring up is the fact that if you were to take land away from the Missoula Country Club, or severely affect the access to the Country Club, it is going to have a terrible effect on the Club. I feel our Club has helped benefit the community of Missoula for many years. Over the years we've hosted numerous fund raising events such as Community Care, Camp Make-A-Dream, Grizzly Round Ball, Jaden Fred, Lions Club, Miller Barber Pro Am which benefitted the University of Montana, Chamber of Commerce, and for the last fifteen years the Missoula Country Club has hosted, at no charge, the High School Fund Raising Golf Tournament which has raised over \$250,000 for high school golf programs. We know that Loyola would not have a golf program or golf team were it not for the fund raiser. In 2006 we raised \$24,900 for the four high school golf teams. The Missoula Country Club has also provided a very worthwhile golf experience for amateur golfers throughout the State of Montana. We've hosted the following events on numerous occasions: The Men's State Amateur Championship which we held this year; The Men's Mid-Amateur Championship; The Men's State Amateurs; The State Senior's Tournament; The Ladies' State Amateur; The Junior State Tournament; The State AA High School Tournament; as well as the Men's USJA Senior Qualifier. We feel the Missoula Country Club has been very community oriented. Also the Missoula Country Club allows the four high school golf teams as well as the University of Montana ladies team to play at the Missoula Country club at no charge.

Responses

Response to Comment # 22

Responses to this comment can be found under Summary Response issue letters F and G.

Responses

Response to Comment # 23

(Mike McCourt) 305 High Park Way in Missoula. I am a member of the Missoula Country Club and I'm also currently on the Board of Directors. I don't want to rehash what Brad and others have said about the major concern that almost all of us have and that is there really needs to be a serious look at getting a bridge and solve this problem. It is not going to happen with proposal 5A and it certainly won't happen for our membership in any of these proposals if Old 93 remodel is part of the picture. So maybe to carry on a bit with what Brad had to say, I just want to ask a few basic questions or at least have you consider a few basic questions that I've heard from members of our Club. (1) How will people enter and exit the Club during and after construction? It is almost obvious to all of us that the only option you are going to have to come out of and into the golf course is by turning right. Well, that causes a lot of problems for us. (2) Are there any safety considerations for getting in and out of businesses along Old Highway 93? I didn't see any of that in the Draft EIS. (3) What about emergency situations? We had an emergency this month when one of our members had a severe heart attack in our Club. We called 911 and had people assisting him; we had the ambulance and the EMT people there within a few minutes. I just really hate to think what that might look like if we were dealing with a kind of Reserve Street out there. There would be times when we couldn't even get an ambulance or fire truck in for an emergency situation.

One other thing I would like to mention is that we don't really have an idea of how much land or how encroachment will be handled under 5A. As Brad said, no one has come to talk to us about it; nobody has been out there showing us where you might want to go. It is hard for us to envision what you have in mind because we've been left out of the process basically from the beginning. Finally what about noise pollution, air pollution? If you were a golfer would you like to be standing on our 8th tee box at 5:00 with a new highway out there and cars bumper-to-bumper exhausting and sitting there to catch a light in either direction? That is certainly not part of the aesthetics of being outdoors for golfers or anybody else.

In conclusion I would like to make a couple of recommendations to you. I would say to go back to the drawing board and do the project correctly by addressing the original intent of the Miller Creek study. I think we are getting a long ways away from that. Also don't assume the Missoula Country Club will respond enthusiastically to this project when we feel our course is being threatened with land taking, noise and air pollution, and serious ingress and egress issues. Our members feel that your proposal 5A, as well as the other options involving the remodel of Old Highway 93, are nothing more than a band-aid approach failing to address the much larger growth and traffic problems facing the Miller Creek area and Missoula in general. Finally, please don't create a traffic nightmare like we have out at the intersection of Mullan Road and Reserve. Mullan and Reserve are fine examples of the quick cheap fix, rather than getting it right the first time. So you have an opportunity here to go back and get it right the first time.

Responses to this comment can be found under Summary Response issue letters B, D, F, G, and M.

Comments

Comment # 24: Bob Cole

(Bob Cole) 4805 Miller Creek Road. As far as being impacted, we are probably going to be one of the most impacted along with Bob Beach and several other neighbors around there with the most land being taken away from us. So you can see that I'm a little bit upset with this alternative especially since every year for the last 15 to 20 years when we've had meetings on what we need at Miller Creek we said, "A bridge." And every meeting they come back to me asking what we want and we say, "a bridge." I don't know how many times we have to say it and I don't know how many times you have to tell the people who are running all the way from the city, to the county, all the way to the U.S. government that we really need a second access to this area. Also I don't think they are looking at the big picture. I do not think they really have the build-outs on this area. There is an awful lot of land up there that is open and an awful lot of land that is owned by older people who have ranches of 15 to 20 acres that can multiply the build-out compared to just the Maloney Ranch. I feel that if they really got the whole build-out on it, they would really find that even with four lanes for five blocks, it is not going to solve the problems of Upper and Lower Miller Creek. What are they going to do with the bike paths? Are the contractors going to continue the bike paths up through there, or sidewalks or so on and so forth when they build on or are they just going to fiddle-fart around like they've been doing. I know the contractors have been working hard to get this done and we've been working with them but one of the major stipulations that we've had with this particular piece of road is that they finish it all the way to the light. Because Wal-Mart has come and said they might help finance that from Briggs to the light, they want to just build it from the Y to Briggs, and we say, "No we need it to the light." The light is the major problem with the back-up right now. If they fix that intersection, even just abandoning that intersection, we would move enough traffic in the morning to handle the traffic now but it will not handle, even with the big four-lane road here, the traffic that is going to come down there after the complete build out. Like everybody has said, we really need to have the bridge across for emergency access and just to get the big picture. A lot of people have talked about the bypass that might come through down the east side of the Bitterroot. Well, it is going to need a bridge. So why not build the bridge now in line with where that bypass might go and save ourselves a lot of money down the way.

Responses

Response to Comment # 24

Responses to this comment can be found under Summary Response issue letters B, D, E, H, I and O.

Comment # 25: Martin King

B (Martin King) P.O. Box 4747, Missoula, Montana. I'm an attorney and that is why I gave you my post office address. I've been asked to speak on behalf of the Missoula Country Club who obviously has major problems and concerns about this project and frankly was not provided adequate notice and the Draft Environmental Impact Statement that has been generated doesn't address all of the impacts that are going to place as a result of this project.

B In regard to the notice, as many have already pointed out, this started out as a project concerning a second bridge or a second road into the Miller Creek area. At some point, unbeknownst to my client, the project changed and encompasses now Old Highway 93. What they are proposing to do with Old Highway 93 is widen it to basically four lanes; two travel lanes in one direction and one travel lane in another direction with a turn lane and also bike lanes and sidewalks. What that is going to do is not clear in the Environmental Impact Statement but the fact is that the businesses located on the strip between Old Highway 93 and Highway 93, almost without exception, had no information or knowledge that what was happening to Old Highway 93 as part of this project. In other words, we've got a bait-and-switch situation which is they looked first at another access road to Miller Creek but are now sliding in this Old Highway 93 without proper notice to the various interested individuals. More importantly is that the Environmental Impact Statement that we are now reviewing doesn't address the impacts that are going to take place and I'm focusing primarily on Old Highway 93. If you read through the Executive Summary, they tell us there will be no change in land use. Well, I'm telling you if they take the 8th tee box and the 9th fairway of the Missoula Country Club that is no longer going to be a golf course and no longer going to be a Country Club and the land use there is going to change significantly. That issue was not addressed even in passing in the Environmental Impact Statement.

They also use a phrase called “environmental justice” and I’m not exactly sure what that means, but nowhere under that heading or in the document itself do they talk about things like the impact from golf balls that are going to be next to this five-lane highway. Now if you’ve seen Brad play golf, you realize that is a serious issue. They also reportedly did a study about noise in the Environmental Impact Statement and yet they said noise wasn’t going to be an issue. I’ll tell you that if you have a four or five-lane highway right next to a golf course, noise is an issue and yet they didn’t address that at all. Going through the Environmental Impact Statement they made some reference that they are going to build a berm along the Country Club. They don’t describe where the berm is going to be located; how big the berm is going to be; whether or not it is going to protect the fairway; whether or not it is going to protect the tee box; what the impact is going to be; or really any of the other issues.

F As you go through their Environmental Impact Statement there are numerous impacts they haven't addressed nor have they addressed the mitigation of those impacts either. The treatment or what they are going to do to Old Highway 93, according to their proposal, is going to exist on any one of the

Response to Comment # 25

Responses to this comment can be found under Summary Response issue letters B, F and G.

*** 48:** Environmental Justice refers to Executive Order 12898, which requires federal agencies to consider and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations.

Responses

Response to Comment # 25 (continued)

alternatives they are proposing. So the proposed construction and changes to Old Highway 93 they envision will happen under any alternative except the No-Build Alternative. Now an Environmental Impact Statement by law under NEPA is supposed to present to the reviewing public various alternatives that they can review and examine. They have presented us with different alternatives for some of these other surface streets but as far as Old Highway 93 they have not done that. I would suggest to you that is not in conformity with the NEPA statute in terms of their Environmental Impact Statement.

Finally, as many have already said before me, the improvements to Old Highway 93 don't have anything to do with what is happening at Miller Creek. I think the proper thing to do and what I would urge the Federal Highway Administration to do is to omit Old Highway 93 from this project, get their sights and their mind in the right direction and do what all of you have suggested, which is let's construct another access road into Miller Creek.

Comments

Comment # 26: Bill Ritchie

(Bill Ritchie) P.O. Box 70, Florence, Montana 59833. My wife and I are fairly new to the Missoula area at least living here. We've come here every year fishing and decided to move to Missoula because of all the wonderful things and the environment in the area around here but traffic isn't one of them. When you look at south Missoula, you see a city that has basically been hacked together by expediency. You see alleys that have been turned into roads and buildings are built on them and you don't see the result of a reasonable and logical plan. As this city grows, and it is growing rapidly and will continue to grow rapidly for the very reasons we moved here, everything needs to be coordinated in the flow of traffic. My objections to what I see being done here is that it is one more band-aid as others have said. I'm not going to talk too much about Highway 93 although I am in the Country Club and improvements as you call them to Old Highway 93 are only going to slow down traffic. One of my concerns is that we come up from the Bitterroot and when you start tunneling things with more traffic lights and jamming more stuff into that location around the golf course and around Reserve, you are going to have to lengthen those lights and it is going to slow people coming in from the Bitterroot which is growing rapidly. It is my understanding that those traffic counts have not been included in the study and have not been analyzed but they are going to be just as critical as the flow from Miller Creek that goes through those intersections if not more so. So I believe that if you are going to make a decision on that you have to consider all the impacts and the impacts you are going to affect whether the Bitterroot Resort goes in with 2,200 new homes. Those things are not considered in here and need to be considered in a long-term plan that looks at a bypass that will make the south part of the city livable.

Responses

Response to Comment # 26

Responses to this comment can be found under Summary Response issue letters F, G, H, I, J, and O.

Response to Comment # 27

P (George Stern) 30 Willowbrook Lane. For those of you who don't know it, Willowbrook Lane is in the Rattlesnake. I never thought much about living in the Rattlesnake until this past 4th of July when someone in East Missoula set off a firework and started a fire cruising around Mt. Jumbo. Then you stop to think there is only one way out of the Rattlesnake. I can picture myself having a heart attack trying to sprint over the saddle of Mt. Jumbo because that is the only way out. Miller Creek is the same way and these people need a bridge. They need a second access.

B I'm here principally as a member of the Missoula Country Club. My concern is for the golf course. I share all the concerns the people who live in Miller Creek have expressed tonight, but the golf course is mainly my concern so I'm concerned only about the issues relating Old Highway 93. Just as Martin King said, this is something that was slipped into the program at the last minute after public comment was made and there is nothing in this impact statement that deals in any way, shape, or form about what the impact to the Country Club is. They are going to widen this road by 70+ feet and that has to come from somewhere. If it doesn't come from the Country Club then it has to come from a lot of other businesses but I have to assume some of it is coming from the Country Club. For those of you who haven't played at the Country Club, it is a tight, narrow, relatively short course and there is not a lot of space. You invade the 8th and 9th holes; there is no place to put the 8th and 9th holes. You would have to move the whole course in another direction; it is not just one little patch job, it's the whole thing. This is not being considered and this is a critical issue. We have 450 golf memberships, we've got a bunch of social memberships, corporate memberships and most of those are married couples. We are talking about well over 1,000 people. There are 70,000 people in Missoula so it is a sizeable percentage of the population and I can tell you we're all objecting to this plan.

B Old Highway 93 has nothing to do and is irrelevant to getting in and out of Miller Creek. There is no reason to be touching that road. I look at your propaganda here and it says that the impacts to the Missoula Country Club property along Old Highway 93 are the same with all the build alternatives. Well that is because they put Old Highway 93 into all the alternatives; there is no alternative that doesn't include that. It wasn't in there when the original proposal went through for the bridge to Blue Mountain Road. It wasn't needed then and it is not needed now; it is irrelevant. Go back to the original plan.

C You look at all these dollar alternatives and if you think I believe that your Preferred Alternative is really \$32 million cheaper than the other three, you've got to be kidding. But I'll tell you what, you can take Old Highway 93 out of all these and they are all cheaper, and you can save us some tax dollars.

Responses to this comment can be found under Summary Response issue letters B, C, E, F, and G.

Responses

Response to Comment # 28

Responses to this comment can be found under Summary Response issue letters B, E, F, H, I and J.

Responses

Response to Comment # 29

Responses to this comment can be found under Summary Response issue letters A, B, F, G and H.

It also seems that you are making accommodation for Wal-Mart and that is very interesting to me because I was on the County Commission when Wal-Mart was first denied a building permit for that spot. I think Colleen Dowdall can tell you that the Wal-Mart folks waited until I went off the County Commission to resubmit the plan and it was approved 2:1. They had also been to the city to expand to a Super Wal-Mart and that has been denied and yet we are making accommodation for a Super Wal-Mart. Take that money and put in a bridge!

Finally I feel that clearly this is not a long-term alternative. The bridge is the alternative for long-term. It feels like the emperor with his new clothes, it's got to be there somewhere, we just can't see it.

Comment # 30: Steve McCool

(Steve McCool) 7215 Beryl Lane, Missoula, Montana, up in Woodland Heights. What I'm going to say probably isn't going to get me any applause. I'm not speaking so much in favor of Alternative 5A because it seems pretty clear in listening to the people here that there needs to be greater consideration of the impacts from that design. But I want the people here to understand that there are other people who are opposed to the other designs and you haven't heard from any of those. I've been to a whole bunch of these meetings on this project, specifically one that was held over at Target Range School several years ago in which the audience applauded for not having a bridge, so I'm kind of wondering what happened to everybody's attitudes toward all of this. I think those other alternatives, and all of them are going to affect me, we don't want a road near Hayes Creek, a bridge and interchange; that would dramatically affect a lot of people.

More important I would like to say, is that this problem goes back to decisions made a long time ago without really thinking them through. In terms of what the gentleman from Florence talked about planning and thinking about the future. We are not doing that; we are doing everything incrementally and then we end up with these problems. We need better leadership in making these decisions and thinking them through. The second thing I want to say something about this process and it is much better now than it used to be, but it pits one part of the community against another part of the community and that is not right. We should be working together to solve this problem and not me against you because, as I said, I have a very different feeling on this access.

Response to Comment # 30

Responses to this comment can be found under Summary Response issue letters A, B, F, G, H, and O.

Comments

Comment # 31: Charlie Brown

(Charlie Brown) 6640 Linda Vista Blvd. in the Miller Creek area, upper Miller Creek specifically. I want to welcome you all here tonight because I've been to several meetings with Blue Mountain folks and I wasn't sure I was going to get out alive a few times. I have served as President of the Upper Linda Vista Homeowners for several years in the 90s and served on the Miller Creek Comp Plan. In 1995 we started what was known as the Miller Creek Comprehensive Plan Planning Committee. All the homeowner's from Miller Creek as well as engineers and developers, city and county officials, took part in that study to determine what plan would be implemented for Miller Creek. That plan, as we studied it, it became very apparent that no matter what was approved that the growth in Miller Creek was going to be very, very significant. As a result of that, working with Commissioner Barbara Evans, we went to Washington D.C., which we do annually to lobby for money for Missoula. After three years we asked Congress, specifically Senator Burns and Senator Baucus, for funding to study the possibility of a bridge for another ingress/egress out of Miller Creek. That is how this came about so all of you know.

When we received notification that we were going to get the money to study this process, we were quite excited. And as you say when Craig was doing the presentation, the two primary things we looked at were different locations for bridges. During that process one of the locations was one where the county had access all the way to an old bridge site which joins Blue Mountain. Jim Weaver, who was then the head of the Missoula Department of Transportation, thought it was a great place to put the bridge and was very supportive of us and our efforts to get the funding. What happened then, as this gentleman pointed out, was there seemed to be a great deal of divisiveness among homeowners and the first meeting I attended I was accused of writing this as a sneaky way to get a bypass across Missoula. That's not going to happen, folks! To build a bypass across Missoula through Blue Mountain Road would take more money than the State Transportation Plan every year, so put it out of your mind because it isn't going to happen.

So we pretty well way-layed that and it wasn't even on the City County Transportation Plan and that argument went away very quickly. The next thing we were told is that it would have a tremendous impact on Miller Creek Road. These folks have done that study and it was about a three to five percent increase in traffic on that road. What people were told there by a select small group was that people coming into town would say it was a beautiful day in the morning so they would take a narrow shaded two-lane road to a one-lane bridge and up on South Avenue into Missoula. To tell you how exaggerated this actually got, I was getting calls at home from concerned mothers who live on South Avenue saying that you people in Miller Creek are forcing traffic on South Avenue and our children area in danger – that is how exaggerated this got.

B Unfortunately though I feel that the feds and this planning process was skewed because of that attitude. That is why I'm here tonight. We went from two bridge proposals and an improvement on Miller Creek Road to this Preferred Alternative. As you've heard, and I'm not going to reiterate what everyone has already said tonight, the primary reason that I wrote this and that all the people in Miller Creek wanted

Responses

Response to Comment # 31

Responses to this comment can be found under Summary Response issue letters B, D, E, H, and O.

Responses

Response to Comment # 31 (continued)

BEH

Responses

Response to Comment # 32

(Sue O'Neil) 2605 Willow Wood Court, which is on the corner of Garretts and Willow Wood. I'm usually one of the silent majority, the ones that let somebody else do your talking and don't have to speak. But in this case I'm going to speak out and it really is on two areas that concern me. I'm a golfer; my husband and I belong to the Missoula Country Club and it is going to have a great impact on that club. But again the plan when this started was to get a second access out of Miller Creek and this isn't doing it. It doesn't address how it is going to affect the businesses, and specifically I'm concerned about the Country Club because that is where we spend a lot of time. You've heard tonight from lots of people from the Country Club who are speaking on this – the safety issues, the access, the constant ... what I think they will have to do is to move the entrance to the club because of the safety issues and the access issues.

The one thing I hadn't considered until I came here was Wal-Mart. We are very close to Wal-Mart. When the traffic has to go back up Miller Creek to Briggs by the school and you've heard the concerns about going by the school, then that traffic is going to go over to Charrett which is already very busy and we've heard nothing about what the impacts will be on either Briggs or Charrett, and then back down onto 39th and we haven't heard what kind of impact that will have on Charrett or 39th. Right now I'm a little concerned if Wal-Mart doesn't put in a new entrance on Briggs that they are going to punch a hole at the end of our one street cul-de-sac to get another access into Wal-Mart and none of this is being addressed on how that will affect this. I do not think that this has been studied sufficiently; it is going to impact us in the neighborhood and I don't think people are aware of that. So as part of the silent majority, tonight I'm speaking up and thank you for the opportunity.

Responses to this comment can be found under Summary Response issue letters B, D, F, G, H, and L.

Response to Comment # 33

Responses to this comment can be found under Summary Response issue letters B, F, and G.

* 49 The last thing I want to point out is that I don't think your mitigation dollars you've put forth for the impact is anywhere near enough; I think you are off by ten. Thank you.

*** 49:** The mitigation required for each of the build alternatives is described in Chapter 4 on the FEIS. It is not clear what mitigation dollars you are referring to. However, in the August 2006 Alternatives Memorandum, conceptual costs for noise and environmental mitigation have been included. These cost estimates are appropriate for the mitigation described in the FEIS. However, costs may increase as final design and project permitting occur. Since the preferred alternative does not include a new bridge crossing and the associated permitting, mitigation costs will be relatively low for Alternative 5A, the Preferred Alternative.

Responses

Response to Comment # 34

(Tom Russell) P.O. Box 1018, Lolo, Montana. I'm the course superintendent of the Missoula Country Club so obviously I'm near all the thoughts of everyone else that has spoken on behalf of the Country Club. I wanted to discuss a little bit again on the Old 93 proposition. My concern is that there is an easier alternative; basically this gives us one more north bound lane. Just looking at it, if they would put in a continuous right-turn lane along side Wal-Mart, the traffic flows all the time out of Miller Creek. We already have the widest road in Montana with 93, repaint it and it has another lane heading toward Brooks and you've kind of solved the same thing without any construction. So rather than rebuild a road that affects the golf course and all the other businesses put in a continuous right-hand lane and it is a better stop-gap than the one we are talking about right now. We are all probably in agreement that this is a stop-gap. But this one eliminates one light and the two lights that are close together on Reserve in the potential dead space. You already have a double-turn lane there and if you can pull out of Miller Creek directly to that, I think you would solve some of the problem anyway. Thank you.

*** 50:** This is not a recommended course of action. Although the additional lane would add capacity in the northbound direction, this lane would have to end somewhere, likely just east of Reserve Street. When the lane ends, traffic will merge causing an additional back up point. Additionally, it does not provide another route for traffic to use during the PM peak period which causes every vehicle to proceed through the Reserve Street/US 93 intersection. The Reserve Street/US 93 intersection does not have the capacity to accommodate this traffic. If the system is not split, using both Old 93 and US 93, it will result in saturated conditions throughout the study area and operational failure.

Response to Comment # 35

(Bob Knapp) 4290 Wild Fox up in the Rattlesnake. So I'm quite sensitive to the single-lane or single-way out. That is something we are always concerned about. I agree totally the purpose of the money that went into this whole thing from the get-go is not being met. So I'm very opposed to anything that does not include a bridge over the Bitterroot. What this plan does, this 5A, is makes the traffic coming into Miller Creek worse. We have a lot of traffic in and out of the club. We have 450 playing members, we have probably 50 social members who are all families with little kids that come to use the pool in the summer, we have tournaments that bring in 100 to 200 people, and at the same time one day this summer Neil was able to also sandwich in a very large wedding of 240 people – that's a lot of traffic. On top of that we have 50 employees and we have a delivery truck from Cisco bringing in food. It is a small tractor trailer and he comes in and out every day and we have the beer truck that comes in every day; we drink a lot of beer out there. There is lots of traffic in and out. I would not like to see any of our members and certainly not the trucks exit into 30,000 cars per day and make a left turn leaving the club to go east on 93. They would have to be nuts and they would tie up traffic because they are just slow getting out. So they have to make a right turn to be practical. They can't turn left and go up in Missoula. No. They would go into Miller Creek and turn left on Briggs and go past the school with a lot of small children and you're bringing all this passenger and truck traffic into these grade-level residential streets. I think that is crazy. It hardly qualifies as a safe alternative.

We were definitely omitted throughout this process. I found the EIS on the web today and I noticed several things. One there is a page for the Table of Contents for Appendix B and it lists the following public involvement information is not included in the Appendix but is available on the project website and it lists 19 public notices. Those that apply to us and 5A are numbers 18 and 19. Years went by before our involvement. Of course people objected to the bridge but not in the context of this as an alternative. So we were left out and snuck in at the last minute. I don't get a good feeling from that at all. There is little to no mention of the impact on the club – it is mentioned in passing, "There will be impact." I asked one of the engineers earlier today, we have a concrete bicycle path which is the lane closest to the Country Club property; our property line is pretty much the hedge. I asked what happens to the runoff from these five lanes of concrete and he said effectively it just runs off onto the ground. I said well we spend half a million dollars per year maintaining the Country Club course and you are not going to run all that oil and stuff onto the ground. He said well maybe we'll have a ditch. Well where does the ditch go? Well that hasn't been considered and someone mentioned they had been told a berm. My argument was not about the handling of the runoff but rather to point out the inadequacy of their study as it impacts the Country Club. I could go on but my time is up. Thank you.

Responses to this comment can be found under Summary Response issue letters B, D, F, G, H, and L.

*** 51:** The appropriation of federal funds for transportation improvements requires that the National Environmental Policy Act (NEPA) process be followed. NEPA requires that a range of reasonable alternatives be developed and evaluated, and reasonable alternatives cannot be constrained based on the intent of a Congressional appropriation. Three bridge alternatives were fully evaluated in the EIS. (Also refer to Response Issue B, under "Purpose of Congressional Earmark.")

*** 52:** Under the No-Action Alternative, lengthy delays and long queues are expected as the street system becomes saturated with traffic and movement becomes very difficult. Congested conditions on Old US 93 without capacity improvements, including left turn provisions, would make access to and from adjacent businesses difficult. Under all of the build alternatives, traffic operations for the major traffic movements would be improved over the No-Build Alternative. (Also refer to Response Issue F, under "Access Issues-Missoula Country Club, Businesses, Post Siding Road.")

*** 53:** You are correct that later in the project process, due to a change in the future traffic forecasts, the project study area was expanded to evaluate broader traffic deficiencies. This resulted in the improvements identified along Old US 93. The public was notified through a number of methods. The DEIS and the public review period are the formal required milestones to gain public input on the proposed alternatives.

*** 54:** Golf course holes eight and nine and the eighth and ninth hole tee boxes or fairways would not be impacted with the Old US 93 improvements. The greens, holes, tee boxes, or fairways were never impacted. The vegetative hedge will be preserved where possible. The modified typical section for Old US 93 eliminates the proposed drainage ditch and eight-foot shoulder and replaces it with an underground stormwater system with curb and gutter and a five-foot bicycle lane. (For more information, see Response Issue F, under "Modified Design of Old US 93 in FEIS to Avoid and Minimize Impacts, and Issue G, "Missoula Country Club Golf Course Holes Eight and Nine, Landscaping.")

Responses

Response to Comment # 36

Responses to this comment can be found under Summary Response issue letters B, D and G.

Comments

Responses

Comment # 37: Don Nordstrom

B

D

F

H

I

O

(Don Nordstrom) 4975 Lower Miller Creek. I have lived at Lower Miller Creek for over 30 years. When I first lived there only two or three cars per day went by and now there are hundreds and hundreds and hundreds of cars and the building has just started. We have Missoula here, the Bitterroot coming in here, and we have Miller Creek coming in here (referring to graphic) and these are all squeezed together by the river. Because of the power of Wal-Mart we will soon have the Super Wal-Mart all squeezed together down into this little southwest corner of Missoula. We cannot continue to increase and increase and increase the traffic into this area and into this bottleneck. We will at some point need to have a bypass that goes directly west of Missoula up to the freeway probably along with a road down the east side of the Bitterroot. This will be necessary. We need to think now and do the alternative that will best connect up to this inevitable occurrence that I've just alluded to. Alternative 5A does none of that. Alternative 5A is basically like sprinkling magic highway dust on a small bottleneck; it will not help a thing. In my opinion if Alaska can spend \$250 million to build a bridge to nowhere, we can have our bridge.

Response to Comment # 37

Responses to this comment can be found under Summary Response issue letters B, D, F, H, I, and O.

Responses

Response to Comment # 38

Responses to this comment can be found under Summary Response issue letters H, I, K.

Comment # 39: Rick Snowden

(Rick Snowden) 2836 Carla Joe Lane, prior to that I lived at 6005 April Lane in the Lower Miller Creek area, so I'm familiar with that part of town and have been for quite a long time. I am a Missoula Country Club Member; that ground has been well covered. I'm also the General Manager of Bitterroot Motors and I have some real concerns about the project. We have over 100 employees; we have an untold number of customers around the neighborhood of 150 to 200 per day coming in and out of the store as well as technicians taking cars on test drives after repair. Old Highway 93 serves as a very safe access out for us. If all those people were to try and go in and out of the front of the store there would be a lot of accidents. That road behind us, the traffic is much lighter now and speeds are much lower. It's built up over the years but it is still manageable. With what I see here, we will still have a lot of high speed traffic in front of the store and now we will have a lot of high speed traffic behind the store. We had one severe accident this summer and I can see a lot more coming. We enjoy about 40-50-60 parking spaces that are actually on easement land; it is not Bitterroot Motors land. We would have to give those up. What I see is a lot of danger for us. I'm speaking very immediately; this isn't a long-range view, this is tomorrow. If this happens, we are going to be looking at this every day.

The one other safety feature that disturbs me, we have large convoy trucks routinely and currently they use that back road very safely to off-load vehicles. When a driver isn't aware of that space back there, we've had on occasion drivers parking in front, which there is room to do and it is legal but again the speed of the traffic in front of the store and visibility issues of off-loading large numbers of vehicles every day is a concern. If we loose that space behind us, we will have a problem that will have to be taken someplace else, which is a small problem and it's our problem but it is a safety issue which should be taken into account. There is a cost benefit in every decision you make and I'm sure there are some benefits to what you're proposing taking some of that traffic on that road. In my experience in living up Miller Creek it seems to me a great deal of the problem is right at the intersection. It could be managed from the light back up to Briggs without another light at Briggs simply with more lanes and better light management, you can disperse the cars. There is nothing that can be done about all the cars that are coming down without another alternate exit. So those are some minor points.

I would also like to say that I've played golf at Larchmont ever since that course opened and all the golfers I don't think would appreciate any more traffic that you are proposing. There is no overriding benefit for this compared to the cost.

Responses

Response to Comment # 39

Responses to this comment can be found under Summary Response issue letters F, G, I, and K.

*** 55:** All build alternatives include improvements to Old US 93 that will eliminate the Bitterroot off loading area. Improved driveways with large turning radii can be provided to allow trucks to enter onto your property for off loading if there is available space. Otherwise, off loading would need to occur in the legally available area in front of your business.

*** 56:** See Section 2.6.2.6 of the DEIS/FEIS for a detailed description of the Preferred Alternative. More lanes from Briggs to the light are included in the current design(s). A light is warranted and necessary at Briggs to allow for safe left and right turns onto Miller Creek Road. The light provides the additional benefit of a protected crossing of Miller Creek Road for pedestrians and bicyclists.

Comments

Comment # 40: Mike Walker

(Mike Walker) 4830 Jaiden Lane. I'm here tonight basically feeling a triple whammy, so to speak, as a homeowner at Linda Vista, I'm also a parent with two kids going to school at Cold Springs, and a member of the Missoula Country Club. I don't know that it can get a whole lot worse. Everything that has been said so far I concur with even with the gentleman that lives across the river that really doesn't want an interchange going in his backyard. I think everything has to be thought out but with growth it is going to be give and take in all directions and somebody is going to suffer whether it's an expressway going through the Big Flat or what is proposed here today.

To get right down to where it started with Webb Harrington, my main concern chiefly is the safety of my kids and Cold Springs right now is a beautiful little neighborhood school that we choose this area to live in for these reasons. We've lived there since 1996 and I've watched the traffic grow and there are definitely safety issues with the school without a doubt. Last Tuesday there was an ice cream social and I would venture to say there were 70 to 75 cars parked along Briggs and that is how you access the school for a function. I coach soccer with my kids, we practice regularly at the school five nights a week and on Saturday and once again we have the same issues – accessing the school and unloading kids to play sports. That is through the YMCA program; it has nothing to do with the public school system. So when we moved into the neighborhood, I kind of envisioned the kids riding their bikes to school, which if you live there, there is no way in hell ... I see somebody riding their bike about once a day and it scares the duff out of me as I drive by them. Obviously the road needs to widen. What's proposed is beyond the scope of what's needed.

Speaking from a Country Club standpoint, the 93 thing should just be pulled out of it. It wasn't in the original scope of it and really it is just generally a bad idea to put up a light on Reserve there.

As a homeowner if you rode to work with me a couple of weeks, you would realize that this is a waste of \$20 million. The traffic already backs up to the Y where the cars intermittently let each other out and to put a light there would simply back it up for several miles which in the winter would be a pretty massive safety concern. All of that I would venture to guess isn't in that six inch thick document and it should just be started over and re-thought out from the beginning.

Responses

Response to Comment # 40

Responses to this comment can be found under Summary Response issue letters B, F, G, H, and L.

Responses

Response to Comment # 41

Responses to this comment can be found under Summary Response issue letters D, E, F, G, H, and I.

Responses

Response to Comment # 42

Responses to this comment can be found under Summary Response issue letters F and G.

Comment # 43: Dick Haines

(Dick Haines) 5935 Saint Francis Drive. One of the reasons I'm interested in all of this is I'm a Councilman from this area too. Craig, I think you have a couple of problems with this. One is I think there has been a monumental shift from the purpose of this EIS over to something other than what the original purpose was. As I understand it, the second exit was one of the reasons for doing all of this and I don't see it in there now. While I feel very strongly that Miller Creek is going to need something done to it, I don't think what you are planning in the Preferred Alternative is going to answer that. I think you've heard enough about that tonight so I won't talk any more about it.

What I think is that you need the Preferred Alternative highly modified but I think we also need something else and it is not 3B, the Blue Mountain Road because there are enough problems there. I think you've been over that road and I've talked to some of the state highway department people and I don't know how you would ever squeeze in a road between the mountains and the river and the irrigation ditch and everything else. I know that you couldn't do it for anything reasonable in terms of cost. So what I think you need to do besides do something to Miller Creek is we need Alternative 2B. It is north and basically on undeveloped land; it would put people across the river; and most of all and you've heard me on this theme song before, it could be the start of the western bypass. I just wonder how much longer the FHWA and the Montana Department of Transportation and Missoula County and to some extent the City of Missoula can keep squirming away from dealing with that issue. As I understand it we have something like 91 subdivisions coming on line between Missoula and Hamilton and we have now around 35,000 cars per day, so it's not going to get any easier. I don't think Brooks and Reserve all by themselves are the answer unless you want to make a seven or eight lane road out of Reserve Street. The bypass around the west end of town also to me is not necessarily a bypass but it is a good way to access the City of Missoula and that would work, not only for people coming out of the Ravalli County but people coming from Lake County and all that because it would cut across Seventh, South, Broadway, and all those east-west streets which mean two or three exits going up through there. People coming into town for business, for their jobs, or for whatever reasons are going to have to access Missoula and it would make it much easier to handle that traffic. Right now we are having a big hullabaloo over the traffic on Arthur, well that traffic wouldn't have to exit there to come on through on the freeway and go on north or south or come into town if they want to do. It would be much easier to do that and it would take that issue off the books too. I would really like to see this looked at.

To paraphrase this there is an old saying, how do you eat an elephant – one bite at a time. Well when you are dealing with this issue, it pays to walk around the critter before you grab hold of the thing and start gnawing on it. I think you've got to look at how big the job is, what all the things are that are connected – I see the traffic from Ravalli County, the traffic from Lake County, the traffic from Mineral County, the traffic coming out of Miller Creek which is going to be enormous, all dealing with some of the same issues. I don't think we can take one particular part of it and say we are going to just build a bridge or just build the Miller Creek change. I think we have to look at the whole transportation system around Missoula. We've got four agencies in there that have been very reluctant to do that. I don't know how much longer everybody can bury their head in the sand and get away from dealing with it.

Response to Comment # 43

Responses to this comment can be found under Summary Response issue letters B, D, F, H, and O.

Comments

Comment # 44: Gene Peterson

(Gene Peterson) 3320 Bancroft, Missoula, Montana. I didn't want to speak because when you criticize someone, it means you lose a friend and I need all the Christmas cards I can get and at my age I need six people to help lift the basket. Friends, you should be embarrassed at this presentation. The City, the County, the State, and the Federal engineers and the Department of Transportation have so horribly messed this up. I've never been to a hearing and I've been to a lot, where it is 100% against. Obviously you didn't talk to anybody. You haven't done your job. The best predictor of the future is to look at the past; it took us probably 20 years to fund and plan Reserve Street, and Reserve Street was inadequate from the first year and we now have the most dangerous intersection at Reserve and Mullan that has been built in the State. I live on Bancroft and come up at 7:45 in the morning on 39th Street. 39th Street at the top of the hill at Stevens is solid cars all the way to Wal-Mart. At 5:30 I'm the other way and at the top of the hill it is solid cars back to the golf course at the University and those are one lane. I noticed the fire department at Russell – how can the fire department get out of there and go to any kind of emergency up or down 39th and we spent all that money. Broadway is another one for you. That is bad planning; we can't have it! This is an example here – you can't run another street parallel to 93 and make another 93 and put a stop light at Briggs. That is just a really, really bad plan! So I think you can get an idea of what is happening here. You will be unhappy with me for criticizing but Bill Wickman used to do a TV ad that said "if that guy worked for me, he wouldn't work for me." That is what is happening here. My final question will be, are all of the engineers disgruntled Bobcats?

Responses

Response to Comment # 44

Responses to this comment can be found under Summary Response issue letters A, B, F, H, and I.

Response to Comment # 45

A (Hal Ort) 550 Big Flat Road, which is about a quarter mile up from the intersection with Riverside Road which is just the other side of McClay Bridge. I was pleased that Charlie Brown reminded me about what went on – he was right, there were a couple of meetings where he was lucky to get out alive. Then Dick Haines reminded us about the things we considered when we talked about a bridge at Blue Mountain Road. I don't know if you all have traveled down Blue Mountain Road from 93 but if you think you are going to dump a bunch of traffic from 93 onto Blue Mountain Road, forget it. That traffic goes over a one lane bridge which goes in front of Target Range School which goes down South Avenue and past a whole bunch of private residences and churches and things. It's good that it came up again because you may have forgotten that. Then I look at this other alternative which isn't going to work either. When it all started I got a little perturbed and I can sympathize with the Country Club people on that because this thing is growing. We just found out about it and found out that the study area didn't even include outside the Bitterroot River. So we weren't included in the study area until we said, "you think this is not going to have an impact on us?" Things got changed and they started including it in the study area just like the Old 93 – they go into that and they don't even let the Country Club know that they are now in the study area. I think you've got to do some learning here because you are making the same mistakes you made to begin with. I just want to make sure you don't forget all the things we found when we considered that bridge leading traffic onto Blue Mountain Road. That is not a road that is going to take a lot of traffic and I looked at the traffic forecast, at that time I really questioned it, now before we've done anything except paved Blue Mountain Road, the traffic down Big Flat Road and Blue Mountain Road going across a one-lane bridge – traffic now at rush hour stacks up on either side of McClay Bridge. If you lead more traffic on, the kids at Target Range School are going to be put into jeopardy. So forget that alternative too.

Responses to this comment can be found under Summary Response issue letters A, B, D, and F.

Responses

Response to Comment # 46

Responses to this comment can be found under Summary Response issue letters A, B, C, D, E, and O.

*** 57:** The \$42 million planning level cost estimate in the Draft EIS for Alternative 3B includes construction, mobilization, right-of-way costs as well as a contingency factor. It is difficult to compare this cost with the cost you developed without knowing what your cost included.

Response to Comment # 47

IT58
*

*** 58:** Thank you for your input regarding the Preferred Alternative.

Comments

Responses

Comment # 48: Paul B. Wilson

(This comment letter was submitted and read aloud at the public hearing by Sarah Wilson and Karen Brakefield.)
October 17, 2006

Dear Planners,

This letter is in response to the Preferred Option plan for dealing with the incredible amounts of traffic now being funneled down Miller Creek Road because of the unbridled development that has been allowed to take place in the Miller Creek area over the last one and one-half decades. Literally thousands of new homes have been built in the Miller Creek area amounting in numbers to a city larger than Hamilton, Montana. This means that there are now tens of thousands of automobile trips passing out of Miller Creek Road onto Highway 93 that were not there previously.

* 49 For years we have been told that as a response to the privilege of being allowed to enjoy the profits from these years of unrestricted development, the developers would be ultimately be required to provide a new exit from the Miller Creek area by building a bridge across the Bitterroot River. Now we are being presented with an alternative plan that would place a four-lane thoroughfare, a new service street and two stoplights in the lower section of Miller Creek Road, presumably providing the ability for even increased thousands of vehicles to pass in front of our homes.

D
F
H

This plan is being proposed as the preferred plan since it is low impact and least expensive. I agree that it is low impact and least expensive for the developers, but it is certainly neither low impact nor least cost for the Miller Creek three homeowners who live between Briggs and Mabelle. Not only does it place a four-lane thoroughfare in front of their houses, but also it drives a new service street through their front yards eradicating landscaping, destroying property values, and directing traffic right in front of their windows. Worse, this service street ends in an intersection with Old Miller Creek Road, New Miller Creek Road (the thoroughfare) and Briggs that could have only been planned in hell. Old Miller Creek Road and Briggs are funneled together only a few feet away from New Miller Creek Road in a manner that makes all of the traffic from the Mabelle area not only merge with that from Rio Vista but also do an immediate 180° turn onto New Miller Creek Road thoroughfare. I cannot imagine how this traffic flow can be managed, but I guess we people in the neighborhood are expected to sort it out somehow on our own—small cost compared to allowing developers to escape unscathed with their hordes of gold.

B

The truly tragic quality of this plan is that after all of the damage has been done to the quality of life of the three families, after the values of their properties have been inestimably lowered, and after their journey to work has been elevated from miserable to excruciatingly hazardous, the solution is only temporary. Within another decade, developers will have continued to build new homes increasing traffic sufficient to overwhelm even four lanes. At that point a bridge will have to be built anyway. But hey, with any kind of luck by that time the developers will have gotten out of Dodge, their vast profits will be safely tucked into Swiss bank accounts, and they will be sipping a cool one on a beach in Cancun. Of course, the bill will have to be paid by our children and us.

Sincerely,

Paul B. Wilson

Response to Comment # 48

Responses to this comment letter can be found under Summary Response issue letters B, D, F, and H.

Comment # 49: We are aware that each lot in the Miller Creek area has been assessed for transportation improvements. The money collected is being held by the County in escrow and is currently approximately \$1.7 million. The funds will be used by the County to make transportation improvements Miller Creek Road from the north "Y" to Briggs Street. These improvements are the No-Action Alternative improvements assumed along Miller Creek Road. The project is in the design stage with a contract to build expected next summer. The County and City are working on an inter-governmental agreement to use funds, since most of the land is in the City.

Responses

Response to Comment # 50

Responses to this comment can be found under Summary Response issue letters A, D, and O.

I'm here to say that I think we need an alternate exit out of the Miller Creek area. I don't know where that bridge might be proposed or whether it would be connected to a bypass or not. I would probably be for Alternative 4C which is the Hayes Creek area. In line with the comments from the Target Range area I don't know if a bridge coming out of the Miller Creek area is going to affect traffic highly through that Target Range area. People have said that they would use McClay Bridge which is a one-lane bridge to try and get across to go up South Avenue. Bottom line, it is a difficult situation. Two communities are kind of opposing each other, but I'm living in the Miller Creek area and we need an alternate exit out.

Response to Comment # 52

Responses to this comment can be found under Summary Response issue letters F and O.

Comments

Comment # 53: Margaret Churchwell

(Margaret Churchwell) 6720 Linda Vista Blvd. I have grandchildren that are going and have gone to the school here. To put a four-lane road there ... when Wal-Mart started the main issue was the school and they kept after it and after it until they got the Wal-Mart there. What's happened now is there is no planning in this city at all for roads. We have people coming around now to get away from Malfunction Junction and now they come up 39th Street. The people going to the Bitterroot because they don't want to go through the stop light at Reserve, they are coming up through our neighborhood to go out onto Miller Creek so they can use the light there. Because we stopped them from going on 39th Street – we made a way so they can't turn to the left there and can only turn right, so the only place they can go is up through the neighborhoods. If you see the long line of traffic on Briggs now to go up the Bitterroot, then what have we done? We've created this mess. You have to think about what you are doing. I go out Reserve to work and if I leave at 7:05 I can make it to work in 15 minutes, but if I leave later than that it takes me one half hour to get across this town and it isn't that big. So you have to stop and think before you start building things. Malfunction Junction is a typical example of what happens in Missoula; they build something and it doesn't work so people start taking alternate routes to get a round the city and then that causes more problems.

Responses

Response to Comment # 53

Responses to this comment can be found under Summary Response issue letters F, H, I, L, and O.

Responses

Response to Comment # 54

Responses to this comment can be found under Summary Response issue letters A, B, and O.

Comments

Responses

Comment # 55: Ken Rolfe

D

(Ken Rolfe) 4825 Lower Miller Creek Road. Our neighbors and ourselves have been in this process for well onto 12 years. I recall a few years ago when the Target Range people were included in the discussions and we welcomed them with open arms and I would really like to welcome the members of the Missoula Country Club for their involvement. We need all the support we can get and we appreciate your support. I support the bridge.

Response to Comment # 55

Responses to this comment can be found under Summary Response issue letter D.

Responses

Response to Comment # 56

Responses to this comment can be found under Summary Response issue letter D.

Response to Comment # 57

Responses to this comment can be found under Summary Response issue letter O.

Responses

Response to Comment # 58

Responses to this comment can be found under Summary Response issue letters A, B, D, F, and O.

Responses

Response to Comment # 59

Responses to this comment can be found under Summary Response issue letters D, F, and H.

Response to Comment # 60

FG (Brad Dantic) 4019 Bellecrest Drive, Missoula, MT 59801. I am commenting in part because this year I am the President of the Missoula Country Club and this year, 2006, I realized that some alternatives were being considered for the Draft EIS that were going to have a dramatic negative effect on the Country Club.

We originally feel that we were not afforded the opportunity to participate in the EIS process, the NEPA process. We feel that way because, in part, of the original description of the study area as you go through all the public information. First you go the Federal Register. The Federal Register says that the study area begins near the intersection of Miller Creek Road and US 93 and there is a description of the study area. A description of the study area is also included in Newsletter No. 1 that was sent to area residents in March of 2003. The Missoula Country Club was not included in that mailing. The published notice of a hearing in March of 2003 and again while the notice was published in the Missoulian the boundaries that area described in the notice did not include Old Highway 93. So based on that notice we had no reason to comment because our area was not impacted by the NEPA process and the Environmental Impact Statement. Then at a public scoping meeting held on March 26, 2003, there was a question – question number 12 in the list of questions is located on page 3 of 6 and says, "How was the study area boundary established?" The answer given by the Federal Highway Administration is that the purpose and need of this project is to provide a second access to Highway 93 then they describe how the boundaries were established. The reasonable conclusion of that Q & A and the published notice is that the intent was always to identify a second access point into the Miller Creek area. Again the boundary area excluded Old Highway 93.

B In May of 2003 the FHWA sent out a public information packet and the cover page of the information packet shows a visual depiction of the study area and Old Highway 93 is excluded from the project area. Therefore, we had no reason to comment or become concerned at that point about what was being proposed which was a second access point to the Miller Creek area – a bridge across the Bitterroot River.

Then at a public workshop held on May 23, 2003, question number 11, which is on 3 of 6, says, "What is the plan to improve capacity or alternative capacity of Brooks and Reserve Streets?" The Federal Highway Administration's answer was, "modifications to Brooks and Reserve Streets including the intersection of those two highway segments are beyond the scope of this project." So again, based on information provided by the FHWA, we had no reason to believe that we were going to be affected by this project because, in the Federal Highway Administration's own words, it was beyond the scope of the project. Again on page 5 of 6 of that question, "what is the plan for directing all of the traffic coming off of this project onto Brooks and Reserve Streets?" Again, the FHWA said, "modifications to Brooks and Reserve Streets including the intersection of these two highway segments are beyond the scope of the project." So again, based on those answers, there was no

Responses to this comment can be found under Summary Response issue letters B, F, G, D, and E.

* **59:** Golf course holes eight and nine and the eighth and ninth hole tee boxes or fairways would not be impacted with the Old US 93 improvements. The greens, holes, tee boxes, or fairways were never impacted. The vegetative hedge will be preserved where possible (see also Response Issues F and G).

*** 60:** Publication of the DEIS and public review period is the formal milestone in the NEPA process where project findings are provided to the public and the public is given the opportunity to review and provide comment on the project proposal (see also Response Issue B). The Miller Creek Road EIS process began in early 2003 and is anticipated to conclude in early 2008. Inclusion of Old US 93 with Alternative 5A was presented at the June 2004 public meeting, and inclusion of Old US 93 with all build alternatives was presented at the March 2006 public meeting and in the DEIS, published in September 2006. According to the public meeting sign-in sheets, the Missoula Country Club General Manager, Neil Michelson, attended the March 2006 public meeting. At this meeting there was no apparent controversy related to the Old US 93 proposed improvements. Comments were received from Neil Michelson at the March 23, 2006 meeting regarding possible impacts to the golf course hedge.

*** 61:** Several different methods were employed for distributing project information and meeting announcements. See Response Issue B under "Public Notification" for details.

Response to Comment # 60 (continued)

Breason at that point for the Missoula Country Club to become involved in the process; we have not been affected by the process, we did not get notice of the process.

The FHWA sent out a second public opinion survey which indicates that the purpose of the Miller Creek Road project is to provide a safe secondary access to the Miller Creek area and access to US 93. They conducted a survey and I direct your attention to page 3 of the Summary of Key Results and figure two shows the areas surveyed. When you look at area three, it is absolutely unequivocally clear that Old Highway 93 was not included in the public opinion survey. Then the published notice for Public Workshop No. 4, which was held November 13, 2003, the public notice shows the study area of the project and again in November of 2003 the study area did not include Old Highway 93.

B Turning to the Draft Environmental Impact Statement – the Draft EIS on page 1-4, figure 1-3, suddenly includes Old Highway 93 in the project area. So one of the objections we have to the content of the Draft EIS is that Figure 1-3 is inconsistent with the public record and the information that had been provided to the public throughout the EIS project, specifically Old Highway 93 was not part of the study area. No surveys had been done of the landowners affected by Old Highway 93, the Missoula Country Club has not been contacted, we were not on mailing lists nor were the commercial businesses located adjacent to Old Highway 93.

* 62 In addition to the study area, a second general comment we have is that we disagree with the

B opening of the Congressional earmark for expenditure of the Federal Road and Transportation Building Fund. The Congressional earmark was to conduct was Congressional earmark was never for that purpose. The Congressional earmark was to conduct was an Environmental Impact Statement to identify a second access point, an alternative for a second access to the Miller Creek area. That was the basis upon which the funds were solicited from Congress and that is the basis upon which Congress appropriated the \$5 million. So we believe that any use of the \$5 million for projects that do not include or are not consistent with the Congressional earmark, which is to provide a second access point to the Miller Creek area, are outside the scope of the Congressional earmark and is an inappropriate use of federal funds. In that regard I would direct your attention to a couple of public documents that are included in the public record and are included on the website of the Miller Creek Draft Environmental Impact Statement. The first public document that demonstrates this is a Q & A at a Public Scoping Meeting held on March 26, 2003. Question No. 15 asks, "please explain how the Congressional earmark can be spent and on what." The answer provided by the FHWA is that the earmarked funds can be spent on the Environmental Impact Statement and the preliminary design for a second access for Lower Miller Creek Road to US 93. Therefore we believe that it is an inappropriate use of the Congressional earmark to spend the funds for projects that do not include and are not directly related to a second access point to Miller Creek. In the Preferred Alternative 5A that is currently included in the Draft EIS does not include a second access point to the Miller Creek area and therefore any use of funds would be inconsistent with the Congressional earmark.

*** 62:** The appropriation of federal funds for transportation improvements requires that the National Environmental Policy Act (NEPA) process be followed. NEPA requires that a range of reasonable alternatives be developed and evaluated, and reasonable alternatives cannot be constrained based on the intent of a Congressional appropriation. Three bridge alternatives were fully evaluated in the EIS. (Also refer to Response Issue B, under "Purpose of Congressional Appropriation.")

Response to Comment # 60 (continued)

B Another way to illustrate how Old Highway 93 expansion is inconsistent with the proposal is to simply look at the Q&A for Public Meeting No. 2 held on May 21, 2003, Question No. 3 on page 1 of 6.

There was a question raised about the Garrett connector and it was bad for several reasons, one of which the FHWA said, "after a technical review of the Garrett alternative or the Garrett connector, the project team has determined that this alternative does not meet the purpose and need for the project or the conditions stipulated in the funding earmark, i.e., a second access into the Miller Creek area." The importance of this is that it demonstrates that even if the purpose and need is changed as the FHWA has done in this case – in the middle of the process they changed the purpose and

* 63 as the FHWA has done in this case – in the middle of the process they changed the purpose and need – even if you change the purpose and need it demonstrates that the conditions stipulated in the funding earmark is to provide a second access into the Miller Creek area. That is what has been explained to the public and that is the basis upon which the public was receiving information and providing public comment. So again, any use of the federal funds in a manner that does not provide a second access point is inconsistent with the Congressional earmark.

B Finally, in regards to the appropriate use the Congressional earmark, there was a public meeting held on February 5, 2004. At that public meeting, page five of the minutes of that meeting shows that Dale Paulson of the Federal Highway Administration spoke at that meeting and said, "the first thing that happens of course is that you have to have a reason to do the job. This job came out of the fiscal year 2003 Appropriations Act. This says something like Miller Creek Road Preliminary Design EIA, well it is really an EIS but that is how it was stated in the document, in conjunction with that the application for those funds included a bridge across the river." So it is clear that the funds were solicited in the application to build or construct a bridge across the river and provide a second access point to the Miller Creek area. The funds were solicited from Congress for that purpose and Congress awarded and appropriated the funds for that purpose. Again, this demonstrates that what is presented as the Preferred Alternative in the Environmental Impact Statement is inconsistent with the Congressional earmark.

* 60 In addition to those two general comments regarding the conditions stipulated for the Congressional earmark and a description of the study area, we believe generally that the Missoula Country Club

* 61 was excluded from the process. Throughout the entire process for two years input was sought from

B Mountain/Target Range area, but no input was sought from the Missoula County Club or the commercial businesses that lie adjacent to Old Highway 93. Therefore, we think that the Draft EIS is lacking in information and many of the statements that are included have no basis. There is no factual data or information upon which the FHWA has made the statements that are included in the Draft EIS process. For example, the Environmental Summary on page ES-1 says "the NEPA process is to provide the general public and agency decision makers with all the relative information related to the impacts of the transportation actions considered." Well, the Old Highway 93 is a significant part of this Draft EIS and the Federal Highway Administration has absolutely failed to solicit any information from the Missoula County Club regarding any opinions, surveys, data they

*** 63:** The Miller Creek Road EIS process began in early 2003 and is anticipated to conclude in 2008. The project purpose and need was modified in June 2004. The appropriation of federal funds for transportation improvements requires that the National Environmental Policy Act (NEPA) process be followed. NEPA requires that a range of reasonable alternatives be developed and evaluated, and reasonable alternatives cannot be constrained based on the intent of a Congressional appropriation. Three bridge alternatives were fully evaluated in the EIS. (Also refer to Response Issue B, under "Purpose of Congressional Appropriation.")

Comment # 60 (continued)

F may have on its Country Club, any impacts it may have on its golf course and its membership. At
G ES-13 it says, "No public parks or recreation sites would be impacted with any of the build
alternatives." That is a blatantly false statement. The Missoula Country Club is a recreational site
and it is being proposed in this Draft EIS that they are not only going to impact us, they are going to
take some of our property, they are going to impact the tee-box, they are going to take some of our
hedge, they are going to take some of our entryway, and they are saying no recreation sites would
be impacted. That is not a true statement.

* 65 **F** **G** Additionally at ES-13 of the Draft EIS it says, "privately-owned Missoula Country Club would lose some of the vegetation hedge along Old Highway 93 due to road widening." That does not even begin to cover the impacts that this project will have on the Missoula Country Club. It could dramatically affect the eighth and ninth holes essentially rendering them unusable for liability reasons and could turn our club into a 16-hole course. If our club is rendered a 16-hole course, you might as well condemn the entire golf course because there are no 16-hole courses around the country.

In addition to understanding the impacts, please note that the Missoula Country Club sits on the smallest acreage – it is a golf course that lies on the smallest acreage of any course in the northwestern United States for an 18-hole golf course. We cannot afford to lose any more acreage, we are already dangerously close in the proximity and the layout of the holes and we cannot afford to redesign and lay holes closer to each other. So to expand Old Highway 93 and force relocations of our existing holes would not work, it would create unsafe golf conditions for the remainder of the course.

G At ES-15 it says, "Noise impacts are comparable to the No Action Alternative." We want to point out is that this Draft EIS is tremendously lacking in any evaluation of noise impacts, air quality impacts, on the outdoor recreation activities of the Missoula Country Club.

* 66 On page 1-7, Section 1.4.1 Roadway Deficiencies they discuss roadway deficiencies on Miller Creek Road, US 93, Upper Miller Creek Road and Lower Miller Creek Road. But glaringly absent from any of that discussion are any roadway deficiencies for Old Highway 93. Yet on page 1-8, the Old US 93, there is an insert that has no bearing on the discussion in Section 1.4.1 because there is no discussion of Old Highway 93, yet there is a road profile of a typical section of Old Highway 93. So there is no discussion of Old Highway 93 deficiencies, therefore, it is inappropriate to include it in the scope of this project. It has not been assessed appropriately by the FHWA.

B On page 1-11 of Section 1.8, Emergency Service Access, the Draft EIS says, "a need for additional access in and out of the Miller Creek area was identified in the project scoping process. So early on there was always an intention to provide a second access point in critical part for the emergency services providers, yet the Draft EIS fails to address this issue and absolutely fails to meet that issue. There is no second access for emergency services providers."

Responses

Response to Comment # 60 (continued)

*** 64:** The FEIS text has been modified to read that no public parks or public recreation sites would be impacted with any of the build alternatives.

*** 65:** As discussed in Issue G, holes eight and nine and the eighth and ninth hole tee boxes or fairways would not be impacted with Old US 93 improvements as originally proposed in the DEIS or with the revised design in the FEIS. The greens, holes, tee boxes, or fairways were never impacted. From the existing driveway entrance along the southwest property line toward US 93, approximately 30 feet of right-of-way would be acquired from the Country Club to accommodate the additional turning lanes at the Old US 93 and US 93 intersection. The area impacted is the landscaped area adjacent to the parking lot and entrance road. No impacts would occur to the parking lot. The only impact that would occur to the Country Club along the southern property line east of the entrance road in the area of holes 8 and 9 fairway and rough is to portions of the vegetative hedge or gravel maintenance area. In order to accommodate the wider Old US 93 typical section, an area of right-of-way approximately 250 feet long by five feet wide would be acquired as permanent right-of-way. No impacts to the 8th and 9th holes, fairways, or trees along the fairways would occur. See additional explanation under Issue F, which includes a graphic depicting impacts to the Missoula Country Club associated with the modified Old US 93 design. This information has been clarified in the FEIS.

* **66:** Old US 93 is not currently deficient, however it is key to solving future traffic problems in the area. A bullet was added to the section referenced to clarify this.

Comment # 60 (continued)

On page 2-1, we believe where you discuss the definition of purpose and need statement, "the project purpose and need were identified in the early project scoping process based on public and agency input." This is not a true statement. The public information shows that the modified purpose and need were identified in step four of the Environmental Impact Statement process, which is what – I think it is the alternative evaluation where you identify alternatives and evaluate and assess the alternatives – that is when you modified the purpose and need. And what it appears to the public to be is that you modified the purpose and need to meet a newly developed agenda which was to eliminate the second access point.

F 68 A critical comment that is very important for the Missoula Country Club is that Alternative 5A, noted on page 2-16 of the EIS, is that Alternative 5A would prohibit left-hand turns at the Old US Highway 93 southbound approach to US 93. What that means is that members of the Missoula Country Club and their guests and the public that use our course for tournaments, which is a high-traffic area, will have two choices; they will either attempt to make a left-hand turn out of the Missoula Country Club across 20,000 cars per day or they can turn right but if they go down to the light, they will not be able to make a left-hand turn and go back to Missoula. For that reason in and of itself, the study is deficient because it provides no reasonable means of ingress or egress to the Missoula Country Club. The ingress and egress is essentially eliminated.

Finally I want to comment on the criteria discussed in the Draft Environmental Impact Statement. It talks about existing land use but it doesn't discuss the fact that the Missoula Country Club is used for recreational purposes by private organizations; it also provides public benefit to non-profit organizations that hold tournaments there. The EIS fails to consider the existing land use (page 3-2). Page 3-11 talks about historic land uses, it omits the historical perspective of the Missoula Country Club and its open space. The Missoula Country Club has been around for 100 years, it historically has served as a buffer and a protection for the water tower which is a national historic landmark. It has a historical perspective in that it has the oldest grass greens in the State of Montana, and the hedge that has existed there and the trees that are located at the entryway to the Missoula Country Club have existed for 50 years. The proposals that are being presented fail to consider this long history of the Missoula Country Club.

Another illustration of how the Missoula Country Club has not been considered is at page 3-22 where they discuss Old US 93 and it is described as a two-lane urban collector that serves multiple businesses on the north side of Brooks Street and provides access to the Fort Missoula property. What it doesn't say is that it lies immediately adjacent to the Missoula Country Club and will have impacts on the Missoula Country Club.

* 72  Going to Air Quality – that discussion begins at page 3-49 of the Draft EIS and it talks about a measure 9 (Table 3-20, page 3-54), which is Old US 93. The activity category described there is activity Category C. We believe that is an incorrect and an inaccurate representation of that activity. The

Responses

Response to Comment # 60 (continued)

*** 67:** Council of Environmental Quality (CEQ) regulations stipulate that the purpose and need statement for an EIS should not be so narrow as to limit the reasonable alternatives. Therefore, based on public and agency input, the original purpose and need statement was revisited and it was determined it contained text that narrowly limited the range of alternatives to construction of a bridge. Based on that, the purpose and need statement was modified in June 2004 by eliminating language that contained a predetermined solution. This resulted in a broader range of alternatives to be identified and fully assessed that met the project purpose and need identified during the NEPA process. Refer to Response Issue B under "Change of Purpose and Need" for more information.

* **68:** In the DEIS the left-turn movement from Old US 93 to US 93 was eliminated. In the FEIS, that movement could be maintained during non-peak hours; however, complete restriction of this left-turn movement may be warranted in the future, at the discretion of MDT who has jurisdiction of US 93.

*** 69:** Section 3.1.1, Existing Land Use, in the DEIS presents a broad overview of land use in the area to provide the reader with the project context. Specific businesses and private land owners are not identified. The Missoula Country Club is identified on Figure 3-1, Existing City of Missoula and Missoula County Zoning Classifications and discussed in Sections 3.18 and 4.18 as a recreation facility.

*** 70:** Although the Missoula Country Club golf course is associated with historically significant events associated with the development of recreation in Missoula, in its current condition, the course lacks historical integrity. Numerous alterations have been made to the facility since the historical period, and the course no longer appears as it did after the 1949 expansion.

*** 71:** This passage now includes references to both the Missoula Country Club and the Larchmont Golf Course.

*** 72:** The page and table referenced in this comment actually occur in the Noise section of the DEIS. Noise Measurement location for Old US 93 (Site 9, shown on Table 3-20 and Figure 3-16 in the EIS) is a commercial area (Activity Category C) across the street and to the east of the Missoula Country Club. The measurement was used to validate the Traffic Noise

Comment # 60 (continued)

entire north side of Old Highway 93 is recreation activity so therefore it only takes one other parcel of land like a motel that lies on the south side to make it predominantly a Class B category. We do not believe that in considering the air quality, that the type of use around the Missoula Country Club has been considered. In addition, there is no discussion and there were no measurement points placed at the tee box to number nine. What the Draft EIS proposes is that we are going to put 20,000 cars per day down Old Highway 93 and that new location and that new traffic is going to lie immediately adjacent to a tee box where there will be, at any one time, over 400 golfers in an outdoor activity standing less than ten feet from the roadway. We think that is going to have one of the highest impacts of air quality on outdoor recreation in the Missoula valley.

Finally, we don't think generally that they have considered the noise and the effects it is going to have on the Missoula Country Club. We don't believe the land use impacts are accurate. The Missoula Country Club is not a commercial operation; it is a not-for-profit private organization to provide recreational opportunities for its members and invited guests. We don't believe the Federal Highway Administration has done a good job of addressing the social impacts; there is no discussion of the impact to the Missoula Country Club. We do not believe the expansion of Old Highway 93 preserves the character of the neighborhood. We do not believe it has adequately addressed the right-of-way impacts on the Missoula Country Club because once that property is taken and it affects the holes on the golf course, it is going to turn it into a 16-hole golf course and those right-of-way impacts are not going to be a small sum of money. If you impact two holes of the Missoula Country Club, you've effectively condemned the entire golf course and we assess that impact at more than \$50 million. We don't believe that the Federal Highway Administration has any data to support its conclusions that those are the impacts on the right-of-way acquisition. We don't believe that it addresses the visual impacts and the long history of the hedge that has existed at the Missoula Country Club and many of the old trees that exist. We don't believe the Draft EIS adequately addresses the parks and recreation impacts on the Missoula Country Club.

In general it is apparent that the expansion of Old Highway 93 occurred at the eleventh hour of the process after the scoping and data collection had already occurred. There was no ability for the FHWA, at that point, to gather the data to assess the impacts it is going to have on the Missoula Country Club and the surrounding commercial businesses. For that reason the Draft EIS and the Preferred Alternative 5A should be rejected.

Responses

Response to Comment # 61

*** 74:** All the build alternatives include a center turning lane on Miller Creek Road between US 93 and Briggs. However, a center turning lane is not proposed on Miller Creek Road between Briggs Street and Lower Miller Creek Road. Left turns into adjacent homes will need to be made from the interior through lane. The volume of left turn movements into the adjacent homes is too low to justify the cost and property impacts that would result from the added roadway width.

*** 74:** All the build alternatives include a center turning lane on Miller Creek Road between US 93 and Briggs. However, a center turning lane is not proposed on Miller Creek Road between Briggs Street and Lower Miller Creek Road. Left turns into adjacent homes will need to be made from the interior through lane. The volume of left turn movements into the adjacent homes is too low to justify the cost and property impacts that would result from the added roadway width.

In addition, construction of the Preferred Alternative does not preclude construction of a bridge in the future.

Responses

Response to Comment # 62

*** 75:** For Alternative 5A, the Preferred Alternative, Miller Creek Road is proposed to be a 5-lane section at its intersection with Brooks Street. The roadway section at Brooks includes two-through lanes in each direction and a left turn left at the intersection. In addition, construction of the Preferred Alternative will not preclude construction of a bridge in the future.

*** 75:** For Alternative 5A, the Preferred Alternative, Miller Creek Road is proposed to be a 5-lane section at its intersection with Brooks Street. The roadway section at Brooks includes two-through lanes in each direction and a left turn left at the intersection. In addition, construction of the Preferred Alternative will not preclude construction of a bridge in the future.

Responses

Response to Comment # 63

Responses to this comment letter can be found under Summary Response issue letters A, D, and F.

A second access to this area will be a necessity in the future and so I hope that a bridge at any of the three locations be seriously considered. It will only be more expensive in the future.

If only Alternative 5A is considered, I don't understand the need to encourage people to use Old Hwy 93 and put another light at its juncture with Reserve Street. This is an added expense that could be put to a better use. And I emphasize that I am against another light on Reserve Street.

Terry Johnson
4275 D J Drive
Missoula, MT 5
406-251-9954

Responses

Response to Comment # 65

*** 77:** Comment noted.

Bernard Constantin
610 Big Flat Road
Missoula, MT 59804
406-721-6333
bemy@montana.com

Appendix E: Comments and Responses

Responses

Response to Comment # 66

Responses to this comment letter can be found under Summary Response issue letters F and D.

The (Preferred Alt.) is very unfriendly to bike commuters. It will be impossible to turn onto Post Siding Road from Old 93 coming from the west. It's hard to cross 3-4 lanes of traffic. A better thought is to make a bike path on the north side of Old 93 – not 2 bike lanes along old 93. The bike path could also connect to the Reserve Street path along the east side of the Larchmont golf course.

I think the bridge (any of the locations under several of the alternatives) location needs to be revisited. Another outlet for Miller Creek to 93 is sorely needed – all of the traffic should not be funneled to 93.

Mindy Mason
2515 Floral Court
Missoula, MT
406-251-5918

Responses

Response to Comment # 67

Responses to this comment letter can be found under Summary Response issue letter C.

Comments

Responses

Comment # 68: Ken Rolf

D

E

F

(Retyped from handwritten comment sheet received at public hearing for improved legibility)

I am sure that I am echoing the sentiments of most south Missoula residents when I say that, while the Miller Creek Y needs to be addressed, an alternative escape from Lower Miller Creek is still not considered as a major part of our solution. The smallest disaster in Lower Miller Creek would create a bottleneck such as the University of Montana after a Grizzly/Bobcat football game, has never seen! Build the bridge!

* 78

H

I have seen, over the last eight years, many fix it solutions for the Y. Some were good, one better than the feds preferred alternative. Have the feds reviewed those proposals?

Ken Rolf
4825 Lower Miller Creek Road
Missoula, MT 59801
406-240-7662

Response to Comment # 68

Responses to this comment letter can be found under Summary Response issue letters D, E, F and H.

* 78:

You are correct that a number of alternative configurations for the "Y" have been developed. None of the potential solutions reviewed during the alternatives development and analysis process were found to be as feasible as the intersection configuration shown in the EIS. The No-Action Alternative includes improvements at the "Y" intersection - Lower Miller Creek Road would be realigned at the north "Y" intersection to form a "T" intersection with a traffic signal. This is discussed in Section 2.6.1 of the DEIS and FEIS. This intersection reconfiguration is consistent with Alternative 5A - the Preferred Alternative.

Responses

Response to Comment # 69

Responses to this comment letter can be found under Summary Response issue letters D and H.

By placing additional stop lights on Miller Creek Road at Briggs Street and at the Upper and Lower Miller Creek Y, drivers coming in from Upper Miller Creek and Linda Vista, Rodeo and other areas will turn at Garrett to avoid the stop lights. Some are already doing this just to avoid the one light at 93. This will impact Garret Street which is not an ideal alternate route as I'm sure you realize. If another access to Lower Miller/Linda Vista and the developments west of Linda Vista cannot be constructed maybe the project should be scrapped altogether and left as is.

City bus routes up to Linda Vista and the surrounding areas would help reduce traffic.

A = Reference number for summary response issue

Responses

Response to Comment # 70

Responses to this comment letter can be found under Summary Response issue letters A, D, F, H, and L.

A D F H L

Dolores Hartman

Responses

Response to Comment # 71

* 79 Is there a possibility of closing the entrance to Walmart off of Miller Creek? Get rid of the left turn lane, also added traffic trying to get onto Miller Creek. Possible entrance off Briggs, or just keep the two.

*** 79:** For all Build Alternatives, the proposed improvements to Miller Creek Road include a slightly modified access to Wal-Mart rather than a new access at Briggs. Closing the access from Miller Creek Road is not needed; however, it is recommended that left turn movements from this access be prohibited and only right-in and right-out turns be allowed.

Responses

Response to Comment # 72

Responses to this comment letter can be found under Summary Response issue letters I and F.

As I see the potential growth coming to fill the spaces that have already been seeing so many new homes being built — I wonder if the alternative plan is truly accurate in projecting growth in the Miller Creek area. Experts were very wrong in the forecast for Reserve St. — that it would be good enough to handle its traffic flow easily without problems and without over-capacity for 10 years. I have heard traffic managers/engineers saying the forecasts are hard to predict accurately. I see wordage of adequate or acceptable for the least expensive and preferred plan and wonder if it's really the "cheap plan." Sooner or later we all know that cheap often costs more in the long run.

Glen Bumgardner
6205 St. Thomas Drive
Missoula, MT 59803
251-3764
bumgant@bigsky.net

Responses

Response to Comment # 74

Responses to this comment letter can be found under Summary Response issue letters B, F, and G.

B The Missoula C.C. property & private business property “taken” by the Old 93 reconstruction will cost over \$50 million dollars under the 4th Amendment. The Missoula C.C. can not move to nearby contiguous land and finding comparable land with mature trees will cost in excess of \$45 million dollars. You need to factor this “cost” into your alternative and consider the lawsuits your flawed notice of this impact will spawn.

John Velk
PO Box 7791
Missoula, MT 59807
543-0909
Johnvelk@msn.com

Comments	Responses
Comment # 75: Bob Tutskey <i>(Retyped from handwritten comment sheet received at public hearing for improved legibility)</i> Opposed to “preferred alternative” because: 1. Does not address Miller Creek egress problems – only one exit from area in an emergency. 2. No EIS re impacts to Old Hwy 93 – such as noise, pollution and encroachment on Missoula Country Club land/golf holes. (3) this is a way to avoid confrontation with Blue Mtn. neighbors re a bridge over river at Blue Mtn. Rd. Bob Tutskey 437 Plymouth 721-0668 bob@saltstudio.com	Response to Comment # 75 Responses to this comment letter can be found under Summary Response issue letters D, E, F, and G.

Responses

Response to Comment # 76

Responses to this comment letter can be found under Summary Response issue letters A, B, C, D, H, and O.

B After spending nearly \$3 million on studies, the FHA has come up with a proposal that not only
D doesn't solve the initial purpose for the project, that of providing a second access to US 93 from
Miller Road, but creates another unworkable "malfunction junction" in south Missoula.

H The preferred alternative should be to do nothing until a project can be developed that works well into Missoula's future, one which will route US 93 through-traffic around or across Missoula on a limited-access road instead of along the nightmare of Reserve Street. Bicycle access from the Bitterroot Valley and the Miller Creek area should also be considered, as should mass transit from the same areas. Walmart may support this plan, but why do we need another Walmart Superstore anyway??

A Alternative 5 is nothing more than an expensive band-aid. The \$13 million, which is sure to soar
C as local business submit their claims, would be better-spent as part of a plan that looks to the
O future. This money (yes, even if it costs \$45 million) should be spent on a permanent fix. Build
a bridge, and build a by-pass, and fix Missoula's traffic problems.

Respectfully submitted,

Penny Ritchie 10/17/06
Penny Ritchie
PO Box 70
Florence MT 59833

cc: Max Baucus, Conrad Burns

Responses

Response to Comment # 79

Responses to this comment letter can be found under Summary Response issue letters A, B, and F.

Not sure why option 3B is not the preferred alternative. Option 5A appears to be a short term fix for a long term problem. It looks like revising the purpose and need lowered project expectations enough that 5A became a cheaper and easier acceptable alternative.

Comments

Comment # 80: Susan Reneau

From: Susan Reneau [mailto:bluemountain@montana.com]

Sent: Thursday, September 21, 2006 9:09 AM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.; 'Bill Carey'

Cc: 'Susan Reneau'

Subject: I will be hunting during the Miller Creek meeting but submit comments now

Dear Carter Burgess and Montana Dept. of Transportation:

* 81 First of all, this meeting was scheduled in the middle of hunting season, so I won't be joining you at the Oct. 17 meeting. I suspect many people will be gone for the same reason.

* 82
Secondly, I received four notices of the meeting so to conserve postage, could an e-mail be sent to me for future meetings or one mailing? The letters were sent to: "Jack Reneau," "Resident," "Susan Campbell-Reneau," and "William J. and Susan C. Reneau" at 5425 Skyway Drive, Missoula, MT 59804.

* 83 Instead of coated stock paper and color images on the newsletter, a simple 20 lb. copy paper with no color is fine with me. I'm the taxpayer, remember? I pay for that slick newsletter. Information is all anyone needs, not a pretty presentation.

Thirdly, I do not support this entire process of study because you do not have the money to do any of the work. I support discussions of how to pay for such work long before any plans. The plans are meaningless because they can't be constructed anytime soon. The housing construction in Linda Vista and Maloney Ranch are the reasons why you need to consider a bridge across the Bitterroot River, as has been said many, many times to MDOT and other highly paid consultants since the early 1990s. The drawings are very pretty but impractical.

Responses

Response to Comment # 80

Responses to this comment letter can be found under Summary Response issue letters C, D, and O.

*** 81:** There are many ways for you to participate in the public review process, such as providing comments on the project Web site (via email) or in writing to the FHWA project manager. In addition, the public hearing transcript and displays are posted on the project Web site for your reference.

*** 82:** The project mailing list has been modified to only include Susan Campbell Reneau's name at 5425 Skyway Drive. You may continue to receive a duplicate mailing through the bulk mailing process done in addition to the project mailing list.

* **83:** It was felt that the alternatives considered would be better understood if represented in color.

Responses

Response to Comment # 80 (continued)

*** 84:** See response no. * 81 above. Comments are not being received by phone in order to reduce errors in transcribing the message or misinterpretations.

*** 85:** Toll options were not pursued for this project as they are not likely to be sufficient to cover the project cost of construction up front. The process to sell bonds to meet the upfront costs would likely be inappropriate for this project.

*** 86:** MDT has been very involved with the project to screen and design interchange and intersections with US 93 so that safety is maximized and consistent with local and national standards.

*** 87:** You are correct in identifying the relationship between growth and infrastructure development. The City of Missoula and Missoula County are the local agencies that have the responsibility and control to approve land use plans and resulting development.

*** 87:** You are correct in identifying the relationship between growth and infrastructure development. The City of Missoula and Missoula County are the local agencies that have the responsibility and control to approve land use plans and resulting development.

Responses

Comment # 80 (continued)

* 88

Instead of hiring consultants to talk about the problem, why not hire Montana contractors to get the road work done or hire vans to transport people to work? How about requiring that to leave any neighborhood using Miller Creek or Hwy. 93 there would need to be 2 or more people in the car or truck? How about a tax incentives to Montana companies that come up with a good solution that is fully paid for instead of paying a consultant from Denver?

Susan Campbell Reneau
5425 Skyway Drive
Missoula, MT 59804
bluemountain@montana.com

Response to Comment # 80 (continued)

*** 88:** Your additional suggestions have been noted and fully disclosed in this document for local agencies and companies to consider.

Responses

Response to Comment # 81

Responses to this comment letter can be found under Summary Response issue letters D, F, and H.

To Whom It May Concern:

Thanks for accepting my input,

Scott L. Black
Accurate Appraisal Service
4666 Scott Allen Drive
Missoula, Montana 59803
(406) 251-5008 Office
(406) 251-9757 Fax
(406) 240-1159 Cellular

Comments

Responses

Comment # 83: Maxine Searles

September 26, 2006

Received 10/4/06

Ms. Misty McCoy
Carter & Burgess
707 17th Street
Denver, Co 80202

Dear Ms. McCoy:

G In our September newsletterthe Missoula Country Club..there was an article on the proposed changes of Old Hwy 93 and the impact on the 8th and 9th holes of the golf course.

It did not explain why this change was being made....traffic problems.

GF I would like to suggest that Old Hwy 93 heading south to the Bitterroot be made into a one-way road (two lanes heading south)...funneling traffic off of Reserve Street. Therefore, not having to impact the golf course or other businesses on the East side of Old Hwy 93. All traffic coming from the Bitterroot would still go up to Reserve and go either to SW Higgins, up Hwy 93, or North on Reserveas they do now. If you funnel traffic north on Old Hwy 93 you will have to put in lights on Reserve St....one block from existing lights.

As I said....I don't know what all is involved but wanted to offer the suggestion. It would be very sad to destroy a golf course that has been there for so many years.

Maxine Searles

Maxine Searles

*Searles
613 Dixon
Missoula, MT
59801*

Response to Comment # 83

Responses to this comment letter can be found under Summary Response issue letters F and G.

Responses

Responses

Response to Comment # 85

Responses to this comment letter can be found under Summary Response issue letter J.

From: Susan Eakins [mailto:lee-sue@msi1.com]
Sent: Thursday, September 28, 2006 7:00 PM

Sell: Thursday, September 28, 2000 7:09 PM
To: craig.gonzlingaor@flwva dot gov; McGowan, Micty S

Subject: public comment: DEIS

Dear Mr. Genzlinger,

Our comment is that any road modifications that occur, please consider welfare of wildlife that cross the Miller Creek area. We would like to see in the plan, some animal-friendly underpasses and fencing, appropriate for the situation. Since more traffic will use this area, considerations of motorists/wildlife safety be factored into the equation.

Thankyou. Mr. and Mrs. Lee Eakins, 5606 Hillview Way, Missoula, MT 59803

Responses

Response to Comment # 86

From: dpmarne [mailto:dpmarne@centric.net]

Sent: Saturday, September 30, 2006 3:52 PM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: Miller Creek EIS

Dear Craig and Misty,

A I believe the recommended alternative (5A) will NOT be effective through 2025. I also believe construction of the selected alternative will result in a huge bottleneck as no other Miller Creek exit will be available during construction. After seeing the proposed future construction of the Maloney Ranch area on the alternative flyer, I believe the Blue Mountain Road (Alternative 3B) appears to be the best option. Actually any of the bridge options appear acceptable as a second exit from the Miller Creek area is needed. I believe picking a "no bridge" option is short sighted. Now is the time to get the environmental approval for a new bridge, even if construction on the new bridge does not occur for a few years.

Sincerely,

David J. Marne
4275 Scott Allen Drive
Missoula, MT 59803
406-251-3717

Responses to this comment letter can be found under Summary
Response issue letters A, D and I.

Responses

Response to Comment # 87

Responses to this comment letter can be found under Summary Response issue letters C and O.

I don't know why you waste you're time and our taxpayer dollar sending these out & having these meetings.

The local government has already decided on what they want and (as usual) the public's comments will go on deaf ears.

Why didn't you start all this before the boom building started up Miller Creek and have the developers pay for the new roads? And problems it caused?

*** 90:** Public involvement is an important component of the NEPA process, and public input has been considered during identification and evaluation of alternatives, as discussed in Chapter 5.0 of the DEIS and FEIS.

Comments

Responses

Comment # 88: Gerald L. Fluke

5420 Hayes Creek Road
Missoula, MT 59804
October 1, 2006.

Craig Genzlinger, PE
Federal Highway Administration
585 Shepard Way
Helena, MT 59601

Re: Miller Creek Road EIS

Dear Sir:

This is response to invitation to comment on the plans that you are continuing to ask public input.

RECEIVED

OCT 05 2006
FHWA
MONTANA DIVISION

C My belief is that your plans do not address properly two major traffic impact problems; i.e. the Lower Miller housing development and the Bitterroot traffic.

D
E
* 91 The Government should find the funding to combine two of your plans. By **building both Alternative 5A and Alternative 4C**, would give egress from Miller Creek two optional routes and would allow melding the heavy Bitterroot traffic at two locations. It would also slow the Bitterroot traffic before they reach the present Blue Mountain traffic signal.

* 92 Hayes Creek Road access is presently on a blind hill for traffic going south.

* 93 Incidentally, is there any possibility that the Highway system acquire the Washington Corp railroad right-of-way from the Bitterroot through Missoula?

Very truly yours,

Gerald L. Fluke

Gerald L. Fluke, P.E., PhD

Response to Comment # 88

Responses to this comment letter can be found under Summary Response issue letters C, D, F, I and O.

* **91:** Table 4-8 of the EIS presents a summary of how Alternative 4C would operate compared to other build alternatives from a transportation standpoint.

* **92:** Alternative 5A was selected as the Preferred Alternative. No improvements are proposed at Hayes Creek Road under Alternative 5A.

* **93:** The railway continues operation and would not likely be amenable to selling the railroad right-of-way.

Responses

Response to Comment # 89

Responses to this comment letter can be found under Summary Response issue letters A, C, and D.

Sent: Tuesday, October 03, 2006 8:16 PM

To: Genzlinger, Craig

Subject: EIS comment

Dear Craig,

We need a bridge at Blue Mountain Road, period! Another band-aid solution we don't need. The "preferred alternative" (preferred by whom I would ask, certainly not me) is yet another short-sighted fix to a problem that will continue to grow. The only way to alleviate the current congestion and prepare for much more to come, is to provide another access route for the hundreds of homes yet to be built in the Maloney Ranch area. If this were up to a vote, and I wish it were, I would overwhelming support Alternative 3B. The majority of the expense for this project should be paid by those who would benefit most from it, ie the developers of Maloney Ranch.

Sincerely, Michael Steinberg
6305 ST Thomas Dr.

Comments

Comment # 90: Celia C. Winkler

From: Celia C Winkler [<mailto:celia.winkler@mso.umt.edu>]
Sent: Thursday, October 05, 2006 11:29 AM
To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.
Subject: Miller EIS

* 94 I prefer the "preferred alternative," 5a, in that it does the least damage to the area. The best solution to the Hwy 93 mess is really to improve mass transit from the Bitterroot and the Miller Creek area. If we spend a lot of money on new bridges and overpasses, we are committed to the single driver approach to the issue. Therefore, the least intrusive solution would be the best.

In addition, adding a signal at Reserve and Old Hwy 93 would solve a LOT of problems, allowing people to bypass the new "malfunction junction" of Reserve and 93 without doing a lot destructive road building in the Blue Mtn and Target Range areas.

Alternative 3b is the absolute worst. Destructive and reinforces the notion that hwy 93 into Missoula is a freeway.

Celia Winkler
celia.winkler@umontana.edu
office: 406-243-5843
home: 406-549-6285

Responses

Response to Comment # 90

Responses to this comment letter can be found under Summary Response issue letters F and N.

*** 94:** Your comment has been noted.

Responses

Response to Comment # 91

Responses to this comment letter can be found under Summary Response issue letters B, F, and G.

To: Genzlinger, Craig

Mr. Craig Genzlinger,
Federal Highway Administration
Helena Mt.

Dear Mr. Genzlinger

I am resending my comments on the Miller Creek DEIS as I note that I did not include my address and phone number with the original.

I am resending my comments on the Miller Creek DEIS as I note that I did not include my address and phone number with the original.

Thank you,

Thomas A. Layne
414 Rainier Court
Missoula, Mt. 59803

406-728-3617

----- Original Message -----

From: [THOMAS A LAYNE](#)

To: craig.genzlinger@fhwa.dot.gov

Sent: Thursday, October 05, 2006 1:20 PM

Subject: Miller Creek Old Highway 93 expansion Project

Mr. Craig Genzlinger,
Federal Highway Administration
Helena, Mt.

Response to Comment # 91 (continued)

October 5th, 2006

I received a reply from Misty McCoy to comments submitted to her in September. In her answer she assures me that all of the issues I raised would be addressed and resolved through meetings with Neil Michelson, Manager of the Missoula Country Club and country club representatives. This is reassuring but but does not go to the core of the questions with specific answers. In addition, in speaking with Neil and other representatives of the country club there seems to be a lack of real communication regarding this project.

In general, my reading of the draft treats the Country Club as a private entity and with very little study of the impacts on the Club. Specifically, the draft states that the project will "not impact the golfing areas of the club".

In one section the draft states the project MAY have an impact on the entrance to the Country Club. In another section the draft says "there will be a direct impact on the entrance". The draft

*** 95:** Impacts to the privately-owned Missoula Country Club and golf course were fully evaluated in the DEIS. As discussed in Issue G, holes eight and nine and the eighth and ninth hole tee boxes or fairways would not be impacted with Old US 93 improvements as originally proposed in the DEIS or with the revised design in the FEIS. The greens, holes, tee boxes, or fairways were never expected to be impacted. From the existing driveway entrance along the southwest property line toward US 93, approximately 30 feet of right-of-way would be acquired from the Country Club to accommodate the additional turning lanes at the Old US 93 and US 93 intersection. The area impacted is the landscaped area adjacent to the parking lot and entrance road. No impacts would occur to the parking lot. The only impact that would occur to the Country Club along the southern property line east of the entrance road in the area of holes 8 and 9 fairway and rough is to portions of the vegetative hedge or gravel maintenance area. In order to accommodate the wider Old US 93 typical section, an area of right-of-way approximately 250 feet long by five feet wide would be acquired as permanent right-of-way. No impacts to the 8th and 9th holes, fairways, or trees along the fairways would occur. See additional explanation under Issue F, which includes a graphic depicting impacts to the Missoula Country Club associated with the modified Old US 93 design. This information has been clarified in the FEIS.

Comments

Responses

Comment # 91 (continued)

states there is no need for sound mitigation. It states that the project will require acquisition of " a small amount of land from the Country Club."

In the section on safety, the draft mentions the potential for cars sideswiping one another but does not address the topic of entrance and egress to the club as cars try to cross the new highway.

In fairness to the members of the Country Club I respectfully ask the answers to the following concerns I have about this project.

1. The eighth tee box is only EIGHT FEET from the vegetative hedge which the draft states will be torn down. It is 12 feet from the boundary fence which is not even mentioned in the draft. The rough to the left of the ninth tee box and fairway are part of "the golfing areas" of the course.

Construction of the road as outlined comes right to the Property Line. I cannot imagine that an easement will not be required for heavy equipment to enter the golf course during construction. How many feet onto the course will equipment come and for how long?

2. There are many mature trees immediately adjacent to the fence and property line. Will these be removed by construction? Will they die as a result of construction? Who will pay to replace these trees?

3. If the easement for construction requires closing or reconfiguration of two holes the club will in effect be a 16 hole course. This is useless.

The club currently is used by the University of Montana Golf team for practice. The course is also used by the local high schools. The

Response to Comment # 91 (continued)

course is host to several charity events each year such as the high school fund raiser, Grizzly round-ball, and Camp-Make-A-Dream. The club also hosts state golf events on a rotational basis such as high school tournament played here tomorrow as well as sanctioned events such as the Men's State Amateur, the mid amateur and the senior state championship.

* 95 Who will compensate the charities and club for lost revenues during these events?

GOLF Along the same line, if members are deprived of the use of the golf course by losing two holes of play, handicaps, leagues etc. will not be valid at other golf courses.

Does the department of transportation plan to pay the members dues while two holes are unplayable?

4. How much is "a little land" from the club? Acreage is not given in the draft. Where on the club is this "little land" needed for this project?

G 5. The country club is used for the events above in #3 but also for wedding receptions, anniversaries, graduations, and many other social events.

The club is often rented by the general public. Who will compensate the club for these lost revenues?

6. Entrance/exit. During construction, how will members, employees, and other users get into the club? We have already been told we cannot enter from the "New" highway 93 past the light at the junction of old highway 93 and Miller creek road as it is too close to the light. The current entrance is only about 400 feet from highway 93. This is the **ONLY** way to get into the club without driving on the golf course.

*** 96:** Access to and from the Missoula Country Club will be maintained during construction. This is clarified in Section 4.19.2.4 of the FEIS. See Response Issue G, under “Missoula Country Club Access During Construction.”

Response to Comment # 91 (continued)

I believe the above stake holders in the club deserve to know how access will be maintained.

* 95 In addition, what will the permanent direct effects in the DEIS on the entrance be?

7. Noise abatement: The DEIS used sound monitors located across the on the side walk across the street from tee box 8 to come up with the number of decibels in the area. I suggest a much more accurate measure of sound would actually be on the tee box which is insulated from noise by the large hedge. If the measurements were lower than on the street side, noise mitigation for the club might well be necessary.

8. Safety: I will not comment on the potential impact of golf balls flying onto a crowded street. Suffice it to say it has happened, as have golf balls from Larchmont Golf Course landed on the Country club and vice versa.

I am concerned about the ability to safely enter and exit the country club. The current drive way is too close to 93 to warrant a stop light which would only hinder traffic. During high usage now it is common to wait just to enter the two lane old 93 with the flows it currently has. With up to more than 6 to 7 times the number of cars on old 93 it will be very dangerous to try to cross the traffic lanes. Turning right will mean reverse traffic for many who want to go north.

How will traffic be handled when large event such as a tournament or wedding reception with 300 to 500 attendees is over and everyone exits at the same time? This is not mentioned in the DEIS.

*** 97:** The noise measurement location for Old US 93 (Site 9, shown on Table 3-20 and Figure 3-16 in the EIS) is a commercial area (Activity Category C) across the street and to the east of the Missoula Country Club. The measurement was used to validate the Traffic Noise Model (TNM). Although Noise Measurement Site 9 is an Activity Category "C," the noise impact criteria used to evaluate impacts at the Country Club was a Category "B" "recreation area" level of 66 dBA. Noise levels at the Missoula Country Club for all project alternatives are predicted to be below the noise impact criteria. Refer to Response Issue G, under "Noise and Visual" for more information.

*** 98:** Liability for errant golf balls will remain as it is currently.

*** 99:** Please refer to Response Issue F, under "Access Issues-Missoula Country Club, Businesses, Post Siding Road."

*** 100:** A traffic management plan may be needed if large events like tournaments are expected to begin or end during peak hours. This would be true for all build alternatives as well as the No-Action Alternative.

Responses

Response to Comment # 91 (continued)

* 101 In fact the whole issue of the entrance/exit and traffic flows as they impact the Country Club are not mentioned in the draft DEIS.

G This project has the potential to adversely effect the economic status of the club, it's users, and employees both for the short term and the long term based on construction, access, noise, safety and other issues.

* 102 I think the members, employees, and other users have the right to have specific, detailed answers to these questions regarding all phases of the construction and long term impact of these project on the Missoula Country Club.

Respectfully submitted,

Thomas A. Layne
414 Rainier Court
Missoula, Mt. 59803

406-728-3617

*** 101:** Please refer to Response Issue F, under "Access Issues-Missoula Country Club, Businesses, Post Siding Road." Access to and from businesses along Old US 93 has been clarified in Chapter 4.0 of the FEIS.

*** 102:** Responses to all public comments received on the DEIS are contained in this Appendix.

Responses

Response to Comment # 92

(Retyped from handwritten letter for improved legibility)

Dear Sir:

My wife and I have been residents of Upper Miller Creek Road for 33 plus years. During this time the home building expansion has been extremely high.

A We are both against your preferred alternative 5A which we believe will result in a shorter version of Reserve Street which is now called the longest parking lot in Montana.

A We would prefer Alternative 3B however with a better access to Linda Vista to the new bridge. The developers of the Maloney Ranch should be responsible for that access to the new bridge.

I We also believe that the current Miller Creek Road at the junction of Upper & Lower Miller Creek Roads be widened to accommodate more cars access at that junction to the 93 intersection and light.

Thanking you in advance for your consideration.

Tom & Arlene Breum
5950 N. Meadowood
Missoula 59803
251-3541

Responses to this comment letter can be found under Summary
Response issue letters A, D, F, and H.

Responses

Response to Comment # 93

From: gerardpberens [<mailto:gerardpberens@bresnan.net>]

Sent: Sunday, October 08, 2006 2:06 PM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject:I agree with the Alternative 5A: Miller Creed Road at-Grade Intersection

* 103 I agree with the Alternative 5A: Miller Creed Road at-Grade Intersection. The other alternatives will not improve the safety and existing and future traffic at the Miller Creek Road and HWY 93 junction. The dividing of traffic between Hwy 93 and Old Hwy 93 is the only alternative to reduce traffic at the overcrowded Hwy 93 / Reserve St. / Brooks intersection. It is the least costly alternative

It is imperative that the \$1,000,000 of developer mitigation funds designated for the improvement Miller Creek Road still be utilized. Federal funds should not be used to bail out developers whose projects and profits have directly caused these traffic problems. In truth, this is not a Federal problem as much as it is a local developer driven problem facilitated by the lack of impact funds and enforcement safety and health regulations that are being compromised by unattainable development.

Responses to this comment letter can be found under Summary Response issue letter C.

*** 103:** Your comment has been noted

Comments

Responses

Comment # 94: William H. Towle

Craig Genzlinger
FHWA
585 Shepard Way
Helena, MT 59601

October 10, 2006

Dear Mr. Genzlinger:

Re: Miller Creek Road Draft EIS

My concerns are with Blue Mountain Road and Old 93.

* 104 Blue Mountain Road: Any plan should recognize that this road, as well as Big Flat Road and the McClay single lane bridge crossing, should not be expected to take additional traffic. We have lived off Big Flat Road for the last ten years and have seen a marked increase in traffic since Blue Mountain Road was paved. The 35 mph speed limit is routinely ignored and more frequently we have experienced cars and trucks passing regardless of the double yellow line. Because of the nature of the road it is difficult to police these problems. It is not the type of road that should take through traffic and adopting any of the proposed plans should take that into account.

* 105 **F** Old 93: Developing Old 93 seems to add very little benefit to the Miller Creek problem south of 93. Traffic moving south on Reserve can currently use Old 93 to access westbound 93 or Miller Creek. Traffic moving from Miller Creek to access Reserve southbound or Brooks will continue to use existing 93.

Those wanting access to northbound 93 will have a very modest benefit while being subjected to the increased risk of navigating a somewhat blind curve that has cuts serving a gas station, a bank and a tavern/casino. Just beyond these are cuts serving restaurants and other businesses. Also, subjecting those using these various businesses to such an increased traffic risk is not good planning. This is especially true since one of the prime users would be logging trucks roaring around the curve. Existing route 93 is five lane, straight, and designed to handle such traffic. The slight gain to be achieved from developing Old 93 is just not worth it and it really solves little or nothing with respect to the traffic tangle on Miller Creek south of 93.

William H. Towle

10449 UPLAND TRAIL
PO Box 8267
Missoula, MT 59804
Phone: 406-721-0720
Fax: 406-721-0746

WILLIAM H. TOWLE
Attorney at Law

OCT 11 2006
FBI
MONTANA DIVISION

Response to Comment # 94

Responses to this comment letter can be found under Summary Response issue letters A, F, and J.

* **104:** Alternative 3B-Blue Mountain Road Grade-Separated Intersection was not selected as the Preferred Alternative. Alternative 5A-Miller Creek Road At-Grade Intersection was selected as the Preferred Alternative.

* **105:** Please refer to Response Issue F, under "Why Old US 93 is Key to Solving Traffic Issues," and "Access Issues-Missoula Country Club, Businesses, Post Siding Road", and also Response Issue J, under "Access from Existing Roads."

Comments

Comment # 96: Dan Deutschman

From: Dan Deutschman [mailto:deutschd@blackfoot.net]
Sent: Thursday, October 12, 2006 4:44 PM
To: Genzlinger, Craig
Subject: miller creek project

* 106 If we were able to lend input to the project, the weigh station intersection is a great idea.

This is a problem that my wife and I have discussed for years and have asked ourselves why they haven't put an intersection in that exact spot. It would allow for excellent traffic flow too and from Missoula and Lolo.

In our opinion, that is the perfect solution for miller creek.

Dan and Pam
11411 Kona Ranch Road
Missoula, MT 59804
deutschd@blackfoot.net

Responses

Response to Comment # 96

*** 106:** Thank you for your suggestion. Section 2.4 of the EIS describes the corridor development and screening process.

Comments

Responses

Comment # 97: David Hickman

3003 Eldora Lane
Missoula, MT 59803

RECEIVED
OCT 18 2006
FHWHA
MONTANA DIVISION

10/13/06

Craig Genzlinger, P. E.
Federal Highway Administration
585 Shepard Way
Helena, Mt. 59601
Re: Miller Creek Road Project

Dear Mr. Genzlinger:

- B** In reviewing your current proposals I am finding some major concerns. I have found that it appears no environmental impact statement was ever pursued which included the revamping of old Highway 93 as proposed in the preferred alternate 5A. The reconstruction of 93 appears to have nothing to do with the intended objective of relieving traffic on Miller Creek. A major revamping of the Miller Creek Y to 93 and the subsequent light changes would more than adequately serve the intended objective until a more realistic route north and south for 93 can be found.
- F**
- H**
- L** Also, a more extensive change for the light at Miller Creek and 93 should be reviewed. I have attached an idea for your review. As well, the routing of traffic east on Briggs is a very problematic idea where the school is involved. In summary, I would recommend a full scale EIS be done which includes the old 93 highway. Thank you for your consideration.
- * 107

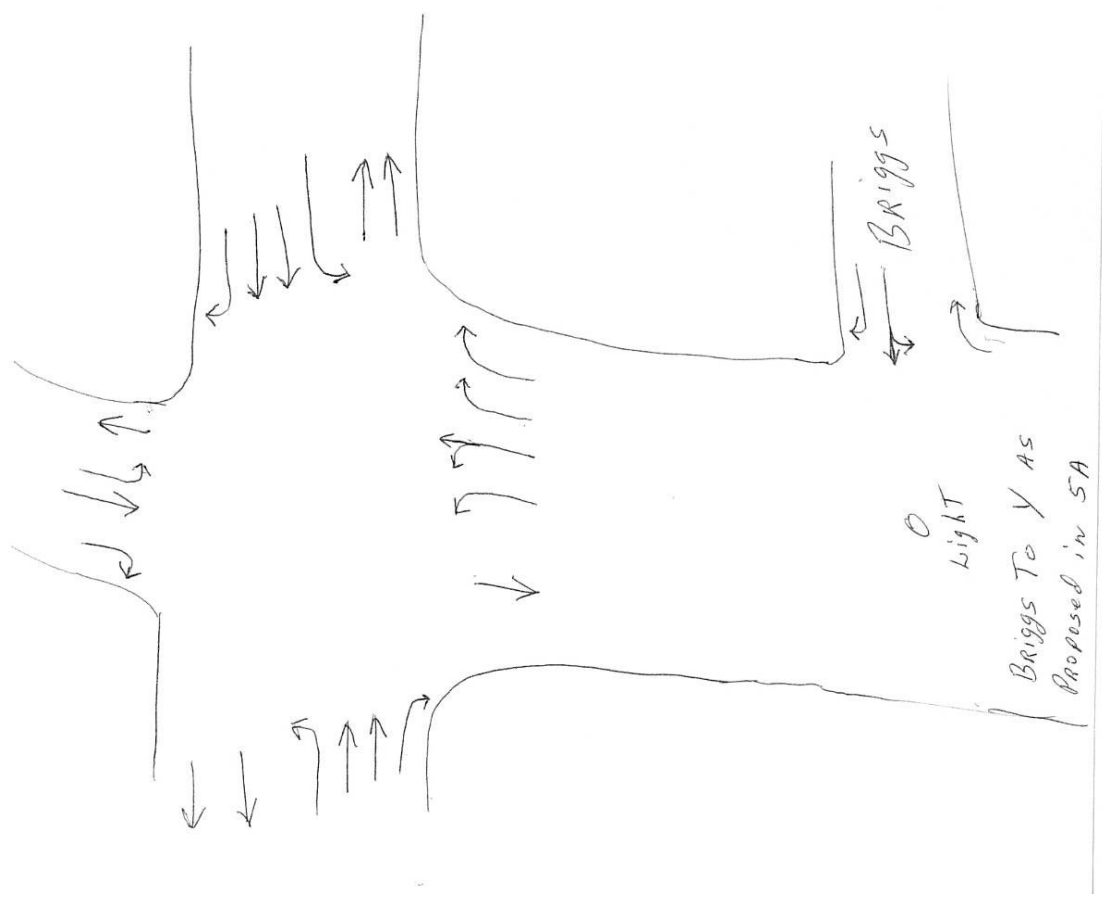
David Hickman

Response to Comment # 97

Responses to this comment letter can be found under Summary Response issue letters B, F, H, and L.

* **107:** Thank you for submitting your idea for the Miller Creek/US 93 intersection. Upon review of your proposal, it was found that the design included with Alternative 5A would more effectively handle forecasted traffic at that intersection. The use of the approach lanes is the biggest difference between your submitted intersection design concept and Alternative 5A. Alternative 5A utilizes every approach lane to its fullest potential while serving the critical movements during both the AM and PM peak periods.

Response to Comment # 97 (continued)



Responses

RECEIVED
OCT 26 2006
HWA
MONTANA DIVISION

Greg D. Anderson
4390 Nicole Court
Missoula, MT 59803
406-251-6333

E-137

Responses

Response to Comment # 100

Responses to this comment letter can be found under Summary Response issue letters B, F, G, I, O. See attachment on following pages.

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Attached are my comments on the DEIS related to proposed widening of Old US 93 having adverse impact on the Missoula Country Club.

Brian Walter
1380 Starwo
Missoula
406-542-0599

Comments

Responses

Comment # 100 (continued)

F. BRIAN WALTER
1380 STARWOOD DRIVE
MISSOULA, MT 59805
406-542-0597

Craig Genzlinger, PE
 Federal Highway Administration
 585 Shepard Way, Helena, MT 59601

VIA Email: craig.genzlinger@fhwa.dot.gov
 misty.mccoy@c-b.com

OLD U.S. 93 WIDENING AT MISSOULA COUNTRY CLUB
 Comments on Miller Creek Road Environmental Impact Statement

Points of Concern:

- F** • The EIS fails to recognize that the Missoula Country Club is one of the oldest and finest golf courses in the State of Montana, hosting many state and regional amateur and professional tournaments every year. Golf requires a quiet setting and cannot tolerate heavy background or sudden noise inherent with major traffic arterials. Widening Old US 93 to the degree proposed with very little distance between tees and fairways, while at the same time removing the tall mature hedge buffering visual and sound distractions from the players is totally unacceptable and will ruin a course of this standard.
- F** • Considering the above, the existing hedge and entrance should be left in place. To accomplish this it appears as a minimum, either one of the two northbound lanes or the bicycle lanes must be deleted from the design. Although bicycle lanes are good if space permits, the EIS states that very little bicycle traffic would be expected up Miller Creek and bicycles are rare on Reserve Street. There is no reason to expect heavier bicycle use on Old US 93.
- F** • The 2004 Transportation Plan Update and the EIS both recognize that portions of Reserve Street are already over capacity with the remainder at near capacity. Trying to cram addition traffic onto this arterial and the intersections in this vicinity is directionally incorrect and a waste of transportation funds. The only long term solution is to find a way to divert heavy trucks, and cars having a destination to the Bitterroot, to the north towards the Flathead, and to the west away from the current congestion. I understand three separate studies are underway which should be resolved before committing to widening Old US 93. These studies are: US 93 Corridor Lolo to Reserve; Reserve Street Corridor; and a west bypass feasibility study. The west by-pass has been debated for a number of years and resisted politically. However, many people can see that the increased traffic cannot over the long term be squeezed through the city hub. Installing a river bridge and an intersection to the south at the optimum point to extend into a west bypass would appear to be the better option to relieve traffic from Miller Creek. If not, then what is the long term solution?
- B** • Prior review process and public input did not include Alternative 5A, which was added only recently. This appears to be the first and last opportunity for public input. Widening of Old US 93 was not a recommended improvement in the most recent 2004 Transportation Plan Update. Therefore, it does not appear to be an approved option by City/County government.
- * 108 • The lines on Sheet Number 3 showing the road widths at 1"=100' scale (approximately 50') do not correspond with the road widths indicated on the Typical Roadway Section (69'). Which is correct? If the latter, on which side of the street will the additional 19' be located?
- Alt. 5A Sheet Number 3 shows dashed lines which seem to indicate a property line. Are these existing or proposed property lines?
- G** • The existing tee box, fairway and green on the 18th hole and the tee box to the 8th hole (12' from the fence) is very close to the road right-of-way and there has been little history of errant golf balls encroaching on the existing road due to the fence and hedge. If the roadway were widened, the hedge removed (or moved) and the new road is much closer to the hole, it is very likely that errant golf balls encroaching on traffic will increase significantly, creating a safety hazard. If this is the case, what is the plan to minimize this significant safety concern?
- G** • It is unclear due to the discrepancy between Sheet Number 3 and the Typical Roadway Sections as to the scope of the removal and reconstruction impact with regards to the existing fencing and, more crucially, the main entrance to the golf club. Will this impact require removal, redesign and replacement of existing infrastructure? If so, how do you envision it being laid out and how would the work be paid for?

Response to Comment # 100 (continued)

*** 108:** The typical sections shown in the EIS indicate the proposed roadway widths. However, at intersections additional turning lanes are proposed that will increase widths. Widening along Old US 93 would occur on the south side of the existing road away from the golf courses, except, at the intersection of Old US 93 and US 93 where widening would occur on both sides of Old US 93. Widening along Miller Creek Road would occur on the east side of the road as indicated in Figure 2-18 of the DEIS.

It is unclear what sheet you are referring to. However, in the August 2006 Alternatives Memorandum, Sheet Number 3 for Alternative 5A indicates a pavement width of around 50 feet. This exhibit is in error and an addendum to the memorandum will be issued to FHWA. However, the impacts assessed in the DEIS are correct and were based on a 69 foot typical section. The Limited Improvement exhibits in the Memorandum are the similar to those that should have been shown for Alternative 5A and are based on the correct typical section width.

Regardless, the typical section along Old US 93 is being revised to minimize impacts to adjacent property based on comments received on the DEIS.

Lastly, property lines have not been shown on Sheet 3 in the Alternative Memorandum.

A = Reference number for summary response issue

Comments

Responses

Comment # 100 (continued)

- I
 • Table 5-1 of the environmental impact statement indicates an existing AADT of 3,700 on Old US 93. Figure 5-5 indicates post-improvement traffic AADT on this section of Old U.S. 93 of 17,600, which calculates out to a 475% increase in post-improvement traffic. Are we reading this information correctly? I am very concerned, if in fact this is the proposal, that increasing traffic almost five-fold on this section of roadway will make entering and exiting the golf club infeasible and dangerous. What are your plans to ensure the golf club that this will be a safe and manageable entrance and exit? Keep in mind that the parking lot is frequently filled to capacity with over 200 cars and that there is no place for exiting vehicles to queue up waiting for an opportunity to enter heavy traffic. If the entrance were to be set back, there would be no space with sufficient visibility for waiting to access the road.
- G
 • Table 8 of the Technical Noise and Air Quality Analysis Report indicates a projected 3 db increase at MCR R3 near the 18th green and we assume there will be additional traffic related noise along the whole rout of Old U.S. 93. (It is unclear exactly how close the new road curb will encroach.) How was this assessment formulated? Did it consider that the existing noise buffer – the hedge, gate and fencing – will be removed and need to be replaced? What is proposed to replace the existing noise buffer and entry gate system? Who will design it and how will it be paid for? The current noise of intermittent traffic is occasionally distracting but with the heavy continual traffic load proposed for the new design, there will be a steady drone across the entire course. The EIS fails to recognize the importance of the noise situation to this golf course. Remember also that a replacement hedge would take several years to mature- an unacceptable duration to tolerate un-buffered sound and visual distraction.
- G
 • The EIS indicates “a little” land will need to be taken from the Missoula Country Club. Absent a proposed layout and understanding of what “a little” means, it is not possible to comment on this until this information is provided. Please provide a clear scope of proposed land takings as they relate to an actual design for comments and mark out the locations on the ground.

Summary: There are many broad brush impact statements that have not been vetted out in real design detail. I am very concerned that what is presented as “minimal” in the EIS will in fact be very significant to the Missoula Country Club. I am not comfortable with my understanding of the project based on the limited information provided (see all questions above). Hence, it is my expectation that you provide proposed acceptable resolutions to the issues identified above for consideration by the Missoula Country Club, or that you will concur with my opening observations and search for an alternative that does not involve such an extensive use of Old US 93 and offers a long term solution for US 93 traffic.

Yours truly,

Brian Walter, P.E. (Retired), Fellow and Life Member ASCE

Response to Comment # 100 (continued)

Comments

Responses

Comment # 101: George A. Stern

George A. Stern
30 Willowbrook Lane
Missoula, MT 59802
(406) 543-7990

October 17, 2006

RECEIVED
OCT 18 2006
MTWA
MONTANA DIVISION

Mr. Craig Genzlinger, P.E.
Federal Highway Administration
585 Shepard Way
Helena Montana 59601

Dear Mr. Genzlinger:

B

I am writing to express my strong opposition to the proposed plans for the Miller Creek Road Project, as well as the current draft environmental impact statement (DEIS) for being inaccurate, improperly performed, and improperly noticed.

I am a resident of Missoula, Montana and a member of the Missoula Country Club (MCC). I am concerned that the proposals, in their current form, will cause irreparable damage to the MCC, and this has not been considered in the DEIS.

F

Specifically, I am only concerned about the part of each proposal that deals with the expansion of "old Highway 93", the road that extends northward from the junction of Brooks and Miller Creek Road and ends at Reserve St. near the southeast corner of Larchmont Golf Course. This currently is an uncurbed two lane road with no traffic signals except at its origin with Brooks (current Highway 93). The entrance to MCC is on this road, and the road parallels the east boundary of the MCC along the 8th and 9th holes. The expansion of this road, included in all of the proposals except the "do nothing" alternative, is to widen this road to four traffic lanes, two bike lanes, a sidewalk on one side and curbs on both sides.

B
D
E

The Miller Creek project has been under study for a number of years. The original goal of the project was to identify a second, alternative access route into and out of the Miller Creek area. That was a laudable goal. There are a number of large residential areas around Missoula, in canyons, with only one exit and entry route. This represents obvious safety issues in the event of a fire or other emergency, as well as access of emergency vehicles during high traffic times. The original proposal was to build a bridge across the Bitterroot River that would connect to Highway 93 near Blue Mountain Road. That proposal was met with considerable opposition by residents of the Blue Mountain Road area. That plan was then shelved in favor of the new "preferred alternative". The original plan was, and still is, the best alternative, despite the public opposition. That plan did not include any mention of changes to old Highway 93, nor are those changes necessary to achieve the desired objective.

B
F

Subsequent to the opposition to the original plan, the objectives of the project were changed to "improve access to the Miller Creek area". In my opinion, this was an inappropriate change of objectives. For either objective, however, expansion of old Highway 93 does not help accomplish the objective.

Response to Comment # 101

Responses to this comment letter can be found under Summary Response issue letters B, D, E, F, G and I.

Comments

Responses

Comment # 101 (continued)

B Despite the fact that this project has been under study for quite some time, the expansion of old Highway 93 was never mentioned as part of the project until March, 2006. For some reason, it is now included in all of the proposed alternatives except the "do nothing" alternative. The period of study of the project, and the opportunities for public commentary, preceded the inclusion of the old Highway 93 expansion. For that reason, I believe that the public hearings were held prematurely and improperly noticed, since, at the time these hearings were held, nobody who would be affected by the old Highway 93 expansion had any reason to think that they were being influenced by the project and had any reason to comment.

B Because of the late inclusion of the old Highway 93 expansion into the proposal, it was not studied as part of the preparation of the DEIS. For that reason, the DEIS is flawed and inadequate. There is nothing in the DEIS that deals, in any way, with the effects of the proposed expansion of old Highway 93. Therefore, if the proposals are not changed to eliminate the old Highway 93 expansion, the DEIS needs to be rewritten after an appropriate period of additional study.

F
G The expansion of old Highway 93 will obviously involve taking property from one or both sides of the current road to accomplish the current project. Currently the west side of the road borders the MCC and part of Larchmont golf course, while the east side borders on the back side of a number of businesses, most or all of which have driveways exiting onto old Highway 93. While the scope of the project has been defined, the borders of the project have not (i.e. it has not been determined how much property will be taken from each side of the road, nor the possibility of construction easements needed to temporarily use property to complete the project). Because of that, it is impossible for the EIS to state what the impact on the various properties might be. Until the project is more explicitly defined, it will be impossible to prepare an appropriate and accurate EIS.

G Whatever plan is adopted, and whatever construction lines are drawn, this will have an extremely negative effect on the MCC. At the least, there will be a great deal of noise, car exhaust and smog from the construction and increased traffic flow. Even if the current MCC property line is not invaded, the road will be within 12-15 feet of the eighth tee. If MCC property is taken, it will seriously affect the entrance to the club, as well as the existing eighth and ninth holes. You can't play golf on a sixteen hole golf course! If two holes are lost, it might require the redesign and re-construction of the whole golf course, and I don't believe there could be adequate mitigation for that. In addition, any minor changes will increase the likelihood of golf balls being hit into the road, placing an increased load of traffic at risk.

G The effects on the club entrance will also be severe, as access and departure from the club will be limited. This could have serious effects in the event of emergency. The Missoula county attorney recently had a heart attack at the club. Fortunately, he is OK, but another 10 minutes to get an emergency vehicle in and out of the club could have cost him his

Response to Comment # 101 (continued)

Comments

Responses

Comment # 101 (continued)

F
G life. As the proposed plan is currently drawn up, to exit the club, one would have to make a left turn onto a busy 4 lane road, without the aid of a traffic light, or turn right and to then go into Miller Creek and take a circuitous route to get back to Brooks to go into town (the potential left turn from old Highway 93 onto Brooks will be blocked). This might be improved access into Miller Creek, but it will be worse access to anywhere else.

F
I The question is: why does anything have to be done to old Highway 93 at all? It neither provides an alternative route into Miller Creek, the original goal of the project, nor improves access to Miller Creek. Therefore, it is not essential to achieving the goals of the project. Secondly, it only minimally improves traffic flow by providing a diversion from the Brooks-Reserve intersection. That intersection is only about eight years old, both roads are six lanes wide at the intersection, so it can handle all of the traffic needed, and nobody would save more than an eighth of a mile using this diversion. Lastly, there are a significant number of businesses on Brooks and Reserve that would be bypassed by using the reconstructed old Highway 93. These businesses are located where they are in order to have the visibility of a large traffic volume driving by. These businesses will be severely harmed by the proposed expansion of old Highway 93. On the other hand, old Highway 93 is populated by two golf courses and the back side of a number of businesses who do not use that road as their primary public access point. Therefore, nobody will benefit from this road expansion, but a large number of businesses will be harmed. Why are we proposing to spend millions of tax dollars on this?

I am one of nearly a thousand members at the MCC (over 500 memberships with most being married couples). We all strenuously object to this project and the effect it will have on the club. I therefore request that you seriously reconsider the old Highway 93 expansion, as it is not a necessary component of any of the proposed alternatives, and threatens to seriously impact a large number of citizens and businesses without those effects having been adequately studied or submitted for public comment.

Sincerely,



George A. Stern, MD

Response to Comment # 101 (continued)

Responses

Response to Comment # 102

RECEIVED
OCT 24 1964
FBI
WASHINGTON

Dear Mr. Genzlinger:

I am a resident of Missoula, Montana and a member of the Missoula Country Club (MCC). I am concerned that the proposals, in their current form, will cause irreparable damage to the MCC, and this has not been considered in the DEIS.

Specifically, I am only concerned about the part of each proposal that deals with the expansion of "old Highway 93", the road that extends northward from the junction of Brooks and Miller Creek Road and ends at Reserve St. near the southeast corner of Larchmont Golf Course. This currently is an uncurbed two lane road with no traffic signals except at its origin with Brooks (current Highway 93). The entrance to MCC is on this road, and the road parallels the east boundary of the MCC along the 8th and 9th holes. The expansion of this road included in all of the proposals except the "do nothing" alternative, is to widen this road to four traffic lanes, two bike lanes, a sidewalk on one side and curbs on both sides.

The Miller Creek project has been under study for a number of years. The original goal of the project was to identify a second, alternative access route into and out of the Miller Creek area. That was a laudable goal. There are a number of large residential areas around Missoula in canyons, with only one exit and entry route. This represents obvious safety issues in the event of a fire or other emergency, as well as access of emergency vehicles during high traffic times. The original proposal was to build a bridge across the Bitterroot River that would connect to Highway 93 near Blue Mountain Road. That proposal was met with considerable opposition by residents of the Blue Mountain Road area. That plan was then shelved in favor of the new "preferred alternative". The original plan was, and still is, the best alternative, despite the public opposition. That plan did not include any mention of changes to old Highway 93, nor are those changes necessary to achieve the desired objective.

Subsequent to the opposition to the original plan, the objectives of the project were changed to "improve access to the Miller Creek area". In my opinion, this was an inappropriate change of objectives. For either objective, however, expansion of old Highway 93 does not help accomplish the objective.

Responses to this comment letter can be found under Summary Response issue letters B,D, E, F, G and I.

Responses

Response to Comment # 102 (continued)

The effects on the club entrance will also be severe, as access and departure from the club will be limited. This could have serious effects in the event of emergency. The Missoula county attorney recently had a heart attack at the club. Fortunately, he is OK, but another 10 minutes to get an emergency vehicle in and out of the club could have cost him his

E-146

Responses

Response to Comment # 102 (continued)

Cynthia H. Stern

E-147

Comments

Comment # 103: Mike Walker

From: Mike Walker [mailto:mike.walker@walkerlogisticsinc.com]

Sent: Tuesday, October 17, 2006 10:57 AM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: Miller EIS Objections...

Mr. Genzlinger,

I am writing in regard to my objections to the current Miller EIS plans submitted for the following reasons:

- 1) In the original statement, a secondary access to the development in the Miller Creek area (Linda Vista, Maloney Ranch et al...) was the purpose and mission of the study...I see somewhere in 04 you modified that statement? Did anybody know this? Highway 93 improvements were never even in the scope of the original concept? I feel the EIS is defunct for purposes of not including old highway 93 impacts in the study...
- 2) I feel making major changes on old highway 93 and the corner of Reserve and Brooks deserves impact study and is very premature at this point given current studies under way on Brooks, Reserve and a potential "By-Pass" ...plus the Miller EIS does not really even address these areas? This proposal appears as an after thought thus rendering the EIS incomplete or illegal...
- 3) The current alternative chosen will put heavy traffic flowing by Cold Springs School where both my children currently attend. Currently the traffic flow by this school is manageable, but barley. Making the proposed changes will add HEAVY traffic by the school and this IS NOT SAFE or a prudent idea to take what is currently safe and jeopardizes that? Missoula currently already has several schools in High Traffic zones, why would we create another? The school also relies heavily on parking along Briggs for school functions that would either be non existent causing further COSTS for the school to construct additional parking or again jeopardize the safety of families

Responses

Response to Comment # 103

Responses to this comment letter can be found under Summary Response issue letters B, D, F, H, I, L, and O.

Comment # 103 (continued)

getting in and out of vehicles parked along Briggs. The current EIS does not really focus on this area either further making the study defunct in my opinion! This school yard is used HEAVILY for non school sanctioned sports for our children daily, nightly and on weekends. This alternative puts huge safety factors at risk to our families that is completely avoidable....no safety risk is far better than trying to manage one...one messed up child is not worth it! The current alternative chosen does very little to relieve traffic out of the developments off of Miller Creek and further backs traffic up Miller creek road through a series of proposed stop lights...The stop light proposed at the base of the Y at upper & lower Miller Creek road is at the base of a very long and steep hill...a stop light will have serious safety issues on a snow morning causing many cars to have to come to a complete stop on a very steep hill? Has this been contemplated in the study? The hill is already very dangerous on a cold wet morning and taken lives already?

The current proposals seem to benefit only 1 party in Missoula...WAL-MART and that I take even more exception to...Wal-Mart gets their super store after the proposed change made as the changes seem only to make the corner suitable for a super center which in itself will take your projections to 2025 volumes there over night? Does the current EIS include a wal super center? If not, perhaps that also makes it premature a defunct!

The EIS and proposed developments are premature! The pending wal-mart super center and also the Bitterroot resort are major factors to consider when planning such changes...Bitterroot Resort in its full concept is the largest ski area in North America! 12 times larger than Snowbowl and will accommodate up to 20,000 vacationers a day...a by pass to the airport will eventually come into plans...shouldn't all this be contemplated in concert? Decisions now will lead to failure and huge wastes of available funding! Lets do things right!

109*)

*** 109:** The project has considered reasonably foreseeable projects that are included on local plans and have funding in place. Coordination with Wal-Mart has occurred.

Comments

Responses

Comment # 104: Bob Tutskey

From: bob tutskey [mailto:bob@saltstudio.com]
Sent: Tuesday, October 17, 2006 5:28 PM
To: craig.genzlinger@fhwa.gov; McCoy, Misty S.
Subject: Miller Creek Road Project Public Comment

A Please accept my comments and opposition to the proposed "preferred alternative" for the Miller Creek Road Project EIS. To that point I am opposed to the proposal for the following reasons:

B 1. The initial challenge was to find a way to allow a second point of entry or egress for the Miller Creek/Linda Vista/Maloney ranch areas.
D the current proposal does nothing to address this need. In an
E emergency situation requiring evacuation of the area there is no alternative exit route. One stalled car on Miller Creek Road or a train crossing the intersection will create chaos.

F 2. The impacts both environmental and social on old Highway 93 and
G the adjacent businesses and the golf course have not been addressed. A 16 or 17 hole golf course won't make it.

B 3. This alternative is just a knee-jerk reaction to the concerns of the
D Blue Mountain home owners to a connecting bridge coming out of
O Miller Creek that accesses Blue Mountain Road. A longer term view and solution that combines a bridge and a Highway 93 bypass that follows Blue Mountain Road makes more sense. The current Old Highway 93 alternative may avoid some short-term conflicts with the Blue Mountain/Big Flat neighbors, but they should know you'll be back pursuing that plan in 5 years anyway because the current alternative doesn't solve the bigger issues of Miller Creek egress or a truck/travel through bypass for Missoula.

Response to Comment # 104

Responses to this comment letter can be found under Summary Response issue letters A, B, D, E, F, G, H, and I.

Responses

Response to Comment # 104 (continued)

Responses

Response to Comment # 105

From: Michael & Patricia Gray [<mailto:west1@montana.com>]
Sent: Wednesday, October 18, 2006 7:04 AM
To: craig.genzlinger@fhwa.dot.gov
Cc: McCoy, Misty S.
Subject: Miller Creek EIS comments

Several comments about Table 2-4 on Page 2-33;

* 110 The images being used for Figures 2-13 through 2-15 (pages 2-24, 2-25, 2-27, and 2-28) appear to be years out of date. Land use has not changed that much in the other images in this section; however, there has been quite a bit of development in the areas around Blue Mountain Road and, to a lesser degree, near Hayes Creek Road.

* 110

Specifically, the Blue Mountain Road area now has a large established flooring/home furnishing building where the proposed southbound offramp is shown. Also, the Superior Hardwood property to the south of the existing Blue Mountain stoplight has had several large buildings added where the proposed roadway is shown. The Hayes Creek area has added several businesses in the path of the proposed roadway, including the new multi-million dollar Humane Society shelter, a new veterinary services building, and an additional large building to the Honda dealership.

* 111 These improvements do not seem to be reflected in the Total Right-of-Way costs in Table 2-4, which appear to be greatly undervalued in today's marketplace. These values would probably not even cover the cost of moving the existing businesses to new locations, much less to acquire the land for the improvements.

The second comment is to point out that, according to the footnote on the table, improvements to Old Highway 93 and the Brooks/Reserve Streets intersection are factored in to the bridge alternatives, but apparently not in Alternative 5A, the Miller Creek Road improvement alternative. The specifics of Alternative 5A need to be addressed.

Michael Gray
Box 727
Missoula, MT 59806

* **110:** The most current aerial photography available at the initiation of this project in 2003 was used. We acknowledge that development has continued to occur, and that development has been taken into account when estimating costs and impacts. A footnote has been added to referenced figures stating that development has occurred in the area since the aerial photo was taken.

*** 111:** Table 2-4 of the EIS has been revised to add a footnote clarifying that improvements to Old Highway 93 and to the Brooks/Reserve Streets intersection are included for Alternative 5A.

Comments

Responses

Comment # 107: Diane Delaney

From: Diane Delaney [mailto:DelaneyD@ho.missoula.mt.us]
Sent: Wednesday, October 18, 2006 10:44 AM
To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.
Subject: Miller Creek problem

D
F
H
I
L

Diverting a large amount of traffic to and from Miller Creek on a daily basis in front of an elementary school is unacceptable. AS this valley continues to grow, a bridge over the Bitterroot is the only long term solution. These band-aid solutions to traffic problems which are a result of subdivision approval with no regard for traffic flow are no longer working. I live 4 blocks from Cold Spring School and the traffic on Briggs Street already is at a dangerous level for school children. There has to be a better solution. Thank you for your hard work and consideration.

Response to Comment # 107

Responses to this comment letter can be found under Summary
Response issue letters D, F, H, I, and L.

Response to Comment # 108

Responses to this comment letter can be found under Summary Response issue letters D, E, F, H, I, J, and L.

Response issue letters D, E, F, H, I, J, and L.

*** 112:** Please refer to Table 4-5 of the FEIS for information about traffic and percent change from the year 2025 No-Action Alternative. Impacts on housing values for Alternative 5A, the preferred alternative, are expected to be similar to the No-Action Alternative. For Alternative 5A, the most significant increase in traffic is expected to occur on Old US 93 where there are no residences. For all other affected road segments, 2025 traffic volumes for the preferred alternative do not increase significantly over those projected for the No-Action Alternative. Traffic is expected to increase on all road segments due to projected growth in the area and as a result of the project. All build alternatives would help reduce congestion by improving traffic flow, but, for each build alternative, the various road segments are impacted differently.

*** 112:** Please refer to Table 4-5 of the FEIS for information about traffic and percent change from the year 2025 No-Action Alternative. Impacts and housing values for Alternative 5A, the preferred alternative, are expected to be similar to the No-Action Alternative. For Alternative 5A, the most significant increase in traffic is expected to occur on Old US 93 where there are no residences. For all other affected road segments, 2025 traffic volumes for the preferred alternative do not increase significantly over those projected for the No-Action Alternative. Traffic is expected to increase on all road segments due to projected growth in the area and as a result of the project. All build alternatives would help reduce congestion by improving traffic flow, but, for each build alternative, the various road segments are impacted differently.

Response to Comment # 108 (continued)

Findings

I appreciate your time in considering my comments on the issue. I hope that through all the comment process, you take the thoughts and concerns of the residents in that area into consideration. Thank you.

Responses

Response to Comment # 109

From: Julio K. Morales [mailto:jmorales@imoraleslaw.com]

Sent: Wednesday, October 18, 2006 11:19 AM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Cc: Julio K. Morales

Subject: EIS on US 93 & Miller Creek

As a resident of Mullen Road very near Reserve Street I have witnessed the several changes made to that intersection over the last ten years, and have been appalled with each change, knowing that within two years each change would prove unmanageable. The last change made the widest possible use of every bit of real estate and traffic signal, yet the bottleneck and serious accidents continue unabated. Only alternate routes serving the side road, Mullan Road in this case, could provide improvement. Thus I always advocate providing a separate, well improved connection from Mullan Road West directly with US 10. No doubt that the several changes made at Reserve and Mullan could have paid for a new improved route between Mullan and US10.

No doubt the same poor vision is clouding the solution for US 93 and Miller Creek. The only proper solution there is to provide an improved alternate route to the side road, Miller Creek in that case; if this requires a new bridge, then let us save the money that several changes in the present plan would waste, and spend that money in the only proper solution: an adequate alternate route, bridge and all.

Put it to a vote if necessary.

Julio K. Morales
Attorney At Law
(406) 728-6005
jmorales@jmoraleslaw.com

Responses to this comment letter can be found under Summary Response issue letters D, F, and H.

Responses

Response to Comment # 110

Responses to this comment letter can be found under Summary Response issue letters A, B, D, E, F, and H.

Response issue letters A, B, D, E, F, and H.

It's generally accepted in Missoula, not just to the residents of Miller Creek, that a bridge is/was going to be built out of Miller Creek. It's needed. This area is growing extremely fast and it's going to keep growing. As a resident on the back side of the hill, it concerns me how we could evacuate the entire Miller Creek area in the event of a fire with one way out. Continuing to bottleneck traffic though Miller Creek Road next to Walmart is not a plan. 5A cannot solve the problem with traffic on Briggs or Miller Creek Road that a bridge would solve. Frankly, Miller Creek Road from the Y to 93 and Old 93 could be left as they are with a bridge alternative.

The final plan should look far into the future. 4C appears to make the most sense. It's far enough away from Miller Creek to keep traffic flowing smoothly onto 93 without the dreaded stoplights. 3B is nice too. Blue Mountain Road has so many traffic accidents at the 93 light, it could use a plan like 3B. 2B looks like a short-term alternative with another way to back up traffic in the future.

No matter what is done, someone is going to be unhappy about a temporary change. A bird might need to build a new nest down river and a business may need to find a new location. You cannot please everyone, yet everyone always adapts. **5A does not get the job done.** Plan for an alternative that would be in the interest of most people, not just for today, not just because it's cheap, but for the future as well. Build us a bridge.

Sincerely,

Jennifer Muzzana
7591 Tarkio Way
Missoula, MT 59803
251-1113

Responses

Response to Comment # 111

Responses to this comment letter can be found under Summary Response issue letters B, F, and G.

*** 113:** The EIS fully analyzes all aspects of the Preferred Alternative by resource. Chapters 3 and 4 discuss the existing conditions of the study area and the expected impacts. Chapter 2 describes the nature of the project and extent of impacts. The Executive Summary recaps the estimated effects for each alternative by resource.

B

* 113

FG

B

FG

FG

A = Reference number for summary response issue

Comments

Responses

Comment # 111 (continued)

process to the greatest extent possible with the likely outcome being significant additional cost simply brought on by the delay.

I ask that the process be redirected to the original charter of finding a preferred second route out of Miller Creek. The Old Highway component of this plan is a very poor planning effort that is outside of the request for an EIS. Please go back to the original charter of this EIS and come back with a project that makes sense and has lasting value to the community rather than this band aid, pork barrel make work effort.

Sincerely,



Donald G. Gaumer

Response to Comment # 111 (continued)

Responses

Response to Comment # 113

From: Patricia Corrigan Ekness [mailto:patricia.corrigan@fedex.com]

Sent: Wednesday, October 18, 2006 8:09 PM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: miller creek road expansion

Dear Misty and Craig,

Below are my comments I'd like to have included as part of the public record regarding the Miller Creek Rd Expansion. I have sent this to Sen Max Baucus under a separate cover.

Thanks Pattie

Dear Max,

I am writing to you to make sure you are aware of the evolving situation here in Missoula. And I have cc'd Mr Genzlinger from the Federal Highway Administration because I would also like my concerns to be added as part of the public record regarding the issue.

I recently attended a Public Hearing regarding the DEIS for the Miller Creek Development Access held at the Quality Inn on Hwy 93 in Missoula.

B I respectfully acknowledge the preparation that was involved in this presentation. However, it would appear that the recommendations fall far short of what is necessary and what was promised for the successful coordination of traffic flow for such a rapidly growing sub-division.

The Federal Hwy Engineers presented their 'Preferred Alternative' (5A) which is cheap but does not include a second access point for the development. The secondary access point was the original task. Their recommendation continues to force the exploding amount of traffic down the one and only entrance/exit. As the testimony pointed out at the hearing, this plan does not take into account the effect on local businesses, schools and neighborhoods. The plan overlooks the ripple effect it will have on traffic.

Responses to this comment letter can be found under Summary Response issue letters B, C, D, F, G, H, and I.

Comments

Comment # 113 (continued)

D I believe that the Engineers need to go back to work and make the tough
F decision to do the job correctly the first time and not take the easier,
cheaper way out

The only way to address this situation responsibly is to include a bridge that will funnel some of the traffic farther down 93 relieving the stress placed on the current Miller Creek Rd.

F All of their options evidently includes a new traffic signal just one block from the current light at 93 and Reserve Street. This is ridiculous. **G** Funneling traffic down Old 93 to this light is simply absurd and unnecessary. Upgrading this frontage road to a heavy traffic thoroughway running parallel with the current traffic on 93 is idiotic. This plan is putting the businesses along that road in peril and will put an unnecessary burden on the Missoula Country Club. The plan to upgrade Old 93 to a heavily accessed road would include widening the road eliminating two entire holes from the course. This would in effect close down the club.

Condemning the Missoula Country Club in an effort to solve the traffic issues with a sub-division is irresponsible.

Improvements to the community are not improvements if they are not done with respect for the existing, established, productive properties.

I also heard something interesting during the public comment period. Was there really a plan that called for the DEVELOPERS to build a bridge for a second access? And what a NOVEL idea to place the burden of access on the developers who are going to get rich off of the development. If there is a way to move in that direction, I support it 100%. This is a way for City, County, State and Federal agencies to work together to solve the problem. When granting approval for subdivisions or expansion, the developer should be held responsible for the improvements necessary for safety.

Comments	Responses
Comment # 113 (continued) Max, I respectfully request that you use your influence to get these guys back on task. I appreciate your time and attention to the Miller Creek Subdivision Traffic Issue. Pattie Corrigan Ekness 532 Ford St Missoula, MT 406-360-7895	Response to Comment # 113 (continued)

Responses

Response to Comment # 114

From: DAVID SISSON [mailto:indisson@msn.com]

Sent: Wednesday, October 18, 2006 3:19 PM

To: Genzlinger, Craig

Subject: Miller Creek bridge

D Hello - I'm fairly new to this area (Hamilton), so I don't know where Miller Creek is. However, the old "Silver Bridge" across the Bitterroot River north of Hamilton has been "up for sale" and is to be taken down. Could it be moved to the Miller Creek area?

-Joan Sisson, Hamilton, 363-5749

Responses to this comment letter can be found under Summary Response issue letter D.

*** 114:** The DEIS has identified Alternative 5A as the Preferred Alternative. This alternative does not include a new crossing of the Bitterroot River or require a bridge.

Comments

Responses

Comment # 115: Thomas E. Butorac

milller creek road
environmental impact statement

Comments on the DEIS
September 22, 2006 – November 6, 2006

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT:

* 115

Tried to email thru website + mail was returned
So I've printed + attached. Not a particularly
user friendly website for gathering electronic
responses. Had to call ovr help desk + message
still returned to my computer as undeliverable.

Name: Thomas E. Butorac
Address: 3504 South 3rd West
Phone: 406-523-4237 e-mail: tbutorac@fib.com
Date: 10/18/06

www.millereis.com

Response to Comment # 115

Responses to this comment letter can be found under Summary
Response issue letters D, F, H, I, J, and O.

*** 115:** We apologize for your inconvenience, although we did not receive any other comments about the website and email link not being usable. Upon receipt of your comment the website was tested and was found to function properly. Thank you for your perseverance and sending your comments.

Page 1 of 1

TOM BUTORAC - Miller Creek EIS--Comments

From: "TOM BUTORAC" <TBUTORAC@FIB.COM>
To: <%20misty.mccoy@c-b.com>, <craig.genzlinger@fhwa.dot.gov>
Date: 10/18/2006 2:49 PM
Subject: Miller Creek EIS--Comments

RECEIVED
OCT 20 2006
FBI
MONTANA DIVISION

I lived in Linda Vista area at 3235 Paul Lane for 23 years. I recently sold the home but still feel attached to the area. I share the views of most of the public commentators from last night's informational meeting. Any of the bridge alternatives across the Bitterroot and into Mulowney Ranch are a must. Like it or not, expense or not, Missoula is going to continue to grow exponentially. The bridge would become part of a very necessary North South bypass route to I-90. The Federal Highway commission should take the lead in providing the linkages between I-90 and Highway 93 South since our County Government has not addressed this issue in any meaningful way since the opening of Reserve Street improvements. We should be planning growth corridors at least 50 years into the future!

In addition, the Miller Creek Wye needs to be greatly improved. I'd also recommend leaving the light at Blue Mountain in all cases. Traffic needs to be slowed down Well before Miller Creek. The growth in the Ravalli county area will see another huge increase as soon as the last 10 mile stretch of South Hiway 93 improvements and widening into Hamilton is completed. I've seen too many quick fixes. We need a comprehensive traffic and transportation plan. Thank You.

Thomas E. Butorac
First Interstate Bank
Vice President
Commercial Real Estate
Location: 101 East Front Street
Missoula, Montana 59802
Mail: Box 4667
Missoula, Montana 59806-4667
Phone 406-523-4237
Fax 406-523-4317
e-mail: tbutorac@fib.com

Comments

Responses

Comment # 116: Jeannette Williams

milller creek road
environmental impact statement

Comments on the DEIS
September 22, 2006 – November 6, 2006

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT:

This study did NOT address the one

issue Miller Creek residents have asked for:

A 2nd exit!

Backing traffic further up Upper Miller Creek is a safety issue as cars will be forced to stop on a hill which already is the site of accidents.

A 2nd exit - Bridge or otherwise is needed -

Name:	Jeannette Williams
Address:	10025 Oak Zennet
Phone: (406) 273-3331	e-mail:
Date: 10-18-06	

P.S. This study is a monumental waste of tax money as it simply does NOT address the issue @ hand: a 2nd exit!!

Response to Comment # 116

Responses to this comment letter can be found under Summary Response issue letters B, D, F, and H.

Responses

Response to Comment # 117

Sent: Thursday, October 19, 2006 12:32 PM

Subject: miller creek eis input

I'd like to give formal input into the miller creek IES.

ADK

Susan Morgan
3200 Ravenwood Lane
Missoula, MT. 59803

Responses to this comment letter can be found under Summary Response issue letters A, D, and K.

Comments

Comment # 118: Roy Curet

From: R.C. [mailto:rocu@rocketmail.com]
Sent: Thursday, October 19, 2006 1:47 PM
To: McCoy, Misty S.
Subject: Comment on Miller Creek DEIS

Hello,

Here's my input on the Miller Creek DIES.

A I prefer alternative 2B. I think this alternative has the best
D compromise of access and traffic volumes. I also think that
K another traffic light on 93, as in this alternative, would keep
speeds down a bit and improve safety.

3B is my next choice.

Thank you,

Roy Curet
3200 Ravenwood Lane
Missoula, MT. 59803

Responses

Response to Comment # 118

Responses to this comment letter can be found under Summary Response issue letters A, D, and K.

Responses

Response to Comment # 119

From: Monty Franklin [mailto:bboyw@mtwi.net]

Sent: Thursday, October 19, 2006 8:38 PM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: Miller Creek Road

I was not able to attend the public meeting this week so I would like to make comments of record here.

Ever since the fires of 2003 when we were trapped on Horseback Ridge Road with the fires less than a mile away, I have worried about the folks up in Miller Creek. In our case, we would have had 3 ways out except that McClays Bridge was closed for repairs, and authorities had Blue Mountain Road closed at US 93, which left Kona Ranch Road as the only way out for hundreds of us on the west side of the river. Why would you spend one dime of taxpayers money and still leave all those Miller Creek residents in danger?

I understand very well how Engineers think, but in this case they need to Cowboy Up! and trust the common people who possess the common sense that they do not.

Donna Franklin
9705 Horseback Ridge Road
Missoula MT 59804

Responses to this comment letter can be found under Summary Response issue letters D, E, and F.

Responses

Response to Comment # 120

Responses to this comment letter can be found under Summary Response issue letters A, B, C, G, and L.

Sent: Thursday, October 19, 2006 5:04 PM

To: Genzlinger, Craig

Subject: Miller Creek Road Project

The following are my comments after attending

Missoula, Montana, between 7pm and 9pm:

I. During the two hours it appeared that between

Not a single person favored Alternative 5A.

2. It became apparent that the Project Purpose

I don't think anyone would dispute either of

Gene Peterson

VP & Market Manager

Clear Channel Radio
Missoula, Montana

Missouri, Montana
Direct line: (406) 523-9805

Fax: (406) 542-2329

= Reference number for summary response issue

Responses

RECEIVED

OCT 23 2006

PHWA
MONTANA DIVISION

A

D

IJ

FJ

E-174

Comments

Responses

Comment # 121 (continued)

steady flow of traffic until you reach Lolo. Traffic is steady and continuous for over five miles.

Please consider my comments when making your decisions. In addition, my wife, son and daughter are registered voters and residents and they concur with my opinion if you are keeping count. Thank you in advance for your concern to this dilemma.

Sincerely,



Larry Jacobs
 Lenora Jacobs
 Shane Jacobs
 Sara Jacobs

Larry Jacobs
 PO Box 1030
 Lolo, MT 59847

Response to Comment # 121 (continued)

Comments

Responses

Comment # 122: Denice Prideaux

October 19, 2006

Craig Genzlinger, P.E.
Federal Highway Administration
585 Shepard Way
Helena, Montana 59601

RE: Miller Creek Project, Missoula, Montana

Dear Mr. Genzlinger:

I have lived in Hayes Creek, off Highway 93, for 23 years. In that time we have seen traffic on Highway 93 year-by-year get totally out of control. I feel like our family, including our 2 teenage drivers are risking our lives every morning that we try to merge into morning traffic going into Missoula to work and school. The speed limit is 65. Most traffic is traveling in excess of 75 miles per hour as well as driving in the passing lane when not passing. Our neighborhood has been informed by the highway patrol we will get a ticket if we try to merge using the middle turn lane. I would like to see representatives from this project come to our turn-off between 7:00-8:00 weekday mornings and attempt to merge into traffic that is going over 75 miles per hour.

Regarding the comments I read in today's Missoulian that the majority of people living in Miller Creek want a bridge to help their traffic flow in and out of their neighborhoods I would ask that you:

1. Consider our access and how it will affect our safety if the proposed bridge does not directly connect our neighborhood to the Miller Creek bridge. This access they are requesting to Highway 93 would make the highway even busier and therefore harder for us to turn into town. And, as you know, with people continuing to populate the Bitterroot, traffic is already increasing each year.
2. The Federal Highway Administration should NOT wait to lower the speed limit on Highway 93 but rather do it immediately. The present speed limit of 65 is TOO FAST (I think the numerous accidents attest to that) and it has not been enforced. I know of several smaller suburban areas around the state that have lower speed limits with less traffic.

I would agree with looking for a long-term solution instead of a bandaid. Miller Creek should be widened; stop lights should be added at each intersection you suggested. However, lets also look at the years ahead. Growth is going to continue down the Bitterroot and money has to be spent to make these roads and access safer for us all. So, finally, thank you for considering my comments, and PLEASE do not forget the smaller developments need a voice for safety too. Please remember Hayes Creek in your final plans.

Sincerely,

Denice Prideaux
Denice Prideaux
7150 Devonshire Lane
Missoula, MT 59804

Response to Comment # 122

Responses to this comment letter can be found under Summary Response issue letters A, D, F, G, H, K, and O.

RECEIVED

OCT 20 2006

FHWA
MONTANA DIVISION

Comments

Responses

Comment # 123: Norman & Doris Balko

millers creek road
environmental impact statement

Comments on the DEIS
September 22, 2006 – November 6, 2006

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT: We are not in favor of Alternative 5 for the Miller Creek road. We live at 4845 Lower Miller Creek and the way the plans are drawn now will do a great deal of damage to our home. ① You will cut down 10 trees that are facing the road plus many bushes. ② You will dig up the water well that provides water to our home and barn. ③ You will damage the sprinkler system that is underground. ④ The noise pollution will be intensified and the carbon monoxide from the cars will be brought close to our house. ⑤ Our property resale value will be greatly diminished because of the close road proximity to the house. ⑥ By relocating the home next door you will be destroying our recorded easement to the property and barn in the back. Please review your plans again. There must be something better than this that you can offer.

Name:	Norman & Doris Balko
Address:	4845 Lower Miller Creek - Missoula, MT. 59803
Phone:	(406) 251-2135
e-mail:	
Date:	10/20/06

www.millereis.com

Response to Comment # 123

Responses to this comment letter can be found under Summary Response issue letter H.

Comments

Responses

Comment # 124: Harve Brown

(Retyped from handwritten letter below) "The original request for funds was to provide a two way access to the Miller Creek-Linda Vista subdivision. What you are proposing is a bandaid for the project. It does not take care of the purpose or need for the future.

This does not take care of the problems with the Miller Creek and Highway 93 intersection.

Also Wal-Mart did not provide a right of way across the property for the new alignment, as the City did not take care of this oversite.

There is a right of way available for one location of a new access and bridge, that a bridge occupied in the past for the public use.

I think you need to look at the overall plan for the future. This does not cut it."

Cross' Gansler's PE

Feed, Hawaii

585 Shepard Way

Hebena, WA, 59601

RECEIVED

OCT 20 2006

**FINNA
MONTANA DIVISION**

The original request for funds was to provide a two way access to the Miller hub - Linda Vinter subdivisions, what you are proposing is a bandaid for the project. It does not take care of the future or need for the future.

She does not take care of the problems with the Miller Creek and Highway 93 intersection. She did not did not provide a grade of way across the property for the new alignment. The city did not take care of the easement. There is a grade of way available for one location for a new access and bridge, that a bridge spanning in the property the public use.

I think you need to look at the overall plan for the future. She does not exist at all.

Lawrence

Steve S. Brown (former Grants Supervisor)

A = Reference number for summary response issue

Appendix E: Comments and Responses

E-178

Comments

Responses

Comment # 126 Charles L. Walter, PE

Craig Genzlinger, P.E.
Federal Highway Administration
585 Shepard Way
Helena, MT 59601

Missoula, Montana
Oct. 22, 2006

RECEIVED
OCT 27 2006
FHW
MONTANA DIVISION

Dear Sir,

Following are my comments on the Miller Creek Road Draft Environmental Impact Statement. I attended the open house on Oct. 17, 2006 and have reviewed numerous documents relating to this statement.

B 1. The purpose of the Miller Creek Road EIS project as I understand it is to provide a second safe access from the Miller Creek area to US 93 and also to improve the access and safety of the present access. Obviously the project fails in the first objective as no second access is planned. It would require a bridge across the Bitterroot River.

F Also after considering the benefit and effect of the proposed road widening and reconfiguration, installing 3 new traffic signals and loading up old Highway 93 it appears to me it is shoving more traffic and congestion into a very small area which in the long run would be very inadequate and perhaps even be detrimental.

O-H I feel you should look more than 10 years or so ahead and work on a plan and project that we all know will be needed ie, a bridge over the Bitterroot to Miller Creek area and a bypass around Missoula to the West somewhere in the area of the Blue Mountain road. This would allow a good share of the traffic from both Miller Creek and the Bitterroot to be directed away from the congested area.

If the traffic volume continues to increase at the present rate this will without question be necessary [politics or not] and sooner than we think.

B 2. The proposal to widen and increase traffic on old US 93 was not included in the original alternatives. This widening would have a very unacceptable effect on the Missoula Country Club.

G I have been a member of the Country Club for 34 years and have served on the board of directors and was chairman of the greens committee for 3 years in the mid 1980's. Prior to and during these 3 years the noise from the traffic on old US93 and from the businesses across it was noticeably increasing. Also lack of privacy necessary on a golf course was increasing. Passing cars would honk and yell comments, etc.

It was at this time we planted a caragana hedge completely around our property as a noise and privacy barrier. In approximately 10 years the hedge had grown sufficiently to serve this purpose and with each additional year it gets thicker and a better noise and privacy barrier.

In this regard your impact statement on noise impacts for alternative 5a, the preferred alternative, lists impacts on 19 residences and one church. Noise impact on the Missoula Country Club is not listed.

The Missoula Country Club golf course has long been considered as one of the best in Montana and as a result it is the desired site of many of the State and regional tournaments as well as local fund raisers etc. Golf is a game where even small noise distractions are not acceptable.

Response to Comment # 126

Responses to this comment letter can be found under Summary Response issue letters B, D, F, G, I, and O.

Comments

Responses

Comment # 126 (continued)

F
G It is difficult to comment on the impact on the Country Club as the DEIS is very incomplete and vague on what is planned in the widening. It does not include how much land would be needed, whether the hedge would have to be removed, how many if any of the 80 year old trees would need to be removed, the effect on the entry to the Club if any, etc. The DEIS is very inadequate.

In summary I would say the project as planned is a band aid measure at best and the impacts on the Missoula Country Club are totally unacceptable.

Yours truly,



Charles L. Walter, P.E. retired

4010 Heritage Way

Missoula, MT 59802

Phone 406 549 5389

October 22, 2006

e-mail csputw@qalr.com

Response to Comment # 126 (continued)

Comment # 127: Steve Romero

From: stephen romero [mailto:romerovector1@yahoo.com]
Sent: Monday, October 23, 2006 9:39 AM
To: Genzlinger, Craig
Cc: CountyPublicWorks@co.missoula.mt.us; SKing@ci.missoula.mt.us
Subject: Miller Creek EIS

Mr. Genzlinger,

I was out of town for a business meeting on the 17th. Is all the info regarding the alternatives surrounding traffic on Miller Creek road contained on the following website?

<http://www.millereis.com/>

How were projected traffic volumes calculated? It appears the EIS alternatives extensively consider impacts to Highway 93 traffic volumes. I did not note any consideration of impacts on Upper and Lower Miller Creek due to projected increases in traffic volumes for each alternative. Was consideration given to such impacts in your analysis?

Any consideration given to impacts on alternate routes on which traffic may divert to as a result of congestion on Upper and Lower Miller Creek?

I regularly conduct risk analysis studies as a part of my work. Given the marked increase in traffic volumes in and around Cold Springs Elementary it would appear a risk analysis to estimate loss of life exceedance probabilities would be warranted when comparing the various alternatives. Due you plan any such analysis?

I will review the information on the website. I will likely have additional comments. Please send any analysis or other pertinent information regarding the study methodology to this email.

Respectfully yours,

Steve Romero, P.E.

Response to Comment # 127

FHWA email response on 10/23/06:
From: Genzlinger, Craig [mailto:Craig.Genzlinger@fhwa.dot.gov]
Sent: Monday, October 23, 2006 2:16 PM
To: stephen romero
Cc: McCoy, Misty S.
Subject: RE: Miller Creek EIS

Mr. Romero,

The full analysis and Draft Environmental Impact Statement is available on the website. Additionally, copies are available for review at several locations in Missoula that are also identified at the website. Hard copies are available upon request.

At this point in the comment period, rather than respond to specific questions, we are asking for any and all comments or questions to be submitted and they will be responded to in the final EIS. So I will have your questions included in those that we need to respond to.

Thank you for your participation

Craig Genzlinger, P.E.
Operations Engineer
Federal Highway Administration

FEIS response:

Responses to this comment letter, in addition to the email response above, can be found under Summary Response issue letters I and L.

*** 117:** Traffic forecast methodology and analysis results are discussed in Sections 3.4 and 4.4 of the DEIS and FEIS.

Responses

Response to Comment # 128

From: Doropatent@aol.com [mailto:Doropatent@aol.com]

Sent: Monday, October 23, 2006 9:27 PM

To: donald.galligan@hdrinc.com; Ludlow, Sheila

Subject: Hiway 93

Dear MDOT people,

I just found out that only one person from our neighborhood, Steve McCool, attended the recent hearing on the alternatives for dealing with Miller Creek traffic. I'm sure most of the neighborhood, like me and my husband, were planning on attending the meetin in Lolo, which had been scheduled for tonight. We were very disappointed that it was postponed, as we are leaving town next Monday so won't be able to have personal input into this issue.

* 118 We were both relieved to see that the preferred alternative was now to improve the existing roads in the Miller Creek area rather than to put in an expensive, ecologically disruptive bridge that would also create major changes in existing neighborhoods. When people move into an area, they are accepting the conditions there; the problems in the Miller Creek area have been there for many years, and people who move in there should do so with their eyes open. I don't believe it is the responsibility of all tax payers to rescue them from their situation.

I can't imagine why a bridge that leads to Hayes Creek Road is even an alternative. This is a small neighborhood, with no other way out, and no reason for anyone to come up Hayes Creek Road unless he/she lives here or is visiting. There is no place to put an access road on either side of the highway without major ecological and human disruption and a huge amount of earth-moving.

The alternative for a Blue Mountain Road bridge as was presented in the earlier version of the study showed eliminating the traffic light there, which would make getting onto the highway almost impossible from Hayes Creek and several other streets between Missoula and Lolo as well. That light is the only thing that makes it possible to turn left and go to Missoula during the afternoon and evening from here.

* **118:** Your comments have been noted. Alternative 5A was selected as the Preferred Alternative.

Responses

Response to Comment # 128 (continued)

The now preferred alternative of improving Miller Creek roads is what makes sense, financially, ecologically, and in terms of the impact of people who live in this area, not just those of us in Hayes Creek. Miller Creek residents who moved there in the last 20 years knew about limited access. The problem has been discussed in the media for at least that long. When we in Hayes Creek needed a paved road, we paid for it with an SID; we didn't ask other tax payers to bear that burden, as it didn't benefit them.

Sincerely, Dorothy H. Patent, 5445 Skyway Drive, Missoula 59804 406-251-3820

Responses

Response to Comment # 129

RECEIVED

OCT 25 2006

MONTEBELL DIVISION

AFG

A
D
F
19
G
J

- * 119

*** 119:** As shown in Table 2-4 of the FEIS, the Alternative 2B is cost estimate is \$44 million, and Alternative 5A cost estimate is \$13.5 million.

Appendix E: Comments and Responses

Comments

Responses

Comment # 129 (continued)

A
D
E
F
G
H

- i. Economic impacts with Alternative 2B will be minimal, whereas, we believe the economic impacts to the businesses, the church, and nearby residences are much more significant than stated in the “summary of impacts” under 3B.
- j. Construction, air and noise impacts will be minimal while building 2B and will be severe under 3B, due to the close proximity to businesses and transportation routes.

In summary we respectfully want to encourage all those involved in the DEIS process to consider the many advantages the Alternative 2B has over the other Alternatives, if an additional river crossing is required.

Respectfully


 Don Peressini
 4800 Evergreen Rd.
 Missoula, MT 59804

Response to Comment # 129 (continued)

Responses

Response to Comment # 130

From: Virginia Vietz [mailto:dwietz@bigsky.net]

Sent: Tuesday, October 24, 2006 1:56 PM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: Miller Cr. Road EIS

Comment:

* 120 Although the preferred alternative 5A seems to be the logical choice for all the reasons listed on the environmental impact statement, it appears some prefer to spend \$30 million more the project.

D If another river crossing is necessary, I believe that Alternative 2B is the better choice as it offers the least interference with residences and commercial properties and the traveling public.

D We ask that all of those involved in the DEIS process to consider the advantages of Alternative 2B if an additional river crossing is necessary.

Regards,
Delmer and Virginia Vietz
4680 N. Wornath RD.
Missoula, MT 59804

406-251-3865 dvietz@bigsky.net

Responses to this comment letter can be found under Summary Response issue letter D.

*** 120:** Your comments have been noted.

Responses

 miller creek road
environmental impact statement

Comments on the DEIS

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

October 24, 2006

~~Dear Mr. Genzlinger,~~

I am commenting on the above project (Miller Creek Road Draft). I want to state that I think alternative plan 5A is totally unacceptable. It does not address an additional access to Miller Creek, which was the original purpose of this study. Why old Highway 93 figured into any of this is beyond me. There will be so much congestion around Highway 93, Reserve and Old Highway 93, to say nothing about idling cars and pollution. We have enough of that with other poorly designed roads and intersections around Missoula. Your plan just doesn't do anything for the safety of Miller Creek residents. I know it is the cheapest plan, but many times cheapest is the best.

I know there is a safety concern about Old Highway 93 and the Country Club with access in and out of the Club and golf balls sailing onto the roadway. Sounds like a legitimate concern to me.

Alternate 2B appears to be the logical plan, especially to plan for future roadways across the valley. There has to be some coordination with your office, city of Missoula, county of Missoula and the State.

Thank you for your attention.

Sincerely,
Collette Johnson

Name:	COLLENE Johnson 5101 Elk Hills Ct.
Address:	Missoula, Mt. 59803
Phone:	406-251-0244 e-mail:
Date:	10/24/06

www.millereis.com

J:_Transportation\071257.300\PublicInvolvement\Public hearing\Comment sheet for DEIS review.doc

Responses to this comment letter can be found under Summary Response issue letters A, B, D, F, G, and H.

A = Reference number for summary response issue

Responses

Response to Comment # 132

E

D

Villard55@yahoo.com

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millerreis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

If you have to have a bridge, 28 seems to be the best choice. It connects fewer people, no mitigation would be required and the plan could be accelerated. It also provides a good central location within the development.

www.millereis.com

Comments

Responses

Comment # 133: Beth Swan

millers creek road
environmental impact statement

Comments on the DEIS
September 22, 2006 – November 6, 2006

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT: I am opposed to the 5A alternative. It does not provide an alternate route in and out of the Miller Creek, Maloney Ranch developments. 5A causes traffic concerns at the school on Briggs. The traffic load will be heavy since all cars are still coming out of the area via one route. I believe the impacts on the residents along Miller Creek near Wal-Mart will be adversely impacted by the amount of land needed for the expansion of Miller Creek, as well as the volume of traffic and noise passing by their homes. 5A does not solve the problems facing the area. We shouldn't choose the least expensive option. We should fix the problem no matter the cost. Don't widen Old Hwy 93 + direct traffic there. Alternatives 2B + 4C seem like better options.

Name:	Beth Swan
Address:	6217 Longview Dr., Missoula MT 59803
Phone:	406-251-7988
e-mail:	
Date:	10-24-06

www.millereis.com

J:_Transportation\071257.300\PublicInvolvement\Public hearing\Comment sheet for DEIS review.doc

Response to Comment # 133

Responses to this comment letter can be found under Summary Response issue letters A, B, D, F, H, and L.

A = Reference number for summary response issue

Comments

Responses

Comment # 134: Kevin Gardner GARDNER'S AUCTION

4810 Highway 93 South
P. O. Box 3941
Missoula, Montana 59806
(406) 251-2221

RECEIVED
OCT 25 2006
MONTANA DIVISION

153 Old Corvallis Rd.
Hamilton, Montana 59840
(406) 375-0909

October 24, 2006

Craig Genzlinger, P.E.
Federal Highway Administration
585 Shepard Way
Helena, MT 59601

Dear Mr. Genzlinger,

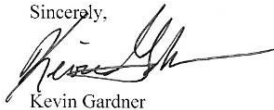
* 121

This letter is in regards to the Miller Creek Road Environmental Impact Statement and the impact it will have on my five existing businesses. If the Alternative 3B: Blue Mountain Road Grade-Separated Intersection is to be used, it will make my highway frontage property no longer highway accessible. This is a huge concern of mine due to the fact that it will make getting to my location (4810 Hwy 93 S. Missoula, MT) very difficult. The easy access to my businesses is a key factor with my customers.

Using Alternative 3B, will devalue my property by making it no longer highway frontage. If this is used, then how will I be compensated for the decrease in my property value? Another concern of mine is the potential loss of business income due to the loss of immediate highway access.

Thank you for your time and consideration in this matter. If you wish to further discuss this matter, please do not hesitate to contact me at 406-251-2221.

Sincerely,



Kevin Gardner

"Tap Into Auction Profits"

Response to Comment # 134

* **121:** Alternative 5A, Miller Creek Road At-Grade Intersection, has been identified as the Preferred Alternative, which would not affect your business property access to US 93.

Regarding Alternative 3B, please see Figures 2-13 and 2-14 of the EIS for roadway changes associated with Alternative 3B. Your property would receive a new access to US 93 across the MRL railroad tracks under Alternative 3B. (See also Comment # 247.)

Responses

John Dilley
Box 7752
Missoula
Montana
59807

Responses to this comment letter can be found under Summary Response issue letters A, C, D, F, and O.

Comments

Responses

Comment # 138: Mike and Pam Shapiro

Michael D. and Pamela Shapiro
2120 S. Reserve St., PMB 118
Missoula, MT 59801
(406) 829-1744

RECEIVED
OCT 26 2006
FHWA
MONTANA DIVISION

October 25, 2006

Mr. Craig Genzlinger, P.E.
Federal Highway Administration
585 Shepard Way
Helena, MT 59601

Re: Miller Creek DEIS

Dear Mr. Genzlinger:

* 122 First, **we would like to express our wholehearted support for the “preferred option” presented at the meeting on Oct. 17.** We believe this to be the best solution, and sincerely hope that the objections voiced – almost entirely by a single interested group (members of the Missoula Country Club) – will not dissuade the decision-makers from choosing this alternative.

**A
D**

However – if it is ultimately concluded that the “preferred option” should not be selected, we strongly support Alternative 2B as the best second-choice. We believe this alternative is greatly superior to any of the others, because it addresses the access concerns of the residents of the Miller Creek area with the least possible adverse impact on businesses and residents of other areas that might otherwise be affected in a most negative way.

Thank you for your consideration, and for all your hard work on this difficult problem.

Very truly yours,


Mike and Pam Shapiro

Response to Comment # 138

Responses to this comment letter can be found under Summary Response issue letters A and D.

* **122:** Your comments have been noted.

Responses

Response to Comment # 139 (continued)

*** 123:** We acknowledge that ride sharing is not an option for everyone.

Sincerely,

*** 123:** We acknowledge that ride sharing is not an option for everyone.

Comments

Comment # 140: Lana Hamilton

From: Lana Hamilton [mailto:lanea@bigsky.net]
Sent: Thursday, October 26, 2006 12:20 PM
To: craig.genzlinger@fwha.dot.gov; McCoy, Misty S.
Subject: Comments on proposed alternatives for access to miller creek residential area.

Dear Mr. Genzlinger,

I am a long time resident of the Miller Creek residential area. I moved here in 1977 and have been told all along that money has been set aside by various developers and the county to build a second access to the area from highway 93 across the river (a Bridge). I simply can't believe some outfit that has never even lived here; Carter & Burgess, nor taken a survey of all the existing residents, can make recommendations about a solution to the traffic on upper and lower Miller creek roads. This is another colossal waste of money!!

Alternative 5A is a joke! This will do nothing for the Miller Creek residents; it only makes sure that it will be a long time before we ever get any help with this problem. I understand that pedestrians and bicyclists need access along miller creek; but the solution for that is a pedestrian and bicycle pathway. Why would anyone in this day and age try to mix people and bicycles with trucks and cars? One of the stated objectives is the least impact to traffic volumes on Highway 93. Good God; leaving all of the traffic to continue to pour out of the existing connection by Wall-Mart and knowing there will be a doubling of the number of residents in the next few years (trying to use it) is a tremendous impact. Why not make it illegal for Miller Creek residents to drive on Highway 93!! Safety has not been the big issue at the North "Y"; traffic backup is an issue and it is bad during rush hour, but adding a signal might help for one hour of the morning and then delay everyone the rest of the day. Adding two signals to miller creek in less than a mile of roadway will do nothing to reduce the amount of traffic on this road. **Only a bridge will relieve the traffic on this road!** Additionally I find the estimates about improvements handling traffic problems until 2025 ranks up there with pigs

Responses

Response to Comment # 140

Responses to this comment letter can be found under Summary Response issue letters A, B, C, D, F, H, I, and J.

Responses

Response to Comment # 140 (continued)

D flying. The last comment that 5A has the least social, economic and
E environmental impacts of the project alternatives is amazingly all too true;
F if you don't do anything to fix the problem you guaranty no impact.

A F I support either Alternative 4C or 3B without any changes to the north Miller Creek and Highway 93 intersection. After one of these bridges has been completed as promised, and traffic flows stabilize with infill of the Maloney Ranch project then; this North access arterial should be reevaluated for needed upgrades.

Respectfully, Lana Hamilton

Ravenwood Hills, Upper Miller Creek

Responses

Comments

Responses

Comment # 142: Paul and Beth Loehnen

C. PAUL LOEHNNEN, M.D.
DIPLOMATE of the AMERICAN BOARD of
INTERNAL MEDICINE
PULMONARY DISEASE

RECEIVED

NOV 02 2006

PM

11556 BENCH ROAD • MISSOULA, MT 59808 • HOME 406/721-7517 • FAX 406/721-1475 • CELL 406/544-6691 • EMAIL: CLOEHNEN@MONTANA.COM

October 27, 2006

Craig Genzlinger, PE
Federal Highway Commission
Montana Division Office
585 Shepard Way
Helena, MT 59601

Dear Mr. Genzlinger,

My wife and I are members of the Missoula Country Club. We are opposed to the Draft EIS Alternative 5A, regarding Miller Creek/Old Highway 93 South.

This proposed project does not appear to solve any existing traffic problem. Instead, it seems to do nothing constructive at all and appears to be a wild waste of taxpayer money. It would destroy part of our beautiful golf course, one that is prized for its age and woodland quality. It would further engulf precious open, green space which the city and county of Missoula are desperate to maintain. It would contribute to traffic growth and speed and the concrete platform that is engulfing all of us. The noise of high volume traffic would come even closer to this precious quiet, open space.

Traffic volume would increase dramatically on Old Highway 93 as would the danger for cars/pedestrians entering and leaving the Missoula Country Club.

This project will do more harm than good and should be forever dropped.

Thank you for your attention,



Paul and Beth Loehnen

Cc: Senator Burns
Senator Baucus
Candidate for Senate Tester
Representative Rehberg
Mayor Engen
Missoula County Commissioners

Response to Comment # 142

Responses to this comment letter can be found under Summary Response issue letters A, D, F, G, H, and I.

Comments

Responses

Comment # 143: Ron Perrin

October 27, 2006

Craig Genzlinger, P.E.
Federal Highway Administration
585 Shepard Way
Helena MT. 59601

Dear Mr. Genzlinger;



I write to express my strong opposition to the proposed improvements to Old Highway 93 that are part of the draft EIS for the Miller Creek Road Project in Missoula. As several of those who attended the recent public hearing at the Quality Inn noted:

- a) the proposed "improvements" provide only temporary relief to the traffic flow problem in Miller Creek
- b) the proposal does not fit with the original goal of the EIS, namely, to establish a second access point from the Miller Creek area.
- c) since the proposal covers land outside the original area of the EIS there is little consideration given to the environmental impact of the project.

As a long time member of the Missoula Country Club I am particularly concerned about the deleterious effects this project would have for our facility. The matter of ingress and egress into the club would be severely compromised. (Just two weeks ago the Missoula County Attorney suffered a heart attack on the course. Because emergency vehicles were able to respond in less than six minutes his life was saved.)

The project would cause irreparable and permanent damage to the golf course by destroying a large section of the number 8 and 9 fairways. Moreover traffic would either be passing or idling within a few feet of where the number 8 tee is now located.

You should know that although ours is a private club we are quite involved in the larger community. For example, our facility is available to the local high school golf teams for practice sessions and tournaments. In addition, each spring we host a fund raising event that contributes significantly to those same programs.

Response to Comment # 143

Responses to this comment letter can be found under Summary Response issue letters A, B, D, F, G, and H.

*** 124:** Impacts associated with Old US 93 and adjacent intersections were fully evaluated and are addressed under each resource in Chapter 4 of the EIS.

Responses

Response to Comment # 144

Responses to this comment letter can be found under Summary Response issue letters B, F, G, and H.

F C H As a member of the Missoula Country Club and consistent user of Reserve and Old 93 exit, I am against spending millions of dollars to upgrade Old Highway 93. How does all this work, on the other side Miller Creek Road, give relief to the traffic coming out of this creek at the Reserve and Old Highway 93 light?

B The improvements projected for Old Highway 93 do not fit within the parameters of the original objective or purpose of the appropriation.

B Old Highway 93 is outside of the specified study area for the DEIS.

The DEIS fails to adequately identify the numerous impacts on the golf course, for example: the 8th Tee Box. Also what about the properties on the other side of the road. Your cost data is erroneous.

This proposal brings to mind the state's upgrade of West Broadway, which has created all kinds of problems to store owners along the route and those using the street.

Gary Sorensen
3023 Martinwood Rd.
Missoula, Montana 59802

Responses

Response to Comment # 145 (continued)

D Bitterroot River to tie in with Blue Mountain Road, or a new intersection created to allow for a future “Missoula bypass” to the airport/Frenchtown area.

The most critical need in this newly developing area is for a **second access point**. An accident on Lower Miller Creek Road would severely impact access to the area for emergency vehicles, not to mention creating a horrible traffic jam that most certainly would include Highway 93. We simply need to allow for collateral circulation, and alternative routes into and out of this area.

B Finally, I was astounded that this alternative (5A) came out as the “preferred alternative”. I have followed this issue for the past several years, and do not recall it ever being discussed. It is my understanding that it is outside of the specified study area for the DEIS, and is not included in the EIS. We the public, and I as an individual, have been deprived of our rights to participate in the planning process from the beginning. Alternative 5A is the worst choice, and will create yet another dysfunctional traffic mess in Missoula.

Sincerely,

Doug Hadnot
PO Box 278
Lolo, Montana 59847

Comments

Responses

Comment # 147: John D. Schindler

millers creek road
environmental impact statement

Comments on the DEIS
September 22, 2006 - November 6, 2006

NGV 02 2006

MT
MONTANA DIVISION

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millercreekroad.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT: I think Plan 5A is the Best Plan of all. All the Bridge Plans are too expensive for what little extra they may provide. All Plans are designed to run more traffic past Missoula Country Club. When they put the Club in it was on US 93 if they didn't want traffic past it, it should not have been put on US 93 in the first place. We already have a second access in + out of Miller Creek in case of emergency. Garrett St connects upper Miller Cr. road to 39th St + 55th St which connects to 23rd Ave South + Hill View Way. Again Plan 5A does the job.

Name: John D Schindler
Address: 5816 Deborah Ct. Missoula MT 59803
Phone: (406) 251-5006 e-mail:
Date: 10-29-06

Response to Comment # 147

Responses to this comment letter can be found under Summary Response issue letters E, F, and G.

* 125: Your comments have been noted.

Comments

Responses

Comment # 148: Terry Key

milller creek road
environmental impact statement
RECEIVED

Comments on the DEIS
September 22, 2006 – November 6, 2006

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT:

I am strongly opposed to the preferred alternative to the Miller Creek access for the following reasons:

- 1.) It does not meet the intended Purpose and Need of a second access to Miller Creek. The original Purpose and Need seems to have been arbitrarily changed. The need for a second access for this heavily populated area has not changed.
- 2.) Significant changes are planned to Old Hwy 93 which have nothing to do with improving access to Miller Creek. These changes are going to have extreme negative impact on the businesses, golf courses, and safety along the highway.
- 3.) The DEIS does not adequately address the impact along Old Hwy 93 and the affected entities were not properly notified. Because of this cost estimates have to be seriously questioned.
- 4.) Any damage to two holes of the Missoula Country Club has the possibility of destroying the business entirely. Besides being a vital part of the recreational and economic community of Missoula this course holds historical significance.
- 5.) Traffic along Briggs will be dramatically increased in front of an elementary school that already has to deal with safety issues on the street.

The Miller Creek area is too highly populated and growing too fast to be served by only one access. This was recongnized when the funding was made available for this study. Changing the Purpose and Need and adding the redesign of Old Hwy 93 is wrong. If the redesign of Old Hwy 93 is dropped the cost of a second access becomes much more reasonable. Please adjust your proposals considering this.

Name:	Terry Key		
Address:	4440 Nicole Ct		
Phone:	406-251-4974	e-mail:	terry_key_4974@MSN.com
Date:	10/29/06		

Response to Comment # 148

Responses to this comment letter can be found under Summary Response issue letters B, F, G, J, and L.

B
F
G
J
L

Comments

Responses

Comment # 149: Minie Smith

From: M Smith [<mailto:dsoup@montana.com>]
Sent: Monday, October 30, 2006 11:53 AM
To: craig.genzlinger@fhwa.dot.gov
Cc: McCoy, Misty S.
Subject: Miller Creek EIS

D

F

E

I

I was most upset to learn that the Preferred alternative was to solve the Miller Creek problem with a new traffic light and a reconstructed rr crossing. These are cosmetic solutions to a very complex problem. As a resident of the Miller Creek Road I am well aware of its current heavy traffic. There are already approved over 200 additional new houses to say nothing of other new construction which have not yet been built. How has all this additional traffic been accounted for? Some other way out of Miller Creek with a new bridge is the only sensible alternative. It is hard to believe that the information you have collected led you to the conclusion that the preferred alternative is the appropriate solution. It is only slightly better than the current situation. A new bridge with access from Lower Miller Creek seems a much better way of dividing the increasing traffic load from Miller Creek.

Minie Smith

Response to Comment # 149

Responses to this comment letter can be found under Summary Response issue letters D, F, H, and I.

Comments

Responses

Comment # 150: Alice Layne

Craig Genzlinger, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena, MT 59601

October 30, 2006

RECEIVED
NOV 02 2006
FHWA
MONTANA DIVISION

Dear Mr. Genzlinger;

I am writing to register my opposition to the DEIS for Miller Creek/Old Highway 93 South.

D The statement does not address the problem of a second access to Miller Creek. It merely
E increases traffic on existing roads, especially Old Highway 93.
F
G
H
I

As such it will further congest Miller Creek Road. It will make access to the Missoula Country Club very difficult forcing cars to cross lanes of traffic to exit the club to go north or forcing cars to go around Wall Mart to get to main highway 93 north.

The statement states in different places that there will be no impact on the golfing areas of the Missoula Country Club and that "A little bit of land will be necessarily acquired from the Club". Yet the boundary of the road is at the Club property line. No one has said how the road can be built without impact on the club property and no one has said how much land or where the land from the club will come from.

Without a clear understanding of these issues, as well as many others raised at the public hearing held in Missoula on October the 17th it is impossible to understand the impacts of the "preferred alternative, 5A".

The Federal Highway Department should not adopt this plan but should go back and reexamine a second access to Miller Creek that does not involve Old Highway 93.

Thank you,

Alice Layne
Alice Layne
414 Rainier Court
Missoula, MT 59803

Response to Comment # 150

Responses to this comment letter can be found under Summary Response issue letters D, F, G, H, and I.

Comments

Comment # 151: Louis Hayes

From: Hayes, Louis D. [mailto:louis.hayes@mso.umt.edu]

Sent: Monday, October 30, 2006 2:08 PM

To: Genzlinger, Craig

Subject:

To: Graig Genzlinger

From: Louis Hayes, 8400 Vann Dr. Lolo

Re: Proposed improvements on Old Highway 93

Among the many reasons why the proposal to widen OH 93 is a bad idea are two I would like to emphasize. Widening the roadway and installing a traffic light at the intersection of OH 93 and Reserve will necessarily increase traffic along OH 93 both to and from Lolo. This also applies to traffic to-from Miller Creek Rd along Reserve. In both directions, drivers will seek to reduce the number of signals they encounter from three to two. Rather than improving traffic flow, this will exacerbate the bottleneck. The second reason follows from the first. Vastly increased traffic will impact businesses along 93 in terms of ingress-egress. There is no left turn out of some of these businesses now so leaving will necessitate entering a heavy traffic flow. Left turns now permitted will end increasing the traffic on OH 93 even more. It will be an even greater problem getting into and out of the Missoula Country Club. This says nothing, of course, about the devastating impact the widening would have on the golf course itself. This approach in addressing one problem creates several more.

Responses

Response to Comment # 151

Responses to this comment letter can be found under Summary Response issue letters F, G, H, and I.

Comments

Comment # 152 (continued)

4. Nothing has been proposed to mitigate the impact of a projected 130% increase in traffic volume on Old Hwy 93. The addition of a traffic signal at the corner of Reserve and Old Hwy 93 will make Old Hwy 93 a popular perceived short cut. It is also conceivable the addition of said traffic signal could create a substantial traffic back-up resulting in severely restricting ingress and egress from businesses on Old Hwy 93, including the MCC. Such congestion could result in an increase in auto accidents and potential injuries to MCC patrons and service providers.

M injuries to MCC patrons and service providers. In addition, the DEIS makes no provision for access to MCC during the construction period.

F 5. Very importantly, I am concerned about the impacts upon the beautiful, historical MCC grounds, particularly that portion where holes 8 and 9 are located. The DEIS fails to consider adequately such numerous impacts, including visual and environmental, including noise and air pollution. Those areas the DEIS does address are not specific and thus, the analysis relative to cost is substantially in error.

B 6. There are no alternatives offered to the proposed improvements to Old Hwy 93 other than "No Action". This is believed to be in violation with the National Environmental Policy Act of 1969 as amended. Changes to the "purpose and need" of the proposed project as set forth in the DEIS do not appear to be in compliance with NEPA.

B 7. Proposed modifications to Old Hwy 93 fail to meet the "purpose and appear to be in compliance with NEPA."

B For the foregoing reasons, it is submitted Old Hwy 93 is not a viable second access to Miller Creek and that modifications as proposed do not comport with "purpose and need" and in fact, would result in harmful and dangerous traffic congestion while not fulfilling the intended purpose.

Thank you for your time and attention to this matter of great concern and importance to me, the MCC and other individuals and businesses that would be negatively affected by the proposed project.

Information copies also sent to: Senator Conrad Burns, Senator Max Baucus, Missoula County Commissioners

Responses

Response to Comment # 153

From: Carl Thompson [mailto:ctmissoula@yahoo.com]

Sent: Tuesday, October 31, 2006 6:35 AM

To: Genzlinger, Craig

Subject: Miller Creek EIS Preferred Alternative

I am writing to express my objection to the preferred alternative in the Miller Creek EIS. I object to the 11th hour change in the purpose and need of the project which changed from finding a second access to the Miller Creek area to finding a "safe and efficient" access to the area. I strongly object to the flaws in the process that switched the focus of the study and failed to properly notify a huge number of affected citizens and business owners. The whole premise of the development in the area was based on the construction of a bridge to access Highway 93. The volume of traffic generated by the development overwhelms the capacity of the existing road system, even with the proposed improvements in the preferred alternative. The volume of traffic to be expected is in excess of many of the arterials in Missoula with the proposed lane configuration. These arterials are already choked and the congestion does not allow for "safe and efficient" passage of traffic. Russell St. between the river and 3rd St. is an example. The proposed alternative does very little to enhance the safety of the Miller Creek residents in their daily travels and will only increase congestion and decrease the quality of life for the residents on the area, particularly those in the proximity of the proposed "improvements". In fact, standard design manuals describe the volume of traffic on the proposed configuration as over capacity. The development of a second access will allow for a dispersion of the traffic and minimize the traffic impacts on the neighborhood. All local governments, all local agencies (including emergency services and

Responses to this comment letter can be found under Summary Response issue letters A, B, D, F, H, and I.

Responses

Response to Comment # 153

A public works), and an overwhelming majority of residents are on record supporting the development of a second access to the Miller Creek area. Pursuing the preferred alternative as described in the EIS will be a tremendous dis- service to the Miller Creek residents and the community of Missoula. I encourage you to rethink the poorly conceived preferred alternative and return to the original purpose and need of the project, as funded, to develop a second access to the Miller Creek area. I invite you to contact me to discuss my issues with you. I further hope that the responsible decision is made to abandon the preferred alternative and develop an alternative that serves the whole community for the long term future, rather than a poorly conceived stop gap plan. I can point out many more problems with the proposed alternative from a design and operational point of view. The proper and responsible action is to develop the second access and to not spend money building a road system that all know will not work.

Carl Thompson
3221 Helena Dr.
Missoula, Mt. 59803

Responses

Comments

Responses

Comment # 154 (continued)

O although I recognize there would need to be a curve from Blue Mountain Road that takes the road across the flats to the NE and on the east side of McCauley Butte and then north on Tower Street (using an existing road) and north to cross the river and on to the connectors planned from Mullan Road north to Old Highway 10 West (West Broadway). I realize that is extremely ambitious and costly. Better to bite the bullet now than to wrestle with this problem in another 10 years when the cost of expansion will be faced with new home development, more congestion and higher costs (labor and materials).

F I have used some comments against the current proposal that were provided by our membership in the Missoula Country Club. Please do not think these are my primary responses. I simply believe the proposal cannot ever truly work because of the sheer geo-physical considerations of the Missoula Valley and its' road system, the originations of traffic volumes and those critical points of merging (e.g. Miller Creek Road & Brooks Street and Brooks Street/Reserve Street).
G
H

F I am in favor of working out a plan to correct the Linda Vista roadway system and how it connects with Miller Creek and Brooks Street but cannot believe this proposal is any sort of real fix to the problem. Unfortunately, I could go on at length about why I believe the north/south route needs to be addressed now and why it is the only practical solution to this growing problem. For your sake, I will end simply with again citing my vote against this proposal. It cannot work for a long-term solution. It only corrects one strategic intersection and it only adds all that traffic to already congested arterials (Brooks & Reserve).
H

Sincerely

Steven A. Hall, MAI, CCIM
 1001 SW Higgins Avenue, Suite 201
 Missoula, MT 59803

Response to Comment # 154 (continued)

Responses

Response to Comment # 155

Responses to this comment letter can be found under Summary Response issue letters A, D, F, H, I, and L.

Response issue letters A, D, F, H, I, and L.

Responses

Response to Comment # 157

Responses to this comment letter can be found under Summary Response issue letters B, D, F, G, and M.

To: Genzlinger, Craig

Subject: Miller Creek access study

With all due respect we would like to offer our opinion on the proposed work on the Miller Creek Project. We are members of the Missoula Country Club and have been for twenty-two years. We are writing to object to the proposal of this project. The impact on the Missoula Country Club, which was established as part of our community in the year 1916, would be devastating. As you know, no discussion is noted in the EIS as to how MCC membership would be accommodated

There are other ways in which to solve the Miller Creek traffic problem, such as the addition of a bridge across the Bitterroot River to gain access to Highway 93. This solution was, in fact, the original objective of the appropriation to study this problem. We are hoping that the FHA will give more thought and consideration to this matter.

Most Sincerely,

Responses

Response to Comment # 158

Responses to this comment letter can be found under Summary Response issue letters B, D, F, H, I, and L.

We are writing to you to express our concerns with the adoption of preferred alternative 5A for the proposed Miller Creek/Old Highway 93 project. Specifically, as residents of the Miller Creek area of Missoula, we are very concerned that the preferred alternative actually worsens an already very dangerous situation, and exacerbates the traffic congestion on Miller Creek, and Upper Miller Creek Road.

B This study was initially undertaken for the express objective of providing a second access point in and out of the Miller Creek area. However, somewhere along the way this original intent has been forgotten. Rather, it was somehow replaced with the purpose statement of providing safe and improved between US 93 and the Miller Creek area. The preferred alternative continues to provide only Miller creek as the point of ingress and egress from

Responses

Response to Comment # 159

From: John E. Bohyer [mailto:bohyer@montana.com]

Sent: Tuesday, October 31, 2006 2:02 PM

To: Genzlinger, Craig

Subject: Miller Creek Bridge Project

Mr. Genzlinger:

I reside in the Maloney Ranch subdivision in Missoula, Montana. My neighborhood is severely impacted by the current traffic situation along Lower Miller Creek Road. In addition, I am a member of the Missoula Country Club.

I have recently become aware of the new “preferred alternative” for Highway 93. While this project was originally designated or known as the “Miller Creek Bridge Project”, I understand that now the preferred alternative now does not involve construction of a new bridge at all, but rather a reconfiguration of Highway 93 at Miller Creek Road. I oppose the FHWA’s current proposal for a number of reasons.



First, the Miller Creek area at the south edge of Missoula is one of the fastest growing areas in the city. I don't know the current population but it is substantial from the base of Miller Creek all the way to its upper reaches. And as matters currently sit, there is but one exit out of the Lower Miller Creek Road area. But the population continues to grow. It is not unusual during weekday mornings to have to wait at the intersection of Lower and Upper Miller Creek Roads for up to 20 minutes before being able to merge into traffic (and this is even before you can get on to Highway 93).

B D F H

The need for another bridge across the Bitterroot River in this area has long been known and it has become a true necessity with the explosive growth of the numerous subdivisions in the Miller Creek area. Reconfiguration of Highway 93 at or near the Miller Creek turnoff will do little, in my view, to ease the congestion that all folks in the Miller Creek region experience every week day. Unless and until the FHA and the State figure out how to more expeditiously stream traffic from Lower and Upper Miller Creek Roads onto Highway 93, we all are going to experience Montana's version of "gridlock."

Response to Comment # 159 (continued)

Second, the proposal to reconfigure Highway 93 at Miller Creek, and to run the Highway along “old” Highway 93 adjacent to the Missoula Country Club, would create even more havoc, especially in the summer. The Missoula Country Club has been located at its current place since the 1930s and its layout is among the best in Montana. Adoption of the FHWA’s new “preferred alternative” does not consider the loss of a portion of this tremendous piece of long time open space. Moreover, I understand that the new preferred alternative would not include a “left turn” lane from the reconstructed Highway 93 at Miller Creek back onto Highway 93 North. If so, how do folks departing the Missoula Country Club get back into town? With the traffic increase in this area going from 2500 vehicles per day to a projected 30,000 per day, the country club in many ways will be effectively destroyed. I do not know if you play golf, but with the current “preferred alternative” the reconfigured highway will remove substantial parts of holes 8 and 9 at the club. That is a loss that could not be restored, reconfigured or replaced by the club.

Third, the City of Missoula is nearly done with its construction of a new fire station in the Lower Miller Creek area not ¼ mile from my house. That construction has occurred at a cost of several million dollars. How in the world are the fire trucks and/or ambulances from this area supposed to get onto Miller Creek Road, let alone Highway 93, in any sort of timely fashion with the current configuration or with the preferred alternative configuration? Part of the rationale for this new fire station was to allow for quicker response time to accidents occurring in the Miller Creek area and along Highway 93 along the outskirts of the city. That rationale is frustrated without the bridge construction.

E F G H As a resident of the Lower Miller Creek area and a member of the Missoula Country Club, I must say that I am extremely disappointed in the FHA's process in coming up with this new preferred alternative, and its apparent "bury the head in the sand" approach. The bridge needs to be constructed if residents are going to have any long term relief both for traffic congestion and for safety purposes in the event of an emergency in the Miller

Comments

Responses

Comment # 159 (continued)

Creek area. It seems to me that the new "preferred alternative" speaks highly of political and administrative expedience, but very poorly of thoughtful analysis. I ask that the FHA reject the new preferred alternative and that it go back to the drawing board and put in the bridge as this was and should remain the intent of the project.

Regards,

John E. Bohyer
5033 Jaiden Lane, Missoula, 59803

Response to Comment # 159 (continued)

Comments

Responses

Comment # 161: Barbara Milligan

October 31, 2006
5959 Hayes Creek Road
Missoula, MT 59804

Craig Genzlinger, P.E.
Federal Highway Administration
585 Shepard Way,
Helena, MT, 59601

Dear Mr. Genzlinger:

I am writing this letter to express my opposition to alternative 4C, South Lower Miller Creek Interchange of the DEIS on Miller Creek Road.

- * 129 I own a property, which does not seem to be included in your study, yet it would be directly affected by this alternative if it comes to fruition. It would greatly diminish our personal safety, finances, and health. Personal safety would become an issue, because criminals would have easier & faster ingress & egress to our property. Financially, we have sunk all of our savings into building a home that we could sell for our retirement. We currently have a lovely view of the Missoula valley and the Bitterroot River. That view would change to a 'not so lovely view of a highway interchange.' The air & noise pollution would increase significantly to an intolerable amount for us and any future buyer. This alternative would render our property unbearable for us to live in and pretty much worthless for resale.

Of further consideration and in response to your impact studies:

- * 130 **Land Use Impact.** Alternative 4C should clearly state the impact of fellow Missoula residents, who not only have to give up their homes, but to those would personally sustain a financial and physical loss because of the change in land use.

Social & Environment Justice Impact. Our home was constructed in 2005. I do not believe my home is included in those "12 residential relocations" even though the interchange would be nearly in our front door!!

Transportation Impacts. Providing access between Miller Creek and Hayes Creek is of **NO** value to Hayes Creek residents and questionable value to Miller Creek as neither bedroom community has any services to offer to the other. Therefore it is a **negative impact** not a positive!

In addition, Hayes Creek residents who wish to ride share, do so within our own community as it is more convenient way to share.

Response to Comment # 161

Responses to this comment letter can be found under Summary Response issue letter A.

- * **129:** Your comments have been noted.

- * **130:** Thank you for your input. The impacts you mention, in addition to other environmental resource impacts, make Alternative 4C undesirable for the Preferred Alternative (see Response Issue A).

Responses

Responses

Response to Comment # 162

From: K Milligan [mailto:kmilligan@bluemountainesspresso.com]

Sent: Wednesday, November 01, 2006 7:20 AM

To: Ludlow, Sheila

Cc: 'Kay'

Subject: Miller Creek Road DEIS

Dear Ms. Ludlow:

I am writing to express my opposition to alternative 4C, South Lower Miller Creek Interchange of the DEIS on Miller Creek Road.

I own a property, which does not seem to be included in your study, yet it would be directly affected by this alternative if it comes to fruition. It would greatly diminish our personal safety, finances, and health. Personal safety would become an issue, because criminals would have easier & faster ingress & egress to our property. Financially, we have sunk all of our savings into building a home that we could sell for our retirement. We currently have a lovely view of the Missoula valley and the Bitterroot River. That view would change to a 'not so lovely view of a highway interchange.' The air & noise pollution would increase significantly to an intolerable amount for us and any future buyer. This alternative would render our property unbearable for us to live in and pretty much worthless for resale.

Of further consideration and in response to your impact studies:

Land Use Impact. Alternative 4C should clearly state the impact of fellow Missoula residents, who not only have to give up their homes, but to those would personally sustain a financial and physical loss because of the change in land use.

This comment letter is a duplicate of Comment # 161. Please refer to that comment number for a response.

Responses

Response to Comment # 162 (continued)

Construction Impact. Dust and noise alone from the construction would be intolerable. To say nothing about the crime that construction sites seem to attract.

Comments

Responses

Comment # 162 (continued)

In summary, Alternative 4C would have a long-lasting and negative impact on our community. Personally, alternative 4C would have a tremendously negative impact both financially & physically; financially, because of the depreciation of our current property value and future value that we hoped to accrue. Our physical and mental health would be compromised by the air and noise pollution.

A far better solution would be Alternative 2 B. 2B is less costly, residents and businesses are less impacted, there is less impact to the river and land, and wild life is less impacted. With this alternative, the traffic light at Blue Mountain will remain and so will the breaks in traffic flow that allows for the ingress and egress into and from Hayes Creek and other residents who live off highway 93. This also keeps Blue Mountain Road from being over used by traffic trying to skirt around the reserve street/Hwy 93 Intersection.

Sincerely,
B. K. Milligan
5959 Hayes Creek Road
1-406-251-6600

Response to Comment # 162 (continued)

Responses

Response to Comment # 163

Responses to this comment letter can be found under Summary Response issue letters B, E, F, G, and H.

And, again, how does all this help Miller Creek? If there were a natural disaster in that area, Old Highway 93 would not be a big help. If access to Miller Creek Road were blocked what would be the alternative route? My understanding is that the DEIS was to study an alternative route into and out of Miller Creek. This obviously does not address that problem.

A = Reference number for summary response issue

Comments

Responses

Comment # 166 Rick Oncken

LAMBROS
REAL ESTATE

November 1, 2006

Craig Genzlinger, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena, MT 59601

Dear Mr. Genzlinger,

A

I am writing to oppose EIS Alternative 5A on Old Highway 93.

**D
F
H**

This plan will not improve the flow of traffic or improve the safety of the motorist or the people that live and work in this area.

You will create a giant bottleneck in an already impacted area. And you will not have improved access to the thousands of homes yet to be built in the Miller Creek area.

The longer you wait to address a viable answer, for the future 20 years, of the Miller Creek Muddle the more complicated and expensive the solution will become.

**F
G**

Making a mess out of the Old highway 93 businesses, Larchmont Golf Course and the Missoula Country Club for a stopgap answer is not very productive.

We have had Malfunction Junction and The Broadway Diet we don't need the 93 Shuffle.

Sincerely

Rick Oncken

Rick Oncken
1400 Valley Wind Ln
Missoula, MT 59804

3011 American Way
Missoula, Montana 59808

(406) 532-9200 fax (406) 532-9330
www.lambros.com
lambros@montana.com

RECEIVED

NOV 02 2006
FROM
MONTANA DIVISION

Response to Comment # 166

Responses to this comment letter can be found under Summary Response issue letters A, D, F, G, and H.

Comments

Responses

Comment # 167: Mike McCourt

November 1, 2006

Craig Genzlinger, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena, MT 59601

Dear Mr. Genzlinger:

- A** On October 17, 2006 I attended and testified at the public hearing regarding the Draft Environmental Impact Statement (DEIS) on the Miller Creek Road Project. I am a citizen of Missoula, belong to the Missoula Country Club, and serve on the club's Board of Directors. I wish to go on record in opposition to the DEIS and in particular to the preferred plan 5A involving the massive overhaul of Old Highway 93.
- B** Let me begin by saying, **the original objective and funding for this project was to find a second access point into and out of Miller Creek.** Recommending plan 5A, in the DEIS, does not meet the original purpose or the financial appropriation Congress approved for this project.
- B** Since Old Highway 93 is outside the specified study area, the DEIS does not consider any impacts it is required to address for any Old Highway 93 improvements. Further, the failure to include this area in the study area but then to include it in the improvements deprived the property owners in the area the right to participate in the study process for the first three years.
- F** More specifically, under alternative 5A, turning left at the Missoula Country Club (MCC) either entering or exiting will be nearly impossible. Public safety or emergency situations at the golf course have not been addressed in the DEIS. The DEIS fails to identify the numerous impacts on the golf course (i.e. the 8th tee box, etc.), or the properties located on the south side of Old Highway 93.
- F** By the date of completion, traffic volumes will increase by 130% on Old Highway 93 if the project is realized! Nothing in the DEIS is proposed to mitigate the impact of traffic involving the golf courses or businesses. In particular, for example, the draft EIS does not explain how MCC members would be accommodated with ingress/egress during a construction period or after. What about air and noise pollution?
- A** May I respectfully suggest that you go back and consider the alternatives that provide a bridge as a second access point out of the Miller Creek. This was the suggestion voiced by a resounding majority of those who testified at the public hearing. Your preferred option 5A fails to meet the "purpose and need" as originally intended. Doing nothing or plowing ahead with option 5A is illogical and just plain ludicrous given that other alternatives are identified needing further study and input from the public. The "quick fix" or "band aid approach" offered under 5A solves nothing and, if implemented, will only reinforce the belief that the Federal Highway Administration does not listen or care about local concerns.

Sincerely,

Mike McCourt
Mike McCourt
305 High Park Way
Missoula, MT 59803

Response to Comment # 167

Responses to this comment letter can be found under Summary Response issue letters A, B, D, F, G, I, and M.

Responses

Response to Comment # 168

RECEIVED

NOV 06 2006

MONTANA DIVISION

Mr. Genzlinger:

The multiple reasons for growing opposition to this plan have been well publicized, and vary, depending on whether one is a Miller Creek Resident, a commuter to Missoula from the Bitterroot Valley, a business owner in the Old 93 corridor, a Missoula Country Club member, or merely a citizen concerned with wise use of taxpayers' money. Common to all of those concerned, however, is the late inclusion of the Old Highway 93 in the "improvement" plan, which deprived property owners in the area to be fully involved in the process; the failure to consider or address the markedly increased traffic on Old 93; the seeming failure to address the negative impact of this increased traffic on local business and property owners; and, most importantly, failure to address the widely held perception that this is simply a "band-aid" approach, designed to avoid the expenditures involved in a true long term solution, which is a second access point to the Miller Creek area via a bridge over the Bitterroot. To continue to force the projected increases in future traffic through the Miller Creek Road/Highway 93/Old Highway 93 intersection is short sighted, and merely delays the definitive solution which, irrespective of current costs, will only be more costly in the future.

I urge you to reconsider the planned implementation of Draft EIS Alternative 5A.

Respectfully,

Gregory Utter

A = Reference number for summary response issue

Responses

Response to Comment # 169

Responses to this comment letter can be found under Summary Response issue letters A, B, D, F, G, H, and I.

Responses to this comment letter can be found under: **Comment Letter**
Response issue letters A, B, D, F, G, H, and I.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
84

Response to Comment # 169 (continued)

F I also believe the impact to Missoula Country Club will be extremely damaging.

B Add to this the flawed process where the impacts to Old Highway 93 appear to be almost an afterthought, and one wonders whether the citizenry might be better served to have this project plan start over from scratch.

F This plan will create more problems than it resolves.

A I know not one single soul who supports this project.

I respectfully request that you reject this plan for the reconfiguration of Highway 93 and Old Highway 93.

Yours very sincerely,

Kerry Kammer
40 Rock Creek Rd
Clinton, MT 59825
406-825-4500

Responses

Response to Comment # 170

Responses to this comment letter can be found under Summary
Response issue letters A, D, F, and H.

A Please look to the future in your decision and build a bridge, (2B), across the Bitterroot enabling people on the west side of Miller Creek another way out. The short comings of North Reserve should serve as a reminder that our county is going to grow faster than projections.

Dan DeGrandpre
Scott Allen Dr

Notice: This e-mail may contain confidential information belonging to the sender which is privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, delete it without copying it and immediately notify the sender by reply e-mail. Thank you.

Comments

Comment # 171: Cyd Grovenstein

From: Cyd Grovenstein [mailto:cyd@customlog.com]

Sent: Thursday, November 02, 2006 2:21 PM

To: Genzlinger, Craig

Cc: mayor@ci.missoula.mt.us; dennv.rehberg@mail.house.gov

Subject: Oppose the current DEIS preferred alternative 5A

A I am writing in opposition to the proposed alternative 5A for the Miller Creek area. The improvements to Old Hwy 93 do not fit within the parameters of the original objective to provide a second access point into and out of the Miller Creek area.

F G H I J

Adding more traffic to Miller creek and Old Hwy 93 does not solve the problem. Another access will be required at some point in time as the population increases above Miller Creek. We should solve the problem correctly now and not add additional traffic problems for both the Missoula Country Club access (on old Hwy 93) and Briggs street (entering Miller Creek behind the Wal-Mart). The DEIS has not adequately identified the numerous impacts on the golf course or our residential Briggs street already congested with traffic.

Cyd Grovenstein
2525 Briggs St.
Missoula, MT

Responses

Response to Comment # 171

Responses to this comment letter can be found under Summary Response issue letters A, B, F, G, H, I, and L.

Responses

Response to Comment # 172

Responses to this comment letter can be found under Summary

Response issue letters C, D, F, H, and I.

Response to Comment # 173

Responses to this comment letter can be found under Summary Response issue letters A, B, D, F, and I.

Dear Craig Genzlinger

I am a resident who will be affected by the reconstruction of Miller Creek Road & Hwy 93.

D.F. The primary reason is with the growing population primarily the Malony Ranch development. 5A does not provide a second way out of Miller Creek.

B A 2nd route out of the Miller Creek area needs to be more seriously considered!

Sincerely

Responses

Response to Comment # 174

(Retyped from handwritten letter for improved legibility)

* 133 I support the preferred alternative 5A.

I feel it provide immediate improvements for most people using the Miller Creek Rd. It also coordinates well with city and county improvements and the possible Wal Mart expansion.

James Reardon
6165 Lower Miller Crk Rd.
406-251-2356

*** 133:** Your comments have been noted.

Responses

Response to Comment # 175

* **134:** Your comments have been noted.

* 135 It is noteworthy that Bald Eagles are using the Blue Mountain area again this winter; as they do every year. They perch in the trees at the site of the Blue Mt Road alternative 3B. They fish from there.

*** 135:** Bald eagle impacts are discussed in Section 4.14.2 of the DEIS and FEIS.

Responses

Response to Comment # 176

From: heleno [mailto:orenlaw@blackfoot.net]

Sent: Thursday, November 02, 2006 10:25 PM

To: craig.genzlinger@fhwa.dot.gov; McCov, Misty S.

Subject: Miller Creek DEIS comments

Nov 2, 2006

* 136 We favor alternative 5A. There is no question Miller Creek Road needs significant improvements. However, we question widening Old Hwy 93. How do you weigh the cost and burden to the commercial and recreational area versus the benefit?. How about two traffic signals one block apart? Wouldn't NEPA sec 4 f apply with respect to the Country Club requiring special scrutiny?

If a build alternative is selected, the only one which makes sense is 2B. It is time our community thinks long term and considers the need to transport motorists across town. A non-commercial corridor linked at North Lower Creek could route drivers to Hwy 90 and the airport. Motorists driving from Ravalli could avoid the Reserve Street backup. We call the plan the Peressini Plan. The other alternatives seem like the Alaskan bridge to nowhere. Space and flat land are needed if we are going to have a western by-pass.

1 We have said a great deal about 3B which defies logic as a choice. There again NEPA sec 4f would apply given the recreation area. Your traffic projections appear too small. We are already experiencing a major increase in traffic.

Clearly, this project is a true quagmire mainly because our local officials have failed to plan but instead choose expediency and political gain. Your patience is to be commended. Thank you, Helen Orendain, Blue Mountain/Big Flat Homeowners

Responses to this comment letter can be found under Summary Response issue letters D, F, G, I, and O.

*** 136:** Your comments have been noted.

Comments

Comment # 177: Marc Olson

From: Olson, Marc D. [mailto:MOLSON@SMURFIT.COM]
Sent: Friday, November 03, 2006 6:35 AM
To: Genzlinger, Craig
Subject: FW: Miller Creek DEIS

Craig,

I'm a Missoula resident writing to you to express my sincere concern about the Miller Creek/Old Highway 93 South DEIS.

B I simply do not understand how a plan to improve Miller Creek access
F that involves major changes to the Old Highway between 93 and
E Reserve does not include detailed study of potential impacts to that
G corridor and the area along it. Nor do I understand that within a process
that has involved public input for several years, how those located along
that corridor weren't notified about that process until relatively recently.

F The potential impact to those along the corridor are obvious, and I won't go in to the specifics here, as many have already done at the meeting Oct. 17th. I believe that is your job to coordinate a study and include suggested remedies to those impacts. As are the impacts this will have on the already excessive traffic on Reserve Street. With Missoula growth as it is and is projected to be, the longer term must be viewed, as in alternatives that include a South Missoula bypass.

DI appreciate how difficult this process has been, but it appears an 'easy way out' was sought for those originally expressing concern without regard for others. Additional work must be done viewing the long term, or Missoula will be facing almost impossible traffic issues forever.

Thank you,

Marc Olson`
Smurfit Stone Container

Responses

Response to Comment # 177

Responses to this comment letter can be found under Summary Response issue letters B, D, F, G, and O.

Responses

Response to Comment # 179

Responses to this comment letter can be found under Summary Response issue letters A, B, D, E, F, G, H, and O.

From: Tim Geiszler [<mailto:geiszler@lawm>]

Sent: Friday, November

To: Genzlinger, Craig

Cc: info@missoulacountryclub.com

Mr. Genzlinger,

I write in opposition to Alternative 5A proposed for the intersection of Miller Creek and Old Hwy 93, in Missoula County. Please consider these comments and file the same in the record of this matter.

Alternative 5A fails to address one primary goal of the study, namely; to provide a second access in and out of the Miller Creek area. Alternative 5A is merely a short-term "band-aid" to the larger problem of the growing Miller Creek area. Without a second access, all residential traffic, fire and emergency personnel and law enforcement are funneled into the single existing intersection. Your department needs address the safety of people and property, not just traffic congestion.

Many believe the answer to the larger problem is to install a bypass from the Wye [I-90 and Hwy 93 North] around the southwest end of Missoula, and tying into Hwy93 South at Blue Mountain Road [which is a logical location for the second access point to Miller Creek]. I urge to plan for the long term, rather than this year alone.

The impacts to the Missoula Country Club from Alternative 5A, far out weigh the benefit to traffic flow. The proposed encroachment onto the golf course and the entrance to the Club, do more than re-route golfers or mini vans of children. The encroachments dramatically alter for the worse, the quietude and serenity of the Club, which has for decades maintained a tranquil retreat for adults and children from the stresses of daily life. My complaint is not a "not in my backyard" approach. I ask you to travel to the Club and stand on the Eighth fairway to observe the environment fostered over years, and which will be destroyed by the encroachment of Alternative 5A.

Comments

Comment # 179 (continued)

Please analyze these comments. I respectfully submit that DOT has a duty to provide a better, less intrusive answer to Miller Creek's need for another access to Hwy 93.

Thank you for your consideration.

Tim Geiszler

This electronic mail may contain attorney-client communications which are confidential and privileged by law. This mail is not intended for receipt by any unauthorized person. If you have received this mail in error or are not the intended recipient, please delete it without copying it, and notify us by "reply" e-mail or calling 406-541-4940 so we may correct our address records.

If you are not the intended recipient, you may not disclose, copy, distribute, or take action in reliance on this transmission.

Timothy D. Geiszler, Attorney at Law
Geiszler & Froines, PLLC
Terrace West Suite K
619 Southwest Higgins Ave
Missoula, Montana 59803
fax: 406.541.4943
phone: 406.541.4940

Comments

Responses

Comment # 180: Eleanor Turunen

Craig Genzlinger, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena, MT 59601
November 3, 2006

RECEIVED
NOV 06 2006
MTWA
MONTANA DIVISION

Dear Mr. Genzlinger,

I am writing to express my opposition to the Draft Environmental Impact Statement for the Miller Creek / US 93 South project. Although my opposition is based on numerous factors there are two simple reasons that I believe in strongly enough to say that the project should not go forward.

- 1) I am a grandmother and resident of a senior residence that is close to the old US 93 portion of the highway that you would like to dramatically increase traffic and congestion on. I travel from my senior residence, as do my friends and family, to the Missoula Country Club for lunch, dinner, and special events very frequently and this makes up for a large portion of our social activities. As Old US 93 is configured now this is a very safe and slow route for all of us to drive to the club. I am afraid that should you built this proposed highway project and reroute such a significant number of cars onto this road we would end up with another traffic problem like the area around Reserve and Mullan Road now. It is impossible for many of us at our senior residence to travel on North Reserve anymore and it would just be a shame if we were to have the same thing happen along Old 93 South by our club and the restaurants out there.
 - 2) In looking through the documents and maps for the DEIS, I see no indication that a bridge across the river is going to be constructed to service all of the homes being built in Miller Creek. It has been my understanding that this whole project idea was to have a study to see if the bridge and another access point for Miller Creek was needed and feasible. If this is not the case then I suggest that you should have stopped right there and not moved forward with studying any other neighborhoods or fixing problems that don't exist. I respectfully request that if a bridge isn't needed or isn't feasible that you only make minor safety changes to the Miller Creek road and do nothing more. This would guarantee that you won't harm the health and safety of people's lives with more traffic in previously undisturbed areas, you won't harm people's businesses and you won't have to take people's land for no reason.
- Thank you for allowing me to comment and for the taking time to reconsider your opinions and thank you for your service to our state and community.

Sincerely,

Eleanor M. Turunen
Eleanor Turunen
The Village Senior Residence
2815 Old Fort Road #327
Missoula, MT 59804

Response to Comment # 180

Responses to this comment letter can be found under Summary Response issue letters B, D, F, G, and I.

Comments

Responses

Comment # 181: Susan K. O'Neil

November 3, 2006

Craig Genzlinger, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena, MT 59601



Dear Mr. Genzlinger:

A After reviewing the information that has been made available for viewing and after attending the October 17th Public Hearing, I want to voice my opposition to the Preferred Alternative for the Miller Creek Road Project.

B
D
F
H
L This Preferred Plan does not fit the original goal of providing a second access out of and into the Miller Creek area. As the area grows, this plan will put additional traffic at the Miller Creek/ Highway 93 light, on Old US 93, on Briggs Street where Cold Springs School is located, and on lower Gharrett Street where my house is located.

F
G The initial information I received on this plan came from the Missoula Country Club, where I am a member. The access to the club will be greatly restricted and quite unsafe. Additional impacts to the golf course on holes 8 and 9 have not been addressed. Safety for traffic getting in and out of other businesses along Old Highway 93 has not been addressed.

The environmental impact statement supplied at the meeting states the project purpose as follows: "The purpose of the Miller Creek Road project is to provide for safe and improved access between US 93 and the Miller Creek area."

H The Preferred Plan has a signal being installed at the Y intersection of Upper Miller Creek and Lower Miller Creek which will create hazardous conditions on Upper Miller Creek on slippery winter roads. How is that safer?

L The proposed light at Briggs Street will encourage more drivers to take Briggs Street to Gharrett Street, thereby sending a much larger number of cars past the Cold Spring School where the road is already congested with parents and busses dropping off and picking up children. How is that safer?

H The Preferred Plan will close the Miller Creek Road access to Wal Mart, which will cause or encourage them to find an alternate access. If a new access is opened on Briggs Street, it will further congest the traffic by Cold Springs School. How is that safer?

Response to Comment # 181

Responses to this comment letter can be found under Summary Response issue letters A, B, D, F, G, H, and L.

A = Reference number for summary response issue

Responses

Comments

Responses

Comment # 182: Robert W. Stage

November 3, 2006

Craig Genzlinger, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena, MT 59601

RECEIVED
NOV 06 2006
FHA
MONTANA DIVISION

Dear Mr. Genzlinger:

I am a long time member of the Missoula Country Club. I attended the Public Hearing on October 17th in Missoula to get information on the Preferred Plan for the Miller Creek Road Project. In reading the information provided by the FHA in the DEIS and listening to the testimony of others who attended the meeting, I left the meeting knowing I totally oppose the Preferred Plan for the Miller Creek Road Project. Here are my reasons.

- B** 1. The original intent and goals of the original plan have not been met.
- F, G** 2. The DEIS does not address the impact to Old US 93, primarily to the many business and substantially increased traffic flow.
- F, G** 3. The DEIS does not address the hazardous ingress and egress traffic problems for the numbers of golfers, employees, delivery trucks, and attendees of the many functions that are held at the Missoula Country Club.
- F, G** 4. The DEIS does not address the property that could be taken that would affect the 8th and 9th holes of the Missoula Country Club.
- G** 5. The DEIS does not address the additional risk and liability to the golfers, the Missoula Country Club, and the drivers on Old US 93 with no buffer for errant shots.
- F** 6. The DEIS does not address emergency response times that would be affected by the traffic congestion that would be blocking the entrance to the Missoula Country Club. As a 31 year veteran of the Missoula Fire Department, I am well aware of what Missoula's congested traffic and poor traffic design can do to emergency response time. A second entrance to the Miller Creek area as originally proposed would provide a second option for emergency vehicles.
- F** 7. The DEIS says its purpose is to provide a safe and improved access between US 93 and the Miller Creek area. The Preferred Plan will increase the traffic flow on Lower Miller Creek Road. It will increase the traffic on Briggs Street where the Cold Springs School is located. It will increase the traffic on Gharrett Street. It will increase the traffic on Old US Highway 93. The impacts to each of these streets with increased traffic were not adequately studied and can't possibly be viewed as being safer.
- F, G, H, L** * 138 8. I don't believe the projected costs for this plan are even in the ballpark due to the lack of adequate study of the true environmental impacts to this area.

Response to Comment # 182

Responses to this comment letter can be found under Summary Response issue letters B, D, E, F, G, H, and L.

*** 138:** Planning level cost estimates were developed for the alternatives for the purpose of comparison. All cost estimates were developed the same way and environmental impacts were considered and compared. The Preferred Alternative 5A has the least impact to the human and natural environment as well as the best traffic performance.

A = Reference number for summary response issue

Comments

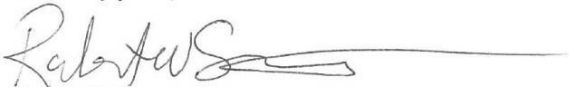
Responses

Comment # 182 (continued)

Craig Genzlinger, PE
November 3, 2006
Page 2

- * 139 The literature states that the Preferred Plan would be added to any of the other proposals. This sounds like a scare tactic. If the Preferred Plan is not selected, the costs by your projections will be from \$55.5 million to \$58.4 million. The Preferred Plan is a \$13 million band-aid to a much bigger problem and it is a poor solution at best. A separate access out of the Miller Creek area needs to be found. It was part of the agreement to get the approval of new housing developments in that area. Every year that plan is delayed, the costlier it will become. The Federal Highway Department needs to look at what it was originally charged to accomplish and go forward with finding an alternate point of access out of the Miller Creek area.

Very truly yours,


Robert W. Stage
2605 Willow Wood Court
Missoula, MT 59803

Response to Comment # 182 (continued)

- * **139:** If you are referring to the Preferred Alternative 5A, it is proposed as a stand-alone alternative in the DEIS and FEIS, not to be added to other alternatives considered.

Response to Comment # 183

Responses to this comment letter can be found under Summary Response issue letters B, F, G, and I.

Responses

Response to Comment # 183 (continued)

I am very concerned at the numerous impacts on the golf course. With these improvements to Old Highway 93 South how will this affect the golf course. I have been a member of the Missoula Country Club over 20 years and am concerned about what this improvement means to the golf course.

Finally, what are the alternatives offered to the proposed improvements to Old Highway 93 other than the "No Action" alternative. I feel the proposed modifications to Old Highway 93 fail to meet the "purpose and need" which is to provide a second access point into and out of the Miller Creek Area. I am concerned that the improvements to the Old Highway 93 are merely a band aid to a problem that should have been fixed by the developer of Miller Creek are referred to as Twite Valle.

BF

Lenny Stevens
901 Ben Hogan Drive
Missoula, MT 59803
(406) 829-8010
stevensqert@msn.com

Response to Comment # 185

Responses to this comment letter can be found under Summary Response issue letters B, F, G, and I.

I am writing in opposition to the Draft Environmental Impact Statement (DEIS) for Miller Creek/Old Highway 93 South. First of all these improvements to Old Highway 93 do not fit within the parameters of the original objective or the purpose of providing a second access point into and out of the Miller Creek Area.

Secondly , the improvements to Old Highway 93 will restrict left-hand turns onto Highway 93. Unless you are traveling to Lolo or the Miller Creek area, you will have to take a left-hand turn onto Old Highway 93, travel to Reserve Street where there will be a new light, and turn either right or left. Entering and leaving the parking lot would become impossible during certain peak traffic hours like around eight in the morning, around 3:30 when school dismisses, and around 5:00. Most of Linda Vista kids are bussed and drove to CS Porter Middle School so traffic around these times would be completely chaotic.

The projections for the traffic volumes on Old Highway 93 show over a 130% increase by the date of completion of this project. If there is an addition of a new traffic light at the

Comments

Responses

Comment # 186: Marlene and Gil Koch

Marlene & Gil Koch
2616 Raymond Ave.
Missoula, Mt. 59802
November 5, 2006

Craig Genzlinger, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena, Mt. 59601

Dear Mr. Genzlinger,

It was with a sense of dismay that we recently learned of the Highway Administration's possible plans to alter two of the fairways at the Missoula Country Club to widen the 93 By-pass.

As long time members of the Missoula Country Club, we, and over half of the members, are now retired or newly retired and have long anticipated spending our golden years on the links. Any change such as you have suggested, would destroy our remaining years of leisure on this *historical*/ golf course which we feel we have earned after forty or more years of working at various enterprises in order to achieve this goal.

In addition, this golf course has been an asset to the community for many many years. It is the site of various University of Montana fund raisers, (the Miller Barber tournament for one), as well as the Round ball basketball tournament. There have been several state amateur tournaments held on this course as well as local high school golf tournaments. Practice by the local high schools and the University of Montana golf teams are held here regularly. Every year, the Missoula Country Club hosts charitable events such as Camp-Make-a-Dream.

Response to Comment # 186

Responses to this comment letter can be found under Summary Response issue letters F and G.

Responses

Response to Comment # 186 (continued)

F We sincerely hope that you will reconsider your plans and eliminate this area from your proposed DEIS.

cc: Senator Burns, Senator Baucus, Representative Rehberg, Mayor Engen
Missoula County Commissioners, Candidate for U.S. Senate, Tester

Responses

Response to Comment # 187

Responses to this comment letter can be found under Summary Response issue letter I.

*** 140:** Your comments have been noted.

As a canoeist, birder, and general conservationist, I strongly object to the proposals to construct new bridges across the Bitterroot River. Each additional bridge impacts the flow particularly at high water, destroys native vegetation, limits the potential for increased restoration, and adds to the noise and non-natural experience along one of the crown jewels of our region.

A = Reference number for summary response issue

Response to Comment # 187 (continued)

Finally, as a taxpayer, I appreciate the choice of the least expensive option.

Sincerely,

Lynn Tennefoss

Comments

Responses

Comment # 188: Rodger P. and Hanya Salkeld

NOV 07 2006
FHA
MONTANA DIVISION

6884 Linda Vista Boulevard
Missoula, MT 59803

November 5, 2006

Mr. Craig Genzlinger, PE
Federal Highway Administration
585 Sheppard Way
Helena, MT 59601

Dear Mr. Genzlinger:

Miller Creek Road Proposals for Missoula, Montana

D As residents and homeowners of the area impacted by the traffic on Miller Creek Road, we ask
E that you consider a plan that will provide an alternative route out of the Lower and Upper Miller
F Creek areas such as plan 3B or 4C. The Alternative 5A plan is a plan that just meets our
G current needs and fails to address the near, future, and proposed growth of the area and
H emergency needs. The future development of the Maloney Ranch, Upper Miller Creek, and the
I Rodeo areas will at least triple the number of cars in the area. This will increase the current
L congestion at the Miller Creek and Highway 93 intersection. Additionally, an elementary and
middle school will be impacted by the traffic on Miller Creek if there is no other access or egress
to the area. We need to plan for the future now.

B Please consider a plan that will provide an alternative route to and from the Miller Creek area,
C such as plan 3B or 4C. There is only one road to and from the Miller Creek area. With the
D possibility of fires (and earthquakes), having at least one additional access/ egress could save
E lives if these emergencies occur by allowing an alternate escape route. Both of these plans
would necessitate building a bridge over the Bitterroot River and, yes, be more expensive.
However, the additional costs are justified by the need for additional access and egress to the
area for safety and emergencies and for traffic reduction on Miller Creek Road. The burden of
additional costs should at least be partially carried by the developers of the area. Both 3B and
4D would allow easier access to Highway 93 without an additional stop signal and would reduce
the congestion at the Miller Creek and Highway 93 intersection

Thank you for your consideration. We ask you to seriously consider these options keeping in
mind future developments and safety. We can be contacted at the above address or by
telephone at 251-7088.

Sincerely,

Rodger P. Salkeld
Rodger P. Salkeld
Hanya Salkeld
Hanya Salkeld

Response to Comment # 188

Responses to this comment letter can be found under Summary
Response issue letters B, C, D, E, F, G, H, I, and L.

Comments

Responses

Comment # 189: Donald N. Gillespie

DONALD N. GILLESPIE, M.D.
Allergy, Asthma, and Clinical Immunology
610 W. Spruce
Spruce Street Physicians' Square
Missoula, Montana 59802
406/728-6472

RECEIVED

Diplomate
American Board of Pediatrics
American Board of Allergy and Immunology

NOV 07 2006
MTWA
MONTANA DIVISION

November 5, 2006

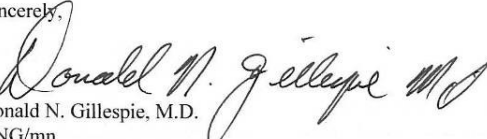
Craig Genzlienger, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena, MT 59601

Dear FHA-- Montana Division:

**B
D
F
G** I am writing to express my opposition to the current DEIS and the preferred alternative 5A. Originally the proposed scope of the project was for better access for Miller Creek/Old Highway 93 South and consideration for a second bridge across the Bitterroot River. The improvements in Old Highway 93 really do not fit within the parameters of the original plan. In addition, since Old Highway 93 is outside the study area for the DEIS, the EIS does not address any of the impacts that are required for Old Highway 93 improvements. It will seriously disrupt the traffic flow around the Larchmont Golf Course, the Missoula Country Club, and the Commercial Businesses whose back lots face Old Highway 93. In particular it will severely disrupt the 8th and 9th holes of the Missoula Country Club. This is one of the oldest and most established Country Clubs in the state having the first grass green in the western part of the state. It has long been considered an asset to the community of Missoula. It is possible that the changes envisioned for Old Highway 93 could disrupt the club to such an extent that its membership would drop and it would have to close.

**B
F
G** I strongly oppose the plan improvements on Old Highway 93 and the poorly planned environmental impact statement that has not given the public adequate commentary on such a project.

Sincerely,


Donald N. Gillespie, M.D.
DNG/mm

cc Missoula Country Club

Response to Comment # 189

Responses to this comment letter can be found under Summary Response issue letters B, D, F, and G.

Responses

Response to Comment # 190

Responses to this comment letter can be found under Summary Response issue letters B, D, F, and G.

Re: DEIS Miller Creek/Old Hwy 93 S

I am writing to inform you of my opposition to the DEIS preferred alternative 5A. Please reconsider the inclusion of Old Hwy 93 in this plan. Your DEIS does not solve the problems it was intended to solve and it creates more problems. Thank you for your consideration.

A = Reference number for summary response issue

Appendix E: Comments and Responses

Comments

Responses

Comment # 191: Jerry and Margaret Gall

Craig Genzlinger, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena Montana 59601
November 5, 2006



We are writing this letter expressing our opposition to the current DEIS, the preferred alternative 5A, and any other plans changing Old Highway 93.

B
D The plans do not meet the objective which was to provide a second access point into and out of the Miller Creek Area.

F
G The planned improvements to Old Highway 93 would be a "traffic nightmare". This is a band-aid solution which will not solve the existing problem.

F
G There are numerous impacts on The Missoula Country Club golf course and the properties and businesses along this route making the cost substantial with very little benefit.

B This plan fails to meet the purpose and need as it was originally intended.

Sincerely,

Jerry L Gall
606 Overlook Way
Missoula, MT 59803
Margaret R Gall
606 Overlook Way
Missoula, MT 59803

cc:
Senator Burns
Senator Baucus
Representative Rehberg
Mayor Engen
Missoula County Commissioners

Response to Comment # 191

Responses to this comment letter can be found under Summary Response issue letters B, D, F, and G.

Responses

Response to Comment # 192

Responses to this comment letter can be found under Summary Response issue letters A, D, F, G, and O.

Comments

Comment # 193 (continued)

1. The original purpose of the EIS was to find an alternative access to Miller Cr. There is no scenario with Old Highway 93 that addresses that purpose. In fact it would increase the traffic flow into the intersection from another direction.
2. Missoula Country Club was never included in the Environmental Impact Study. Therefore, any alternative which affects the Missoula Country Club would require a new Environmental Impact Study.
3. The proposed change in Old Highway 93 would basically eliminate easy access to and from the Missoula Country Club.
4. The removal of parts of the eight and ninth holes at the Missoula Country Club would require a complete redesign of the golf course and acquisition of additional land. There is no land available for a change or expansion of the existing facility. Even if there were additional land, the redesign would cost several million dollars.
5. Without redesign and land acquisition the Missoula Country Club would cease to exist. We currently have a tremendous amount of wildlife that live on the property, including deer, several types of water fowl, fox, squirrels, birds and many other creatures that depend on the environment we provide with a golf course. The members take great care in cohabitating with the wildlife that exists. I have seen mother ducks with their ducklings walking down the fairway on number eight hole on more than one occasion.

Comments

Comment # 193 (continued)

6. The Missoula Country Club is a family oriented club. We sponsor many childrens' programs for golf and swimming. We sponsor many statewide golf tournaments for juniors. We are the number one fund raiser for the High School golf teams in Missoula. These changes would eliminate or severely hamper these activities because of poor and unsafe access for children.

F 7. The Missoula Country Club is fortunate enough to still have
C the first grass green ever built in the State of Montana in
 1939. Loss of available ground could destroy that.

8. The commercial businesses on the opposite side of Old Highway 93 would be severely impacted by the increased traffic flow. Currently safe access is available to most of the business, and at least one of the businesses has a large amount of employee parking that would be eliminated by this change.

9. Cole Springs Elementary School behind Wal-Mart would now become an unsafe haven for the many children that attend it. Access for parents and students would become impossible.

B It is my understanding that you and your staff have wasted
F \$3,000,000.00 of our tax money to develop a plan that not
D only misses its intended goal, but creates a worse problem
than we have now. The alternatives that you are suggesting
are in violation of the National Environmental Policy Act of
1969. These changes to the "purpose and need" to the
original Environmental Impact Study are not in compliance

Responses

Response to Comment # 193 (continued)

D I urge you to go back to the original purpose and find an
F alternative access to Miller Creek. This is the only action that
makes any sense.

Sincerely,

Jack E. Wenger
Past President

Responses

Response to Comment # 194

Responses to this comment letter can be found under Summary Response issue letters F, G, and H.

Comment # 196: Lorraine Houppert

From: LORRAINE HOUPERT [<mailto:lhoup@msn.com>]

Sent: Monday, November 06, 2006 10:26 AM

To: McCoy, Misty S.

Cc: LHoup@msn.com

Subject: Wrong Miller Creek selection!!!

I cannot believe anyone would select the horrible alternative for an "improvement" to Miller Creek Rd that you are pushing!!!! Has anyone on this committee EVER driven Upper Miller Creek in the winter???? I have lived up here for 28 years and driven some of the worst conditions imaginable. You can not possibly consider a light where Upper and Lower meet! At times in the winter it is impossible to stop on this hill, forget this horrible idea and give us a bridge to get out of the valley!!! This selection would be a disaster and sooner or later we will require a second way out.

D would be a disaster and sooner or later we will require a second way out. This would impact too many people who have property along the road and ruin the country entry to our valley. I have written you before with a suggestion for coming UP Miller Creek Rd. Make Meadowwood Lane an EXIT only- stop allowing turns off of Miller Creek Rd. This is a hazard in winter, icy conditions. Without momentum going up this section, one can lose traction and actually slide backward DOWN the hill. These people can access their homes from Kerr Dr, or put a left turn center lane in this

H For you to consider two lights on this short section is unbelievable!!!!!! I'm sure if this was a question of ruining the entryway to Rattlesnake Cr, or Grant Cr, or Pattee Canyon, this would never be under consideration as any kind of alternative!!!! No one up here agrees with your selection. You have the ability presently to use some of the land in Lower Miller Cr for right of way to build a bridge to give us what we need NOW, the SECOND way out. If you do not gain access to this land right away, we all know it will have houses built on it and will become impossible to acquire. What the heck are you people thinking????????

F This eis was the biggest waste of money that I have seen since Malfunction Junction fiasco!!!! We are being held hostage by a few vocal people in other areas of Missoula who fear we are all going to come and drive by their houses to access Reserve St. Just give us a bridge,

D Alternative 2B looks good and build it so it doesn't impact Blue Mt, Big Flat
E people. We NEED this second exit route . There was once a gas leak in
E Upper Miller Cr and we had now way to get out. We were told to hike into

Responses

Response to Comment # 196

Responses to this comment letter can be found under Summary Response issue letters A, D, E, F, and H.

*** 141:** A traffic signal is included as part of the Miller Creek Road improvements at the intersection of Upper and Lower Miller Creek Road to allow AM traffic exiting the Miller Creek area via Lower Miller Creek Road to enter onto Miller Creek Road. Without the traffic signal, long delays would occur and the risk of accidents would increase. Under the Build Alternatives, northbound traffic approaching this intersection would not need to stop. There would be a dedicated lane north of the signal to receive this traffic. Traffic turning left from Lower Miller Creek Road would also have a dedicated northbound lane.

*** 142:** Missoula County maintains Upper Miller Creek Road. Although a copy of the FEIS will be provided to the County, it is suggested that you contact them directly with your concern. The intersection of Meadowwood Lane and Upper Miller Creek Road is outside of the proposed improvement area and has not been identified as a high accident area. While improvements at Meadowwood Lane could improve traffic operations during icy conditions, they would not improve overall traffic conditions and therefore are not included in the proposed Build Alternatives.

Response to Comment # 196 (continued)

DEF

Response to Comment # 197 (continued)

B D E G

James D. Basolo

Responses

Response to Comment # 198

Responses to this comment letter can be found under Summary Response issue letters B, D, F, and H.

Response issue letters B, D, F, and H:

Responses

Response to Comment # 199

Responses to this comment letter can be found under Summary Response issue letters F, H, and I.

Response issue letters F, H, and I.

Response issue letters F, H, and I.

Response issue letters F, H, and I.

* **143:** Traffic forecasts were developed through a multiple step process that took into account several elements including future growth and development of the area.

* **143:** Traffic forecasts were developed through a multiple step process that took into account several elements including future growth and development of the area.

Responses

Response to Comment # 201

From: walter f billings [mailto:walterdebby@bresnan.net]

Sent: Thursday, November 09, 2006 8:25 PM

To: Genzlinger, Craig

Subject: Miller Creek Road environmental impact

Dear Mr. Genzlinger:

We have lived on Linda Vista Blvd. near the NW Electric substation for almost

6 years now. We love the neighborhood except for one important item or problem or headache. Naturally, you already know what this is. It is the traffic from the apartment complex that the original developer felt he needed to

build.

God knows why this was done by this man. Of course, the developer of the apartment complex does not live on Linda Vista or Christian Drive. No, he built these apartments and then split to God knows where. He will not have to deal with the traffic. This guy ruined the upper portion of Linda Vista and Christian Drive. Many people up here despise him for this.

I lived in Northern Virginia and worked for the local electric utility in that part of the country during the building boom of the 1990s. Missoula is now making the same mistakes that the counties in that area made during that

period. Let the builder do as he pleases and then worry about the traffic and the type of roads needed, after the fact. But once the developer does his thing and gets his money, he does not give a hoot what happens to the roads or the people left back in the development that he built.

The result of this type of planning was massive congestion and terrible traffic. Missoula is doing just this thing now.

Comments	Responses
Comment # 201 (continued)	Response to Comment # 201 (continued)
D F H I And now I hear that the parties involved want to take the easy way out by putting up a traffic light and widening a small part of Miller Creek road. This is just what they tried in Northern Virginia at first, and it never worked for long there. You need to bite the bullet and build another entirely new outlet from Linda Vista area, a new road from here down to route 93 is the only long term solution. The easy way out is not a solution but like a bandaid on a gunshot wound. It will help for a short period of time only. Sincerely, Walter F. Billings 6940 Linda Vista Blvd. Missoula, Mt 59803	

Responses

Response to Comment # 202

Responses to this comment letter can be found under Summary Response issue letters B, D, F, and H.

Response issue letters B, D, F, and H.

Responses

Response to Comment # 204

From: Don Lorenzen [mailto:don.lorenzen.be5s@statefarm.com]

Sent: Friday, November 10, 2006 1:38 PM

To: Genzlinger, Craig

Subject: Miller Creek DEIS

Craig,

I got the card on ANOTHER comment period. Why is this continued to be drawn out? When will a decision be made and date for construction set to begin?

*
144

Don Lorenzen
Missoula, MT

*** 144:** The card you received was an extension of the existing comment period. We are receiving a large volume of comments and had some requests for more time. It is not unusual for FHWA to extend a comment period when requests for more time are received.

As to when a decision will be made, it is anticipated to be sometime in 2008. After all the comments are received, we need to consider and answer all of them before we can proceed. Thank you for your interest in the project and we will be working with the community and local governments to make a decision in the near future.

Responses

Response to Comment # 205

From: jim hogan [mailto:hogie@bigsky.net]

Sent: Friday, November 10, 2006 7:54 AM

To: craiq.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: comments on Miller Creek DEIS

D F H I live in Linda Vista and experience the traffic problems getting in and out of the area. I think the preferred alternative is only a short term fix, but a good one. However, another way out of the whole Miller Creek area will be needed in the future, especially when the Maloney Ranch area is built out.

A I think alt. 2-B ought to be pursued now. It is a good alternative and will be more affordable now than at some future date. Let's do it right - look at Reserve St. It didn't take long for it to get jammed up!

JIM HOGAN (406) 251-8524

Responses to this comment letter can be found under Summary Response issue letters A, D, F, and H.

Responses

Response to Comment # 206

Your comments have been noted. Response to this comment letter can be found under Summary Response issue letter O.

The only difference will be in how they go through the light, instead of south to north, you will have more going, east to west.

I would think that the best thing to do right now, is to save the money from this supposed fix, and work on a viable By-pass for the travelers that don't want to pass through town.

chris

Chris Hindoien
4661 Nicole Court
Missoula, MT 59803
ChrisH@bresnan.net

Comments

Responses

Comment # 207: John Wagner

Response to Comment # 207

RECEIVED

NOV 15 2006

MTNA
MONTANA DIVISION

5240 Dorothy Ct.

Missoula MT 59803

Nov. 11, 2006

Craig Genzlinger
 Federal Highway Admin.
 585 Shepard Way
 Helena MT 59601

Subject: Miller Creek Road DEIS

Dear Mr. Genzlinger:

I am not in favor of Alternative #5.
 The Miller Creek area needs another outlet
 over the Bitterroot River. Go back to
 the beginning. Thank you.

Sincerely,
 John Wagner
 Member # 9201 of Missoula Country Club

Responses to this comment letter can be found under Summary
 Response issue letters A, B, D, F, and H.

Responses

Comment # 208: Steve Seninger

From: Seninger, Steve (Dr) [mailto:Steve.Seninger@business.umt.edu]
Sent: Saturday, November 11, 2006 10:21 AM
To: Genzlinger, Craig
Subject: FW: Miller Creek Road DEIS

A Dear Federal Highway Administration: I am strongly opposed to alternative 3B Blue Mountain Road for the Miller Creek Road project. Projected traffic flow data for the year 2025 along Blue Mountain Road to intersection of O'Brien Creek Road and Big Flat Road are absurdly low numbers—there is already significantly increased traffic volume and driving at excessive speeds with the paving of the Blue Mountain Road section between Maclay Flats and Blue Mountain Trailhead. Alternative 3B would increase traffic problems in the Target Range area and around MaClay Bridge and Maclay Flats.

J Alternative 4C would make more sense as it would also reduce a various dangerous residential exit/entry from the current Highway 93.

Sincerely,

Steve Seninger
9975 O'Brien Creek Road
Missoula, MT 59804
406-721-1422

Response to Comment # 208

Responses to this comment letter can be found under Summary Response issue letters A and J.

Responses

Response to Comment # 209

Responses to this comment letter can be found under Summary Response issue letters F, H, and N.

I live on Rodeo Road in Missoula and would like to comment on the DEIS for Miller Creek Road.

Let's try to alleviate the traffic issues in the Lower Miller Creek area before looking at building a bridge over the Bitterroot River.

Kerry Miller
3546 Rodeo Rd.
Missoula, MT 59803

Responses

Response to Comment # 210

From: George & Nora [mailto:norandgeo@montana.com]

Sent: Sunday, November 12, 2006 4:09 PM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: miller creek deis

Craig:

I see that the preferred alternative is the cheapest of all but no action. I hope that it wasn't chosen because of this fact.

For the long run the preferred will be lacking. I believe it is a short term solution that is 10 years or so. The reason is that growth in this area continues and eventually will cause need for more access.

Costs for the other alternatives (bridge over Bitterroot River to Hwy 93) will undoubtedly increase exponentially in ten years and after. Is it wise to put this off? Just for short term cost savings.

Z

I have participated in most of the past meetings that have been held in building the EIS and always mentioned that there is a solution that's a bit outside the box. This is to work with the city of Missoula bus service into this area to get people to and from Missoula area in an efficient manner so that people would opt to use it. This would certainly lower the rush hour crash that now occurs and will get much worse as the area grows. I believe the costs projected for any of the alternatives far outweigh the cost of solid reliable bus service.

Taking this point farther could be to use the present rail system in conjunction with the bus service to make it an even more efficient access solution

Z

I lived and worked in an era in another small western city where bus service was successful. I know that it worked from personal experience. Why couldn't we at least start the ball rolling for mass transit by adding the thought to whatever alternative is selected?

Thanks for your work of preparing the study and EIS.

Sincerely

George Leighton

3209 Paul Lane

Missoula, Mt 59803

Responses

Response to Comment # 211

RECEIVED

NGV 20 2006

**INDIA
SOUTHERN DIVISION**

I SEE A RIVER CROSSING FROM MILLER CREEK AREA AS MOSTLY FOR LOCAL AND CONVIENECE TRAFFIC. IN 50 YEARS AND EVERY HILLSIDE MISSOULA THRU MILLER CREEK WILL BE COVERED WITH HOUSING. DESIGN A WAY TO GET AROUND THIS PROBLEM WITHOUT CREATING A LOT MORE TRAFFIC SIGNALS TO FURTHER SNARL RESERVE TRAFFIC.

Responses to this comment letter can be found under Summary Response issue letters A, D, F, and O.

**A
D
F**

Comments

Responses

Comment # 211 (continued)

O PEOPLE---STATE COUNTY CITY AND FED SHOULD BE HARD AT WORK DESIGNING A MISSOULA BY- PASS ON THE WEST SIDE OF THE MISSOULA AREA. IT SHOULD START AT THE ENTRANCE TO THE VALLEY AND RUN NORTHWARD TO THE AIRPORT INTERCHANGE ON THE EAST EDGE OF THE AIRPORT TO I-90. THINK LIMITED ACCESS WITH ABOUT FIVE INTERCHANGES AND FRONTAGE ROADS WHERE NECESSARY.

O MANY PEOPLE COME THRU TOWN WITH NO BUSINESS EXCEPT TO TRAVEL ON TO OTHER PLACES VIA I-90 AND north 93. THIS TRAFFIC WILL INCREASE AS IT APPEARS OUR URBAN AREAS WILL EXIST SOLIDLY FROM MISSOULA TO HAMILTON AND BEYOND. EVERY CITY I KNOW OF IS IN THE THROWS OF CREATING BELT AND BY- PASS ROUTES. NOW IS ALREADY LATE FOR THIS PLANNING.

F NOT EASY BUT YOU FOLKS ARE USED TO THAT. ALL AND ALL I SAY FORGET MAKING A MAJOR PROJECT OUT OF OLD 93!

SINC.

BILL RIGGERT

Response to Comment # 211 (continued)

Responses

Response to Comment # 212

From: huffmanri@sofast.net [<mailto:huffmanri@sofast.net>]

Sent: Tuesday, November 14, 2006 10:56 AM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Cc: jcurtiss@co.missoula.mt.us; bcarey@co.missoula.mt.us;

bevans@co.missoula.mt.us; mayor@ci.missoula.mt.us;

citizensadvocate@mt.gov; schweitzer@montana.com;

Jim Messina@baucus.senate.gov

Subject: Miller Creek Road EIS

Importance: High

Dear Mr. Genzlinger,

D Having attended all but the last EIS meeting, we are compelled to state
E for the record how disappointed we are with your conclusion and
F proposal for the DEIS. After spending \$3 million of our federal dollars, all
F you came up with was to widen the road? What this area needs, and
H what has been stated by our emergency services folks, is a second
access, a second way in and out of the Linda Vista / Miller Creek areas,
which requires a bridge being built over the Bitterroot River. Our
understanding is that this is why you were hired to study this in the first
place. We are very much against your conclusions/proposal, think you
wasted our time and taxpayer dollars, and did NOT listen to area
residents whatsoever. We strongly encourage consideration of
alternative 4C. A bridge at the south end of Linda Vista / West of Upper
Miller Creek developments is the best long-term solution, as this is where
all the current and future growth is occurring in this area. Thank you.

Richard & LeeAnne Huffman
10110 Oral Zumwalt Way
Missoula, MT 59803

Phone: (406) 273-4600

eMail: HuffmanRJ@SoFast.net

Responses

Response to Comment # 213

Responses to this comment letter can be found under Summary Response issue letter A and H.

Response issue letter A and H.

Responses

Response to Comment # 214

From: DENIS THANE [mailto:dptmsla@msn.com]

Sent: Tuesday, November 14, 2006 4:54 PM

To: Genzlinger, Craig

Subject:

*146

I don't mind your preferred alternative, but it would really be great if it provided a free right turn lane from Miller Creek Road onto Highway 93. This could be accomplished by replacing the boulevard in front of WalMart on highway 93 with a new lane that would extend as far as 39th St.

This would relieve a lot of the morning congestion on Miller Creek Rd south of 93

Denis P. Thane
6006 St. Francis Ct
Missoula, MT 59803

*** 146:** Thank you for submitting your idea for “a free right-turn” lane from Miller Creek Road onto US 93. Upon review of your proposal it was found that the design included with Alternative 5A would effectively handle forecasted traffic traveling between the Miller Creek area and the intersection of US 93/Brooks and Reserve Street without the addition of a new northbound lane that would require relocation of the paved multi-use path located between the US 93 alignment and the railroad tracks. The geometric modification would need to allocate space for the multi-use trail as well as the designated receiving lane and will likely result in encroachment upon railroad right of way. It was also determined that this modification would provide minimum benefits due to the limited capacity of the upstream intersection of US 93/Brooks and Reserve Street.

Responses

Response to Comment # 215

Responses to this comment letter can be found under Summary Response issue letters C, D, F, H, and L.

I have been a resident at 2707 Valley View for almost 24 years. Miller Creek is just across Bob Beach's field a stone's throw away. Obviously I've seen first hand the growth and accompanying traffic.

* 147 I'm horrified at one of the suggestions, to cut through the Beach property, which is one of the nicest islands of private open space in town, and send traffic through our neighborhood over to Gharrett. This is a quiet street where children play in the street all the time. Joggers and walkers use it night and day. An arterial would destroy everything. The "preferred alternative" may look good to someone on paper, but it will not solve the problem, and there must be a way to get funding for a bridge instead of wasting millions on a short-sighted bad mistake.

* **147:** Figure 2-2 in the DEIS included an alignment corridor referred to as the Garrett Street Connector that cut through the Beach property. This corridor was not advanced for study as a build alternative. The reasons for not advancing this corridor are listed in Table 2-1 of the DEIS and FEIS.

Comments

Comment # 217: Chris Cole

From: Sam Cole [<mailto:cdsbc@msn.com>]
Sent: Wednesday, November 15, 2006 8:44 AM
To: Genzlinger, Craig
Subject: Miller Creek

Mr. Genzlinger:
I have been a resident at 2707 Valley View for almost 24 years. Miller Creek is just across Bob Beach's field a stone's throw away. Obviously I've seen first hand the growth and accompanying traffic. I think spending money on anything other than a bridge connecting Miller

Creek to Hwy 93 is a waste, and does not solve the problem. Missoula continually approves development without committing to the necessary infrastructure to handle traffic. North Reserve is a perfect example. In an effort to save money and hold back doing everything needed in reconstructing Reserve, we now have a situation that's going to cost even more to fix. Miller Creek needs another access, not spreading the existing, never mind future, traffic through the surrounding neighborhoods. With two schools at the bottom of the hill, traffic is already bad on Briggs at Cold Springs, and traffic jams now at 39th/Reserve@Meadow Hill at 8 in the morning. I see people cut through Wal Mart parking lot to get to 39th every day.

* 148 I'm horrified at one of the suggestions, to cut through the Beach property, which is one of the nicest islands of private open space in town, and send traffic through our neighborhood over to Gharrett. This is a quiet street where children play in the street all the time. Joggers and walkers use this area night and day. Putting an arterial through here will destroy everything.

There must be a way to secure funding for a bridge. Anything less is short-sighted, deleterious, and a failure to address the growth that has already happened, as well as the future growth on the south and west edges of Missoula that we all know is coming.

Thank you for your attention-
Chris Cole
2707 Valley View Dr.
Missoula 59803

Responses

Response to Comment # 217

Responses to this comment letter can be found under Summary Response issue letters C, D, F, H, I, and L.

* **148:** Figure 2-2 in the DEIS included an alignment corridor referred to as the Gharrett Street Connector that cut through the Beach property. This corridor was not advanced for study as a build alternative. The reasons for not advancing this corridor are listed in Table 2-1 of the DEIS (and Table 2-1 of this FEIS).

Comments

Responses

Comment # 218: Dennis Barthel

(Retyped from handwritten letter for improved legibility)

Having reviewed the recent alternatives for the "Miller Creek Environmental Impact Statement," it is clear that the preferred Alternative 2B is the best approach, particularly since it does not impact the Miller Creek area to the north, and could be constructed less expensively and could be accomplished without impacting Hwy 93.

millers creek road
environmental impact statement

Comments on the DEIS
September 22, 2006 – November 6, 2006
RECEIVED

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT:

* 149
A
D
F
G
H
Having reviewed the recent alternatives for the "Miller Creek Environmental Impact Statement," it is clear that the preferred Alternative 2B is the best approach, particularly since it does not impact the Miller Creek area to the north, and could be constructed less expensively, and could be accomplished without impacting Hwy 93.

Name: DENNIS H. BARTHEL (MR & MRS)

Response to Comment # 218

Responses to this comment letter can be found under Summary Response issue letters A, D, F, G, and H.

* **149:** Alternative 5A has been identified as the Preferred Alternative. As shown in Table 2-4 of the FEIS, the cost estimate for Alternative 5A is \$13.5 million, and \$44.0 million for Alternative 2B.

Responses

Response to Comment # 220

From: Dar Palen [mailto:dipalen@centric.net]

Sent: Wednesday, November 15, 2006 4:13 PM

To: Genzlinger, Craig

Subject: Miller Creek Road Improvements

I cannot believe the DOT could expend over \$3,000,000.00 dollars and come up with such an inadequate and irresponsible conclusion to improve the present traffic conditions on Miller Creek Road. I was personally assessed over \$1,800.00 for road improvements to this area in May of 2000 on top of all the other transportation taxes I already pay and now find out it is being squandered on a study that a blind deaf moron would be able to figure out will not work or improve traffic conditions for any length of time. A bridge for egress is what needs to be addressed, not trying to appease a vocal minority opposed to it. God help us all to keep this project from becoming any more of a financial disaster that it has become. Sincerely, Dar Palen, 3489 Trails End Road

Responses to this comment letter can be found under Summary
Response issue letters C, D, F, and H.

Responses

Response to Comment # 222

From: James Harkins [mailto:jharkins@montana.com]

Sent: Wednesday, November 15, 2006 11:11 AM

To: Genzlinger, Craig

Subject: Objection to 5A alternative

Thank you for the opportunity to voice our view on this situation.

As 18 year residents on a property bordering Miller Creek Rd. off Ancabide Lane, we have, over the past at least five years, been subjected to an ever increasing problem of traffic noise and air pollution. The noise has become so obtrusive within our home we are now having to take expensive measures to extend our living area and install new more sound barrier efficient windows on the West and North side. As traffic speed and types of vehicles increase - even though the speed limit is still at 35MPH - and logging trucks begin their over the speed limit trips at 6am and continue throughout the day, spending anytime at all in a very beautiful and ancient ponderosa pine back yard has become VERY difficult. Obviously any construction on Upper Miller Creek Rd would encroach even more closely to our home and we would also lose more of an essential barrier of trees.

We are loathe to envision the noise and air pollution increasing but frankly to maintain our sanity we would have to relocate. My husband was raised here and returned 30 years ago to a professional career in education and we were proud to reside in a community that was sensitive to the environment and the residents. We now feel Missoula is losing its way in this area and if we forgo the value of the peace and aesthetics once experienced here we - the residents - will have failed to honour the exceptional environment in which we live/lived.

To address the issue of "IMPACT", the impact for us would be huge and I imagine the impact on countless others would be equally so. We do not casually support sacrificing agricultural land and strongly support open space but given the County has already allowed such a massive new development - with no end in sight - in the Upper Miller Creek area, vast tracks of viable land have already been destroyed.

Responses

Response to Comment # 222 (continued)

* 150 We also believe the negative impact on bird, wildlife and trees would be significant if the Upper Miller Creek ravine is encroached upon.

We were under the assumption that the county had approved the extensive development of upper Miller Creek with the condition, the developer provide and fund, access to Highway 93 via a bridge across the Bitterroot river which would offset a traffic congestion issue.

D I am curious what happened to that plan. We don't relish the idea of yet another bridge over a river and the consequent environmental impacts but if it is such an issue to be pondered now why was it not considered when the development was approved?

We realized this is a huge and complex problem but submit this in the hope that our position in this matter is taken into consideration .

Sincerely,

Denise Hamersley and Jim Harkins.
Missoula residents.

*** 150:** The environmental resource impacts in this area have been assessed and efforts to minimize impacts will continue during final design.

Comments

Comment # 223: Colleen, Mark, Cassidy and Caleb
 Allber

From: Bearruncreek@aol.com [mailto:Bearruncreek@aol.com]

Sent: Thursday, November 16, 2006 9:03 AM

To: Genzlinger, Craig

Subject: miller creek eis

Hello

My husband and I have been long time residences of upper Miller Creek. We have seen quite a few changes the past 10 years with construction of new homes and continued increases in traffic. We run, bike, and horseback ride all parts of Miller Creek alone and/or with our young children. We would LOVE LOVE LOVE to see a walking/bike path in place from Trails End to Walmart. It is extremely dangerous to even be walking the last two miles of the main Miller Creek road, yet we would love to safely get into town on our bikes with our children.

Thanks for hearing our comments.

Colleen, Mark, Cassidy and Cale Alber

Responses

Response to Comment # 223

Responses to this comment letter can be found under Summary
Response issue letter H.

Comments

Responses

Comment # 224: Lauralee Bell

From: L BELL [<mailto:lauraleemt@msn.com>]
Sent: Thursday, November 16, 2006 1:16 PM
To: Genzlinger, Craig
Subject: Miller Creek Road

It is my opinion that a bridge needs to be built over the Bitterroot River to solve the traffic problem in the Lower and Upper Miller creek Road areas.

To do otherwise is simply a band-aid solution. Building the bridge now will be expensive, but not as expensive as in the future. Maloney Ranch

alone is going to continue to grow resulting in more traffic, and more safety and traffic issues. A bridge just makes sense.

Lauralee Bell
6005 Brusett
Msla.MT. 50903

Response to Comment # 224

Responses to this comment letter can be found under Summary Response issue letters D, F, H, and I.

D
F
H
I

Comments

Responses

Comment # 225: Stephen G. and Margaret R.

Johnson

NOV 20 2006
 PMA
 MONTANA DIVISION
 Rt. 2900 Lenore Shure
 Missoula MT 59803
 November 16, 2006

585 Shepard Way
 Helena MT 59601

Dear Sir:

It seems to us that the project
 proposal (5A) for Miller Creek Road
 really provides no improvement for
 Miller Creek residents but is more
 beneficial for Bottleneck traffic.

In our opinion Miller Creek needs
 a second access. In case of an
 emergency evacuation we would be
 further getting out of Miller Creek and
 this will only get worse with the
 addition of the traffic from the making
 of sub-divisions. Why not route
 the traffic across the river to 93 instead
 of back to Miller Creek?

We also believe that these issues
 should be addressed before sub-divisions
 are approved.

Thank you for your consideration.

Sincerely,

Stephen G. Johnson
 Margaret R. Johnson

Response to Comment # 225

Responses to this comment letter can be found under Summary
 Response issue letters D, E, F, H, and O.

Responses

Response to Comment # 226

From: Liz Lombardi [mailto:lizzyb@cfccmt.org]

Sent: Friday, November 17, 2006 5:51 PM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: Milleries

Thank you for all your hard work on this proposal. It is very informative (if, however, somewhat confusing, to a novice like me.)

After reviewing the different alternatives, I would like to put my thoughts on the table.

My two main concerns match up with the problems listed:

(1) Safe walking/biking from Linda Vista to US 93 via Lower Miller Creek Rd and Miller Creek Road; and

(2) Traffic and emergency routes for this same area.

I would love my children to be able to safely walk or ride their bikes to Cold Springs School as well as our family take a bike ride out of the Linda Vista/Miller Ck area. It would also be nice for folks to be able to walk or ride their bikes to Walmart to use public transportation. The Miller Creek Alternative seems to adequately address this issue as well as the No Action Alternative apparently.

What these two alternatives do not address is a second entrance/exit into the subdivision which is necessary for the traffic and emergency routes to be addressed. The other alternatives (Blue Mountain and North Miller Creek) would adequately address these issues.

I would be opposed to an alternative that did not address both of the concerns I listed above.

Sincerely,
Liz Lombardi

Responses to this comment letter can be found under Summary Response issue letters B, D, E, F, H, and L.

Comments

Responses

Comment # 227: Joel Henry

From: Joel Henry [mailto:henryj@montana.com]
Sent: Sunday, November 19, 2006 9:42 PM
To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.
Subject: Miller Creek EIS Comments

Craig and Misty,
We would like to submit the following comments:

D The most important issue to us is an additional exit from the Miller Creek
F area. Maintaining Miller Creek Road as the only exit is not acceptable,
H no matter how many improvements would be made.

A We favor a bridge from the area out to 93, and prefer option 3B. Options
D 2B and 4B are also acceptable.

B We would draw your attention back to the purpose of the DEIS effort:
F ...to provide for safe and improved access between US 93 and the Miller
Creek area. We do not see improvement to Old US 93 as an issue that
should be considered.

D We need additional exits from a growing area, the area we live, and hope
that decisions on what to do will focus on this important point.

Thank you.

Joel and Kelley Henry
4421 Nicole Court
Missoula MT 59803
251-0305

Response to Comment # 227

Responses to this comment letter can be found under Summary
Response issue letters A, B, D, F, and H.

Response to Comment # 229

Responses to this comment letter can be found under Summary Response issue letters A, D, E, and F.

Dear Craig:

Regarding Miller Creek Road improvements: I think that both Alternative 5A and 2B need to be implemented. I think that 5A makes some very good, very needed changes. However, to not provide another entrance/exit out of the Miller Creek area when development has been allowed to the extent that it has - and it's not done yet, is an endangerment to the public.

It takes only one emergency to close Miller Creek Road. If that emergency has occurred due to poor road conditions, then Garrison is not a better option.

Please include a bridge at Blue Mountain as part of the Miller Creek improvements.

Thank you.

Jean Logan
3124 Evans Ridge Rd.
Missoula, MT 59803
251-1313

Responses

Response to Comment # 231

Responses to this comment letter can be found under Summary Response issue letters F, G, and O.

We are against the proposal that is written in FHA's Draft Environment Impact Statement. We are against the proposal to redirect traffic through Missoula Country Club property.

We are Missoula residents and Missoula Country Club members. The seclusion of the club is one of the main reasons we are members. Not only will this band-aid proposal affect the safety of families, but we also think that it will have a negative impact on the future of Missoula. This does not only affect Miller Creek, it affects the value of Missoula. We think that more studies need to be looked into so that a better plan can be made for the

Sincerely,
Paul and Alexandria Davenport

Responses

Response to Comment # 232

*** 151:** Your comment has been noted.

Responses

Response to Comment # 233

Responses to this comment letter can be found under Summary Response issue letters A, B, D, F, G, H, and L.

Re: Miller Creek Road Draft
Environmental Impact Statement

Dear Ms McCoy,

We are residents of the Blue Mountain area of Missoula Montana, and were adamantly opposed to the early proposal to construct a bridge out of the Linda Vista/Miller Creek areas at Blue Mountain Road. Your new proposal to widen the Miller Creek access and direct traffic down Old Highway 93 is equally preposterous

We attended the October 17th public meeting where the draft EIS was reviewed and interested persons were given an opportunity to express their concerns. The following issues concern us:

- 1) The draft alternative, whereby Old Highway 93 is considered as an alternative solution to the Miller Creek traffic problem, wasn't part of the original EIS study, and, the impacts resulting from the reconstruction of Old Highway 93 were not addressed during the EIS process.
- 2) This draft alternative doesn't provide for a second route out of the Miller Creek area--what we understood to be the goal of this entire study.
- 3) The widening of Old Highway 93 will no doubt destroy the eighth and ninth fairways at the Missoula Country Club, one of the oldest and most pristine golf courses in the State of Montana. This would destroy the Club as we all know it today, because moving these two holes is not an option for the Club--there is no additional real estate available for expansion in any direction. The DEIS does not address any of these concerns.

Response to Comment # 233 (continued)

- 4) This draft alternative doesn't give the slightest amount of relief to the already congested intersection at Miller Creek and Highway 93.
- 5) The proposed traffic pattern for those heading east out of the Missoula Country Club or any of the businesses located on the south side of Old Highway 93 would be cumbersome, causing traffic to drive south across Highway 93 on Miller Creek Road, east on Briggs Street in front of Cold Springs School and then back to the north on Gharrett Street in order to return to Highway 93 and continue to the east. Having this increase in traffic in front of Cold Springs School would create a hazard.

The **Alternative 2B** bridge has been proposed to provide a second exit out of Miller Creek AND eventually tie into a north-south bypass around Missoula. It would provide a second exit out of Miller Creek, could eventually tie into a north/south bypass around Missoula, moving the northbound traffic from the Bitterroot Valley efficiently to I-90 and would relieve the congestion at the Miller Creek/Highway 93 intersection. We strongly support this option.

We hope that you will consider the significance of this situation and take corrective action to ensure that this study is focused on issues crucial to the entire area.

Sincerely,

Edward T. Linjala
Sharon L. Linjala
4900 Buckhouse Lane
Missoula MT 59804
(406) 251-2571

Responses

Response to Comment # 234

Responses to this comment letter can be found under Summary Response issue letters A, D, E, F, and H.

Laura Lee

Responses

RECEIVED
DEC 04 2006
MONTANA DIVISION

B I am writing to express several concerns regarding the Miller Creek access project, in particular the selection of a "preferred alternative" to not provide a second access to the Miller Creek area, instead widening Miller Creek Road and Old Highway 93 between Highway 93 and Reserve Street.

p 1. The very first page of the EIS Executive Summary states:

“ES.1 Purpose and Need

"Originally the purpose and need focused on providing a second access to the Miller Creek area."

A Several million dollars were provided to you and your team for the purpose of developing "a
B second access to Miller Creek". Is it agency practice to completely change the purpose and need
of a project once its funding has been received? Did those who recognized the need for a
second access to the Miller Creek and those who supported and authorized its funding agree to
this fundamental change in purpose and need? Based on comments heard at the public hearing
on October 17, 2006, it is my impression they did not.

2. A February 25, 2003 memorandum from Mr. Dale Paulson, [4910-22], defines the boundaries of the study area:

"The study area begins near the intersection of Miller Creek Road and US 93 to the north and extends southward approximately four miles along US 93. The east-west boundaries are approximately .25 miles west of US 93 and approximately 2.5 miles east of US 93."

B Because those most effected by the widening of Old Highway 93 were not included in either the study area or discussions that took place over three years involving development of a second access to the Miller Creek area, our support for a bridge over the Bitterroot River was not heard. Lacking such input, it is understandable you could come to the incorrect conclusion that few favored of a new bridge over the Bitterroot River.

F 3. The Missoula Country Club has approximately ¼ mile of frontage along Old Highway 93, including its only entrance. The impacts of construction and the end result of having a major four lane thoroughfare just a hedge away from play were completely ignored by the EIS, but they are not insignificant. Missoula Country Club has squeezed 18 holes, driving range, practice facility, clubhouse, cart barn, pool and deck area and maintenance facility into just 93 acres, about half the norm. We literally have no place to go when our #8 and #9 holes become too narrow for play, and you must know, there are no 16-hole golf courses. Take away just two holes and you take away the entire Missoula Country Club – a very, very expensive impact, yet completely overlooked in your EIS.

Response to Comment # 235

Responses to this comment letter can be found under Summary Response issue letters A, B, F, G, and L.

Responses

Response to Comment # 235 (continued)

If play is possible on these two holes, it will pose the extreme risk of an errant golf shot striking a passing pedestrian or fast moving motor vehicle just a few paces away.

FCF 4. Absent from your EIS is any discussion regarding access to our club. We have close to 595 playing plus 140 social members (almost all couples), and a 50 member staff, and it is not unusual to entertain up to 250 guests for a summer wedding. How can this many vehicles plus delivery trucks, some tractor trailers, safely enter and leave our club through our sole entranceway onto Old Highway 93? Most vehicles leaving Missoula Country Club are headed north. Under your "preferred alternative", they will have to either attempt to turn left across two lanes of southbound traffic and then try to safely merge into two lanes of northbound traffic or they can turn right upon leaving, cross Highway 93, further increasing traffic on the only road into the Miller Creek area, and then use residential side streets and pass an elementary school before getting back to Highway 93 northbound. Either alternative increases the risk of serious accident to an unacceptable level.

F As a member of Missoula Country Club, I strongly oppose your "preferred alternative" to make
G Old Highway 93 a four-lane highway for the reasons stated above. Further, as a taxpayer, I
B believe you acted improperly when you changed the purpose and need after funding was
received. Please do what the project was funded to do, develop a plan to provide a second
access to the Miller Creek area.

Very truly yours,

W. H. H. H.

W. Robert Knapp, Jr.
Missoula Country Club Board of Directors, Green Committee Chairman

A = Reference number for summary response issue

Comments

Responses

Comment # 236: Vince & Elizabeth Marciano

(Retyped from handwritten letter for improved legibility)

* 152 We are in agreement with the choice of Alternative 5A as the preferred alternative. Due to the fact that Miller Crk/Linda Vista will be getting a new fire station, emergency response time should no longer be a prime consideration when selecting an alternative. Therefore, 5A seems to be the most cost effective solution with the least amount of impact.

Vince & Elizabeth Marciano

November 25, 2006

RECEIVED

NOV 28 2006
FHWV
MONTROSA DIVISION

We are in agreement with the choice of Alternative 5A as the preferred alternative. Due to the fact that Miller Crk/Linda Vista will be getting a new fire station, emergency response time should no longer be a prime consideration when selecting an alternative. Therefore, 5A seems to be the most cost effective solution with the least amount of impact.

Vince & Elizabeth Marciano

Response to Comment # 236

* **152:** Your comments have been noted.

Responses

Response to Comment # 237

Responses to this comment letter can be found under Summary Response issue letters A, D, F, and H.

Sent: Sunday, November 26, 2006 8:52 PM
To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: Miller Creek EIS

I am a resident in Upper Miller Creek road on Christian Drive. I have reviewed all of your plans for addressing the traffic issues we face. I believe the preferred alternative will not work. I drive that road everyday and believe that adding the light at Lower Miller Creek road and Briggs will simply cause traffic jams. There are simply too many cars on that road to space lights so close together. In my experience as a driver there is no way to adequately time lights to such a degree that you are not going to cause backups. This plan also does not address other congestion issues we face on Christian drive. The only way to truly address the problems in the long term without having to go back in 5 years to do it again is to provide another means of exit from the Miller Creek area. My personal vote would be plan 2b or 3b which in my opinion provides a long term strategy for traffic issues.

Thank you,

Jason Emery
4799 Christian Drive
251-3863

Comments

Responses

Comment # 238: Keith and Marie Swinger

Keith and Marie Swinger
6055 Bitterroot Road
Missoula, Montana 59804

November 27, 2006

RECEIVED
NOV 27 2006
FTHWA
MONTANA DIVISION

Craig Genzlinger
Federal Highway Administration
585 Shephard Way
Helena, MT 59601

Dear Mr. Genzlinger:

We are amazed and dumbfounded at the amount of public meetings held both on the Miller Creek Road as well as Highway 93 between Florence and Missoula to discuss the DEIS by the Federal Highway Administration. The various studies and proposals have cost millions of dollars in attempting to appease the wealthy whom have moved to Montana and expect the infrastructure provided for their benefit - which has definitely "impacted the environment".

* 153 **H** The road up Miller Creek IS NOT A FEDERAL HIGHWAY, and the available funds should not be spent to improve the road in accommodating the influx of people building extravagant homes in that area. These owners were aware of the road conditions prior to purchasing their property, and if they desire this road to be improved they should be assessed the cost, just as people are in the city when the road is paved or sidewalks and curbs installed. Likewise, any easement from a previous landowner should be secured prior to obtaining the contractor bids so each property owner can be assessed the proper amount!

H Such projects do not qualify for securing property for public domain, and taking land from a previous owner to provide services for a new one is equivalent to taking old low-taxed property so new buildings can be built which would eventually be taxed higher. We say eventually, because new home owners do not pay property taxes for the year the home was built - which sometimes extends to 18 months.

* 154 This process has proven unconstitutional in other states, and people can not be forced to give up a portion of their property to benefit new owners. If there was no provision in the Miller Creek subdivisions to provide a secondary exit, it can not be expected of either the state or Federal Highway Commission to accommodate these new arrivals.

O Meanwhile, Highway 93 is indeed a Federal Highway that reaches from Old Mexico to Canada; and we have mentioned several times the need for a by-pass through Missoula by means of the Blue Mountain Road from the south. That project makes sense because not all people using that highway intend to stop in Missoula. That farm land is quickly being subdivided, so will cost more to acquire the right of way which will be required. That long range plan should be budgeted for at this time rather than the projects now under consideration.
F
H Of course we do not intend to attend any further meetings, but will fight any proposal that changes our entrance onto Highway 93 which has existed long before the present four-lane highway was constructed!

Very Sincerely,

Keith & Marie
The Swingers

Response to Comment # 238

Responses to this comment letter can be found under Summary Response issue letters F, H, and O.

* **153:** Funding for analyses of alternatives and preparation of the EIS was made available through a congressional appropriation. The source of funding for project development, right-of-way, and construction has not been identified. See ES.7 of the DEIS and FEIS for further discussion.

* **154:** Please refer to Section 4.5.9 of the DEIS and FEIS regarding land acquisition process and regulations.

Comments

Responses

Comment # 240: Willis Cotant

November 28, 2006

Craig Genzlinger
Federal Highway Administration
585 Shepard Way
Helena, MT 59601

Dear Craig,

RECEIVED
NOV 28 2006
FHW
MONTANA DIVISION

A
F
G I am writing to you about the proposals for the Miller Creek Road DEIS. I think the Alternative 4-C South Lower Miller Creek Interchange would be the best way to go. It is my understanding that the Alternative 5-A would take two holes from the golf course and ruin it.

F
D I think that if you were to go with Alternative 5-A, in less than 5 years you would have to find another route and that would be to put in a bridge in the area of 4-C. With 4-C you may relieve about a third to a fourth of the traffic that is using the area of 5-A now.

H
L With 5-A, Wal-Mart may close the west entrance and may open an entrance on Briggs Street and that would put a lot of pressure on the school children coming and going to Cold Springs School.

D
F
H My main concern is with 5-A Alternative, it will really put a heavy traffic load on the Lower Miller Creek area. Thank you.

Sincerely,

Willis Cotant
Willis Cotant
4377 Nicole Court
Missoula, MT 59803

Response to Comment # 240

Responses to this comment letter can be found under Summary Response issue letters A, D, F, G, H, and L.

Responses

Response to Comment # 241

Responses to this comment letter can be found under Summary Response issue letters B, D, F, and G.

RECEIVED
NOV 27 2006
FBI
MONTANA DIVISION

RE: DEIS For Miller Creek

I have been a member of the Missoula Country Club in Missoula, MT for 5 years. I have attended the informational meetings in the past month at our Club and Grant Creek Inn. I have also received a packet of information on the proposed changes to Highway 93.

B
D
F

FG

D
F

Sincerely,

Kathy Turner
5208 LaRee Ct.
Missoula, MT 59803

Comments

Responses

Comment # 242: Marguerite Lehman

17650 Hwy 10 East
Clinton, Mi. 59825

MILLER CREEK

RECEIVED
NOV 28 2006
FHWA
MONTANA DIVISION

We have A DAUGHTER AND HER FAMILY LIVE UP MILLER CREEK.
They need another exit out of the area in case of a emergency
occurs. A road and a Bridge across to 93 would be worth it.
A new light too slow traffic.
How about Hayes creek and would help the people up in that
area too.

I don't know about Blue Mt. road that has a light there
now.

Please think about as more people move into the area.

*Sincerely
Marguerite Lehman*

Response to Comment # 242

Responses to this comment letter can be found under Summary
Response issue letters A, D, E, F, and H.

Comments

Responses

Comment # 243: Marguerite Lehman

RECEIVED
NOV 28 2006
FHW
MONTANA DIVISION

HAYES CREEK & HWY 93

- J** Hayes Creek Rd. & Hwy 93 is A hazard with a accident waiting to happen trying to cross on to 93.
- A** We have family living in the area. Grand kids drive out there friends too. School Bus too. I am sure other families have people coming in too. It could be some one coming down Hwy.93. that could get hurt. They don't all drive 65.
- LETS PUT UP A LIGHT AND SAVE A LIFE OR SERIOUS INJURY. LIFE IS PRECIOUS.

*Marguerite P
Lehman*

Response to Comment # 243

Responses to this comment letter can be found under Summary Response issue letters A and J.

Responses

Response to Comment # 244

From: Goss, Lola [mailto:L.Goss@saintpatrick.org]

Sent: Wednesday, November 29, 2006 10:22 AM

To: Genzlinger, Craig

Subject: Miller creek rd

Dear Mr. Genzlinger:

I just paid my property taxes for my home which is located in Upper Linda Vista and is one of the highest property taxed areas in the Missoula area. This reminded me to comment on the plans for the Miller Creek Rd. expansion. When we had our home built in Linda Vista area, I questioned the traffic situation with the large number of homes being built and the apartment buildings that would soon be built on Uncle Robert Ave. I was told that a bridge would be built and a lot of the traffic would be diverted or directed to the new road (bridge). The plans have changed to widening Miller Cr. Rd.

I'm a bit confused about why this has become such a difficult "decision" to make. It seems obvious that we need a bridge (another access into and out of Linda Vista and Miller Creek). Also confusing, it is my understanding that when any construction is done (i.e. Walmart, apartment complexes and new residential areas), the city requires that the contractor pay for road accesses and improvements in the vicinity of the construction. With all due respect to the Twite family (developers of the Linda Vista area), why did the City not require the developers/builders to pay for the road access and improvement into the Linda Vista area BEFORE building the upper Linda Vista area or the apartment complexes?

Widening lower Miller Creek rd is "nice", but will be quite expensive in the long run. We need an additional way to get out of the area in case of emergencies (i.e forest fire). The expansion seems to be a band-aid approach that reminds me of Malfunction junction, Reserve Street and Broadway. There will continue to be traffic congestion - just a little further down the same road. We could spend a lot of money with the band-aid approach now and then spend even more to build the bridge anyway? What will it take to learn from the past mistakes?

Comment # 244 (continued)

By the way, I'm not sure if you have actually sat in the traffic at 7:00 -8:00 am. I've seen the rubber airtube sensors lined across Linda Vista road which I imagine count the number of cars that pass over them. However, I doubt one could really get the true sense of what the traffic congestion is really like from those. If [those who make this decision for us] haven't tried driving to work or school in the morning from that area, maybe it would be a good idea for them to experience that for a week or so. If they have sat in the traffic, then they probably realize that they are at the end of about a three block line of vehicles wondering whether or not they're going to be late for work or school. Just to be clear, I'm in favor of a bridge (a third access or exit) and against the "attempted fix" of the expansion of Miller Creek Rd. Thank you for your time,

Lola Goss

Response to Comment # 244 (continued)

Responses

Response to Comment # 245

Responses to this comment letter can be found under Summary Response issue letters B, F, H, and L.

RECEIVED

DEC 01 2000
PIAA
MONTANA DIVISION

B
F
H

* 155

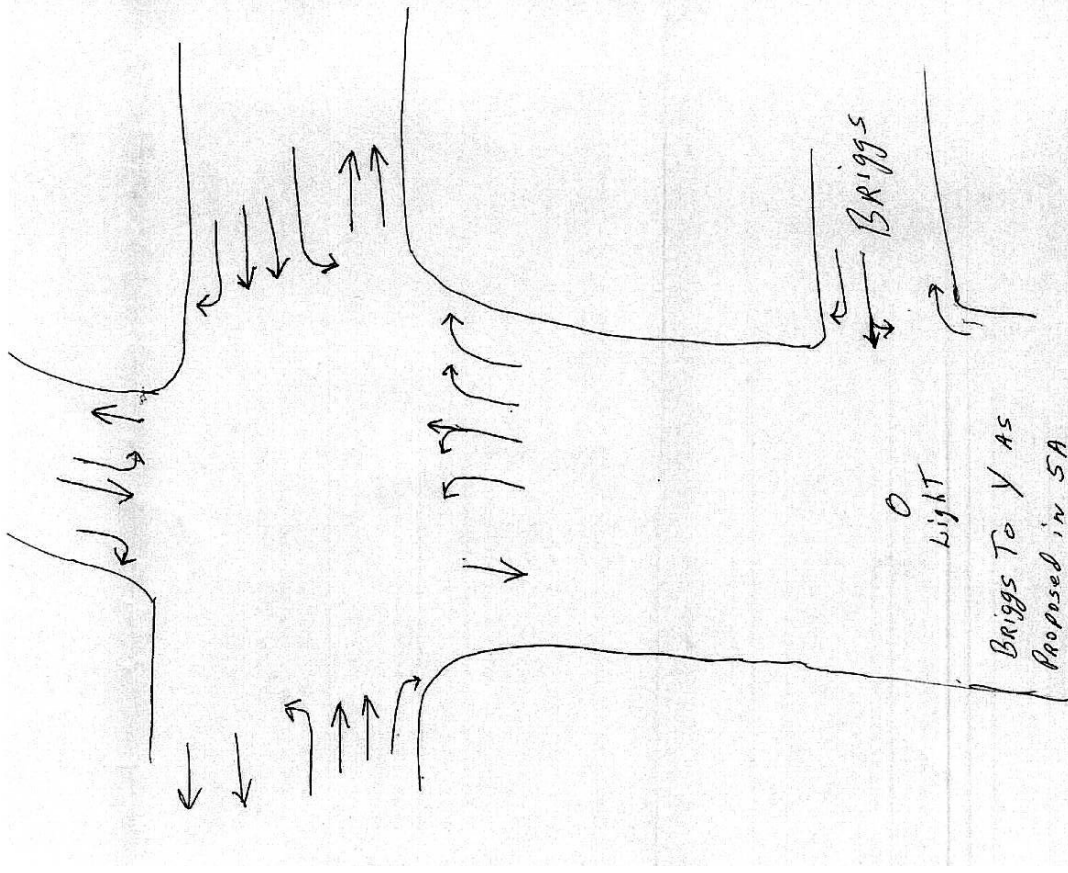
LB

David Hickman

David Hickman

Responses

Response to Comment # 245 (continued)



Comments

Responses

Comment # 246: John & Shannon Jacobs

Mr. Craig Genzlinger, P.E.
Federal Highway Administration
Project Leader, Miller Creek Road EIS

December 3, 2006

RECEIVED

DEC 05 2006

FHWA
MONTANA DIVISION

- * 156 As residents of the Target Range Community, we would like to take this opportunity to voice our concern for the Miller Creek Community and agree that there should be a plan to alleviate the traffic congestion that exists in that area by supporting the Preferred Alternative – 5A. We support this alternative for several reasons:
- It is the most effective alternative for improving any future traffic volumes
 - The negative impacts are lessened by Alternative – 5A with respect to
 1. Conversion of residential and commercial land use to transportation
 2. Farmland or agricultural uses
 3. Fewest overall right-of-way and access requirements
 4. No impacts on the Bitterroot River
 5. No dredge/fill materials in “Water of the United States”
 6. No effects on riparian or grassland wildlife habitat
 7. Least fill within the floodplain
 8. No impacts on bull trout
 9. Shortest construction period and least effect on US 93 traffic operations
 - At several million dollars less than the next cheapest, Alternative 3B, \$13 million vs. \$42.5 million, it is clearly the most cost effective.
 - The Preferred Alternative – 5A also lessens the negative impacts to other communities adjoining the Miller Creek Community.
 1. Alternative 3B would add a whole new dimension to Target Range School by increasing traffic around the school which imposes more danger to children and adding more expenses for traffic personnel to assist children.
 2. Alternative 3B will also impose increased traffic accidents in an already established residential community. As it is, on Sunday November 26, 2006, we had a vehicle roll over into the front yard of a home located at South Ave and Woodlawn.

We understand that there are so many pros and cons to consider each Alternative, however, we felt it important to our community to voice our preference and support for Alternative – 5A as the Preferred Alternative to assist the community of Miller Creek. Thank you so very much for taking the time to review our support. We would also like to take this opportunity to thank you for efforts in meeting with the community and posting the information on the Internet to keep the public informed.

Sincerely,

John & Shannon Jacobs



Response to Comment # 246

- * 156: Your comments have been noted.

Responses

Response to Comment # 247

From: Gardner's Auction [mailto:gardners@montana.com]

Sent: Monday, December 04, 2006 10:25 AM

To: Genzlinger, Craig

Subject: Miller Creek Road

Importance: High

Dear Mr. Genzlinger,

* 157 This letter is in regards to the Miller Creek Road Environmental Impact Statement and the impact it will have on my five existing businesses. If the Alternative 3B: Blue Mountain Road Grade-Separated Intersection is to be used, it will make my highway frontage property no longer highway accessible. This is a huge concern of mine due to the fact that it will make getting to my location (4810 Hwy 93 S. Missoula, MT) very difficult. The easy access to my businesses is a key factor with my customers.

Using Alternative 3B, will devalue my property by making it no longer highway frontage. If this is used, then how will I be compensated for the decrease in my property value? Another concern of mine is the potential loss of business income due to the loss of immediate highway access.

Thank you for your time and consideration in this matter. If you wish to further discuss this matter, please do not hesitate to contact me at 406-251-2221.

Sincerely,

Kevin Gardner

*** 157:** Alternative 5A, Miller Creek Road At-Grade Intersection, has been identified as the Preferred Alternative, which would not affect your business property access to US 93.

Regarding Alternative 3B, please see Figures 2-13 and 2-14 of the EIS for roadway changes associated with Alternative 3B. Your property would receive a new access to US 93 across the MRL railroad tracks under Alternative 3B. (See also Comment # 134.)

Responses

Response to Comment # 249

Responses to this comment letter can be found under Summary Response issue letter A.

Response issue letter A.

[illegible]

When considering an alternative that results in diverting HWY 93 traffic onto Blue Mountain Rd., don't forget that this narrow two-lane road is very windy with more than one 90degree curve with narrow to non-existent shoulders, and puts the traffic either across a narrow one-lane bridge through a residential neighborhood and past an elementary school and a high school, along a busy 2-lane residential road, to a an already congested Reserve St. intersection, or further along Big Flat Rd., another narrow very curvy 2-lane road with narrow or no shoulders. I hope you've driven these routes, especially in our winter conditions, so you can make an informed decision whether this road would be safe with the increased traffic, which includes more and more large trucks.

Responses

Response to Comment # 250

From: Linda Manchester [mailto:lindasu72@msn.com]

Sent: Tuesday, December 05, 2006 3:01 PM

To: Genzlinger, Craig

Subject: Miller Creek Road, Missoula, MT

E My husband and I live on Christian Drive in the Linda Vista subdivision of Missoula, Montana. We have been very concerned with the traffic flow on Miller Creek Roads and worry that, in the event of an emergency of epic proportions, there could very possibly be no way out of the area for many of the subdivision residents.

D F H Rather than widen the original "country" roads (Upper and Lower Miller Creek roads) and still have congestion, my husband and I feel it would save money and better serve the future needs of Misoula if the Federal Highway Administration would implement the plan which calls for building a new route from Miller Creek Subdivision to Hwy. 93 South over the Bitterroot River.

Thank you for your time and consideration.

Linda & Larry Manchester
4791 Christian Dr.
Missoula, MT 59803

Responses to this comment letter can be found under Summary
Response issue letters D, E, F, and H.

Responses

Response to Comment # 251

From: Pete Swinson [mailto:pswinson@kennebectelephone.com]

Sent: Tuesday, December 05, 2006 5:55 AM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: Mill Creek Road EIS

A My name is Allen L. Kessler, I reside at 2755 Ancabide Ln. Missoula MT 59803. I am writing to voice my concerns and object to the “preferred” alternative (5A) of the Miller Road Project.

B I have attended the greater share of the meetings held on this project. At the outset I believe the purpose of project was to study a second access to the Miller Creek Area. Somewhere along the way the initial mission statement purpose was changed to study a safe access. There-in lies my first concern and objection , the change in the statement.

FCH This alternative also concerns me in that it focuses ever increasing traffic loads from a fast growing Miller Creek Area to one location, the intersection of Hwy 93 S and Miller Creek Rd. It then moves that traffic onto another proposed intersection with S Reserve St. This design would necessitate “land taking” and several businesses would bear extreme hardships. I find both objectionable.

* 158 The “preferred alternative” also takes into consideration only the section of road from the “Y” to Hwy 93 S. The impact of increased traffic loads on both the Upper Miller Creek Rd and Lower Miller Creek Rd are much more far reaching than that final section. It is foolish and shortsighted to presume that only the residents in the “design area” will be affected by this plan.

P The issue of emergency vehicle access to the entire Miller Creek Area is also a concern. Much of the affected area in urban/forest interface. Should a fire ever start in the lower section emergency vehicles would be severely challenged to access the upper section. An extended road blockage of either section could be critical. 5A addresses none of this.

D F As a tax paying citizen I can appreciate fiscal responsibility, however the return on the dollar invested must also be taken into consideration. While Alternative 5A is the least expensive it offers very little in the way of true dividends. I did not consider it a good idea then and I do not now. It appears that Alternative 5A addresses budget first with the safety, concerns and needs of the affected citizens assigned lower priorities.

Respectfully,
Allen L Kessler 12/5/2006

*** 158:** It is not assumed that the only residents in the “design area” will be the only population affected by the project. The Preferred Alternative includes improvements to Old US 93 and will accommodate and enhance mobility and safety for multiple transportation modes.

Responses

Response to Comment # 253

Responses to this comment letter can be found under Summary Response issue letters D, E, F, and H.

D To Whom It May Concern: The idea of not constructing a bridge out of the Lower Miller Creek area completely shows a lack of concern for the areas residents. You have a forest area, gas line and major powerline through the area. Not having two ways to evacuate that many people is reckless.

Thank-you

Gil Rice
4350 Trails End Road
Missoula, Mt 59803

Responses

Response to Comment # 254

From: Craig and Sherri [mailto:craigsherri@crazis.myrf.net]

Sent: Wednesday, December 06, 2006 6:56 AM

To: craig.genzlinger@fhwa.dot.gov; McCoy, Misty S.

Subject: Miller Creek EIS

Mr. Genzlinger and Ms. McCoey,

A We do not want a bridge at Blue Mountain Rd. (alternative 3B). We feel the cost, impacts to the character of the neighborhood and recreation area, and the long term transportation implications that cannot be taken into account for this EIS are why we do not support that alternative. We do support the preferred alternative (5A) "Miller Creek Road At-Grade Intersection". It is the cheapest and closest to Missoula where traffic is headed and addresses needed improvements in current roads, Miller Creek Rd. especially. We also appreciate the use of old US 93 in all the alternatives. It addresses the bottleneck at 93 and Reserve and from our cursory review does not seem to impact the golf course to the extent many folks were worried it would (losing a hole).

Thank you for your hard work and public involvement efforts.

Sincerely,

Sheri Kenyon and Craig Krueger
4775 Evergreen
Missoula, MT 59804
406-251-4818

Responses to this comment letter can be found under Summary Response issue letters A, F, and G.

Responses

Response to Comment # 255

From: Chris Johnson [mailto:CJohnson@montanalawyer.com]

Sent: Wednesday, December 06, 2006 7:30 PM

To: craig.genzlinger@fhwa.dot.gov; McCov, Mistv S.

Subject: Miller Creek Road Draft EIS

Good day,

I have had the chance to review most of the draft EIS for the Miller Creek Road project and have the following input.

First, I live with my family in the "upper" Miller Creek area, on Southpointe. I note that the current situation of Miller Creek road is an absolute disgrace, and it is astonishing that so much growth and development was allowed in the area, all via the crappy access that is Miller Creek Road. It is a lot of traffic on a poor road.

B I am also astonished that the scope of the project has changed as it has, e.g. it has changed from an evaluation of which location should be used to provide additional access, to its current scope. A neat bit of re-tasking if I may say so. In the original proposal, virtually all proposals included improvements to Miller Creek Road. Now doing only that has become the preferred alternative!

D E H Adding additional lanes to the portion of Miller Creek Road that runs from the highway to the "Y" isn't going to do squat. Adding lanes to the North Reserve corridor wouldn't do squat for that mess either. Fact is, when there is only one route and lots of traffic you're going to get traffic congestion, regardless of the number of lanes. And I think the 'Preferred Alternative' is yet another patch or bandage for a problem that is only going to get worse.

Responses to this comment letter can be found under Summary Response issue letters A, B, D, E, F, and H.

Response to Comment # 255 (continued)

More significantly, with **ONLY ONE ROUTE** to the Upper Miller Creek area, the whole area remains at significant risk should some accident or disaster occur. It is not a stretch of the imagination to envision an icy Miller Creek road, a significant accident closing the road, and a house fire, explosion, heart attack, etc. further up the road and emergency vehicles significantly delayed due to lack of access. Frankly, I can't imagine whoever is supposed to do disaster planning can sleep at night thinking about this area. (I note Gharrett provides *some* alternative access, but very poor access.) I don't know how likely any large fire or other disaster event might be, but I cringe at the thought of getting my family off that hill if there were some major disaster. I'd suggest to you that at some point this scenario will occur -- an event closing Miller Creek Road and a need for emergency assistance -- and that the city and county will get their wheels sued off.

I know there has been a lot of bitching about the alternatives, by people that live off Blue Mountain Road and don't want additional traffic at 'their' intersection, by people that live in the Bitterroot who don't want additional intersections that delay their commute, etc. But I cannot give credence to complaints that arise from growth when it is simply a reality. Complaints that do have merit are over the lack of planning. And I believe it is incredibly short-sighted to not create additional access into the area. And it seems to me that ALTERNATIVE 3B is far and away the most sensible alternative. I also strongly advise that the impacts should not drive this project. Doing nothing would have the least impact on the criteria cited, and of course would be the worst result. Bandaging Miller Creek Road is not much better, and in the big scheme of things a poor substitute to providing alternate access to the area. I hope somebody actually reads these things.

Chris Johnson

cjohnson@montanalawyer.com

Comments

Responses

Comment # 257: Fred J. Stewart

Mr. Craig Genzlinger, P.E.
Federal Highway Administration
Project Leader, Miller Creek Road EIS
585 Shepard Way
Helena, MT 59601

RECEIVED
DEC 07 2006
FHA
MONTANA DIVISION

December 6, 2006

F
G

As a result of all the comments made at the most recent meeting in Missoula for this project, I want to make sure that you identify mitigation measures to resolve concerns expressed by members and staff of the two golf courses on old US 93. I think it would have been helpful if you would have anticipated their concerns and could have had at least a partial reply ready for them.

* 159

F
G

I am strongly in favor of Preferred Alternative – 5A as presented in the DEIS, plus mitigation for the golf course concerns mentioned above. Alternative 5A is clearly the most effective of all alternatives at improving expected future traffic volumes in terms of operations and volumes of traffic at US 93/Miller Creek Road intersection, and this is where the critical need for improvement exists.

Your DEIS shows that 5A is also the LEAST NEGATIVE of all alternatives in terms of:

- 1) conversion of residential and commercial land use to transportation use
- 2) farmland or agricultural uses
- 3) fewest overall right-of-way and access requirements
- 4) no impacts on the Bitterroot River!
- 5) no dredge/fill materials in “Waters of the United States”
- 6) no effects on riparian or grassland wildlife habitat
- 7) least fill within the floodplain
- 8) no impacts on bull trout
- 9) shortest construction period and least effect on US 93 traffic operations

F
G

Because Alternative 5A is so much better than any of the alternatives, I feel that it is very important to design and clearly show how the golf course impacts can be minimized so 5A can move forward and actually have a plan to deal with the traffic congestion from cars trying to get out of Miller Creek.

C

Preliminary cost assumptions show this alternative, at \$13.0 million, is less than one third the cost of the next cheapest alternative, 3B, at \$42.5 million. If local government had the money to deal with the problem or build a bridge, they would have just done it and you wouldn't be involved in this study. As it is, the money doesn't exist and the EIS is needed if there is to be any chance of getting federal funding. Unfortunately FHA is now stuck in the middle between citizens who are tired of sitting in traffic, and the developers and local government officials who are responsible for the problem to begin with. Just like some residents of Miller Creek who want to export the impacts of solving the traffic

Response to Comment # 257

Responses to this comment letter can be found under Summary Response issue letters C, F, and G.

* **159:** Your comments have been noted.

Responses

Response to Comment # 257 (continued)

In summary, Alternative 5A clearly is best at meeting the purpose and need identified for this project and I strongly support this alternative as the Preferred Alternative. I look forward to the FEIS, additional mitigation where needed for 5A, and construction to improve the traffic situation which is getting worse with every new house completed in Miller Creek.

Sincerely,



Fred I. Stewart

Disagreement with Assumptions in your Analysis

- * 160:** The forecasted 4% increase in ADT under Alternative 3B compared to the No-Action is reasonable (see section 3.4.1.1 and Table 3-8). A travel time comparison study conducted during a congested weekday AM period in 2004 revealed that a route using Blue Mountain Road and South Avenue that also accounted for reduced travel time associated with a new South Avenue bridge for travel between the intersections of US 93/Blue Mountain Road and Reserve Street/South Avenue is substantially longer and requires slower travel speeds compared to the primary route on US 93.

- * **161:** The forecasts for all alternatives evaluated were based on a future (year 2020) transportation system that consists of programmed projects and other reasonably foreseeable actions. The baseline transportation network used for the evaluation of all alternatives included projects identified in the adopted Missoula Urban Transportation Plan such as the planned South Avenue Bridge. While no current funding may be available to complete that project, the year 2020 forecasts incorporated this project based on availability of funding and advancement of the project to construction by the year 2020.

Appendix E: Comments and Responses

Responses

Response to Comment # 258

Responses to this comment letter can be found under Summary Response issue letters D, F, and H.

I FEEL THAT THIS NEEDS TO BE ADDRESSED IN TWO PARTS:

D I. THE BRIDGE

BY NOT LOOKING AHEAD WE ARE DOOMING OURSELVES
TO PAY THREE TIMES OR MORE FOR A BRIDGE IN THE FUTURE.
THE NEED FOR THE BRIDGE EXISTS NOW.

THERE WILL ONLY BE AN INCREASE OF TRAFFIC IN THIS AREA. IF THE BRIDGE IS BUILT NOW YOU WILL NOT HAVE TO SEIZE HOUSES TO CLEAR THE WAY FOR IT. OUR CHOICES FOR A LOCATION MAY BECOME LIMITED.

II. MILLER CREEK ROAD
THE PLANS FOR THIS

THE PLANS FOR THIS ARE TOO BIG AND TOO EXPENSIVE.
THERE IS NO NEED TO WIDEN OR CHANGE THE ROAD
EXCEPT TO ACCOMMODATE A BIKE LANE.

Close the Walmart entrance onto Miller Creek. It adds to the congestion and slow down, and there are two other entrances.

 PUT A SIGNAL AT BRIGGS

PUT A SIGNAL AT THE JUNCTION OF UPPER AND LOWER
MILLER CREEK

PUT A SIGNAL AT THE OLD 93 AND RESERVE

NTI BUT THERE IS NO NEED TO CHANGE OR WIDEN THE ROAD.



WIDEN THE ROAD WHERE MILLER CREEK MEETS BROOKS
TO ACCOMMODATE 3 LANES.

A = Reference number for summary response issue

Responses

Response to Comment # 259

From: Michael Kennedy [mailto:makennedy1942@msn.com]

Sent: Wednesday, December 06, 2006 11:59 AM

To: Genzlinger, Craig

Subject: miller creek eis

Examination of all the documents, the alternatives and public input has been frustrating. One of the underlying assumptions is that the Miller Creek area will be fully built out to about 3000 living units. Policies of the County Commission have allowed development of the area without adequate consideration of the impacts and it appears that those policies will continue. The so called bridge fund development fee was supposed to address access problems but examination of the alternatives and their attendant costs demonstrates the total inadequacy of that effort. In spite of that failure the Commissioner continue to approve subdivisions in the area making the access problems even worse.

If further development halted today then the do nothing alternative should be seriously considered. Even though there is congestion at peak hours, the existing system obviously serves the needs of the residents. Examination of real estate values demonstrates that access has not affected the market.

* 162 **N** Of the alternatives presented, the recommended alternative (5-A) addresses the criteria the best. The single glaring failure is the lack of consideration for future public transit. That is a mistake and has the effect of marrying residents to the automobile whether they want it or not. Owing to the serious problems of air pollution resulting from cars, I believe that the EIS is totally inadequate in addressing that public health issue.

* 163

* 163 serious problems of air pollution, including from cars, is better
that the EIS is totally inadequate in addressing that public
health issue.

Responses to this comment letter can be found under Summary Response issue letters C, N and O.

*** 162:** Your comment has been noted.

*** 163:** Air quality impacts were fully assessed in the DEIS. Please refer to Section 4.7 of the DEIS and FEIS.

Responses

Response to Comment # 261

Responses to this comment letter can be found under Summary Response issue letters B, D, E, F, G, H, I and N.

To: Genzlinger, Craig

Cc: Brad Dantic; Neil Michelson; mayor@ci.missoula.mt.us;

bevens@co.missoula.mt.us

Subject: Miller Creek EIS

I and my family are members of the Missoula Country Club. I am aware of the Miller Creek Bridge Project that is being administered by the Federal Highway Administration (FHWA). I have review information concerning the project and the draft EIS issued by FHWA. I believe the draft EIS violates the dictates of the Public Lands Highway Discretionary Program project application which was to;

Miller Creek area will include a new bridge to be constructed across the Bitterroot River to access Highway 93 . . . A new road will also be constructed to the bridge from Lower Miller Creek road.

Project Purpose & Benefits . . . The need is for two accesses out of the Miller Creek area. The new bridge will make that possible. This will improve the health and safety of the public. In an emergency the two ways out will add to the safety and welfare of the public.

The draft EIS further appears to violate the Purpose and Need statement as expressed in the FHWA's NEPA study:

The primary purpose of the Miller Creek Road project is to provide a safe, multi-modal *secondary access* to US 93 from Lower Miller Creek Road. This access will be compatible with local and regional plans, provide for bicycle/pedestrian connectivity, provide additional truck and vehicular access, and support transit and Transportation Demand Management (TDM) activities.

Response to Comment # 261 (continued)

The needs for the project include:

- Consider development and planned growth within the Miller Creek area.
- Dispersion of traffic and provisions for efficient and safe movement to, from and within the study area and US 93.
- Provisions for access that can accommodate pedestrians, bicycles, and transit.
- Provision of alternate access for emergency service providers.

With the draft EIS, the FHWA has unilaterally chosen to abandon the spirit, purpose and intent of the Project. According to Preferred Alternative 5A as articulated in the pending draft EIS, the Project does not include a new bridge or even provide a second access to the Miller Creek area from U.S. Highway 93. Instead, the FHWA has spent nearly \$3 Million (and counting) to simply recommend a band-aid solution to an increasingly congested and problematic traffic area affecting our community. The FHWA recommends, among other things, the widening of Miller Creek Road, the expansion of Old Highway 93 and resulting condemnation of a portion of Missoula Country Club and other business properties, and re-designed traffic control devices on various Missoula surface streets – a far cry from the Project's original purposes, needs and goals.

- B** Further, the FHWA began the EIS process in 2003 and clearly identified Old Highway 93 as lying *outside* the boundaries and scope of the Project study area. Our Club and other businesses impacted by the draft EIS had no fair notice or expectation that our properties would be impacted by the Project. Moreover, throughout the EIS process, the FHWA did not seek input from our Club regarding any expansion of Old Highway 93. In fact, the FHWA did not present its expansion alternative until 2006 – nearly 3 years into the EIS process. As a result, the FHWA failed to adequately consider the impacts on our Club and identify reasonable alternatives to mitigate those impacts.

Response to Comment # 261 (continued)

BFG

Thank you.



garlington | john robinson

A Professional Limited Liability Partnership | Attorneys at Law Since 1870

CONFIDENTIALITY:

The information contained in this e-mail message may be privileged and confidential information intended only for the use of the individual or entity named above. If you have received this communication in error, please notify us immediately by e-mail or telephone and delete the original message from your computer.

Comments

Comment # 262: Kurtis N. Mayne

From: Kurtis Mayne [mailto:kurtism@orimt.org]
Sent: Wednesday, December 06, 2006 7:26 AM
To: Genzlinger, Craig
Subject: Miller Creek Road Draft

I am a resident in the South Hills of Missoula and would like to comment on my non support of the Miller Creek Road Project. I am very concerned regarding the impact on the environment of this project, not just for the immediate area, but the irresponsible explosion of development of the entire Miller Creek area. (To an even greater extent than it has to this date.) I enjoy the outdoors, our rivers, the opportunity to see elk in Miller Creek among all the other wildlife. I see many other people doing the same and I hope they have made their opinion in opposition to this project known also.

Kurtis N. Mayne
Assistant Director of Services -
Community Employment
Opportunity Resources Inc.

Responses

Response to Comment # 262

Responses to this comment letter can be found under Summary Response issue letters A, D, F, and H.

Comments

Responses

Comment # 263: Marilyn Gogas

DEC 07 2006
FBI/DOJ
MONTANA DIVISION

December 11, 2006
4613 S. Ave W
Missoula, MT 59804

Dear Mr. Craig Genzlinger;

* 165

I am very impressed that you and your study group are leaning toward Preferred Alternative 5-A for the Miller Creek Road DEIS.

It obviously is much less expensive an alternative which considering the growth of this area is a necessary need. Money should be spent on many other infrastructure problems in the Missoula County.

Also less destruction and confusion takes place when an existing route is redone - not only to the environment, but also to established areas around this route.

Sincerely,

Marilyn Gogas

Response to Comment # 263

* **165:** Your comments have been noted.

Comments

Responses

Comment # 264: Martin King

WORDEN THANE P.C.

ATTORNEYS AT LAW

111 N. HIGGINS, SUITE 600
P.O. BOX 4747
MISSOULA, MONTANA 59806-4747
TELEPHONE (406) 721-3400
FAX (406) 721-6985
www.wthlaw.net
wthlaw@wthlaw.net

DONOVAN WORDEN, SR., 1892-1967
DONOVAN WORDEN, JR., 1918-2001

MOLLY R. SHEPHERD, OF COUNSEL

RECEIVED

DEC 07 2006

FHWA
MONTANA DIVISION

JEREMY G. THANE
RONALD A. BENDER
PATRICK G. FRANK
MARTIN S. KING
PATRICK DOUGHERTY
W. CARL MENDENHALL
GAIL M. HAVILAND
SHANE A. VANNATTA
PETER S. DAYTON
SEAN M. MORRIS
REID J. PERKINS
WILLIAM E. MCCARTHY
MATTHEW J. CUFFE
JANE E. COWLEY
MICHAEL M. LAWLER
COLLEEN M. DOWDALL

December 6, 2006

Via Facsimile, Email and First Class Mail Postage Prepaid

Craig Genzlinger, P.E.
Federal Highway Administration
585 Shepard Way
Helena, MT 59601
craig.genzlinger@fhwa.dot.gov
mistv.mccoy@e/b.com

Re: Miller Creek Bridge Project
Comment on behalf of the Missoula County Club
Project No.: DTFH70-00-D-00016
Our Client: Missoula County Club
Our File: No.: 11655-001

Dear Mr. Genzlinger and Ladies and Gentlemen:

- B**
G
- This office serves as counsel to the Missoula County Club ("MCC" or "Club") relative to the proposed Miller Creek Bridge Project ("project") referenced above. In that capacity we have been asked to communicate our client's objection to the project and to the proposed Draft Environmental Statement (DEIS) in their present form. As explained below, the DEIS should be
- * 166 rejected because the preferred alternative and the proposed use of Old 93 are entirely outside the
 - * 167 scope of the project as it was originally appropriated; the DEIS and the preferred alternative fails
 - * 168 to satisfy, or even address, the original project purpose and benefits; inclusion of Old Highway
 - 93 as part of the project is outside of the physical boundary and study area of the project and
 - consequently the Club and other businesses have not received adequate notice and the
 - opportunity for public involvement in assessment of the environmental impact; the project and
 - * 169 the DEIS conflict with local land use plans; the DEIS fails to identify the numerous and
 - * 170 substantial impacts to the Club and other businesses and property including potential destruction

Response to Comment # 264

Responses to this comment letter can be found under Summary Response issue letters A, B, D, E, F, G, H, and I.

*** 166:** The appropriation of federal funds for transportation improvements requires that the National Environmental Policy Act (NEPA) process be followed. NEPA requires that a range of reasonable alternatives be developed and evaluated, and reasonable alternatives cannot be constrained based on the language of the request for a Congressional appropriation. Three bridge alternatives were fully evaluated in the EIS. (Also refer to Response Issue B of Summary Memo, under "Purpose of Congressional Earmark.")

While it can be helpful to consider a funding application as background information on the request that led to a Congressional appropriation, it should be noted that the funding application is not itself law. The appropriation passed by Congress is for "Miller Creek Road preliminary design and EIA, Montana."

The congressional appropriation does not specify that the funds may be used only on a project that includes a bridge into the Miller Creek area. However, even if it did, guidance from the Council on Environmental Quality specifically provides that "[a]lternatives that are outside the scope of what Congress has approved or funded must still be evaluated in the EIS if they are reasonable." (See Question 2b of the "Forty Most Asked Questions.")

*** 167:** NEPA regulations and guidance require that the EIS examine all reasonable alternatives to the proposal (see 40 CFR Part 1500 and Council on Environmental Quality Guidance "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act," particularly Questions 1 and 2). Reasonable alternatives are those that are practical and feasible from the technical and economic standpoint, rather than simply desirable from the standpoint of the applicant. Courts have cautioned federal agencies not to put forward a purpose and need statement that is so narrow it defines competing reasonable alternatives out of consideration. Therefore, after scoping and initial alternative development and based on public and agency input, the original purpose and need statement was revisited and it was determined it contained text that narrowly limited the range of alternatives to construction of a bridge. Based on that, the purpose and need statement was modified in June 2004 by eliminating language that contained a predetermined solution. This resulted in a broader range of alternatives being identified and fully assessed that met the project purpose and need.

Comments

Responses

Comment # 264 (continued)

Craig Genzlinger
December 6, 2006
Page 2

- * 171 of the Club as an ongoing business, nor does it address mitigation of those impacts; the DEIS
- * 172 fails to provide reasonable alternatives for the impact to Old Highway 93 in violation of the
- * 173 National Environmental Policy Act ("NEPA"); scoping for this project violates NEPA; the
- * 174 project does not satisfy the revised purpose and need; and the public reaction to the DEIS and the preferred alternative has been overwhelmingly negative.

BACKGROUND AND HISTORY OF MCC

MCC owns and operates one of the oldest golf courses in Montana. Formed in 1917, the Club has been an integral part of Missoula society for almost 90 years. Comprised of over 500 members, the Club hosts numerous championship golf events each year including the Montana Pro-Am, the Montana State High School Championships and other tournaments. It has a long history of supporting Montana youth not only by sponsoring numerous golf teams and tournaments but also by providing swimming and other recreational activities for literally thousands of Montana children, many who are not members of the Club.

- * 170 **F**
G The MCC course is home to numerous species of trees, many several hundred years old and many which will most likely be destroyed if this project comes to fruition as presently contemplated. MCC is also home to various wild-life including a family of foxes. The course combined with the adjoining Fort Missoula property represents significant wildlife habitat. There is also a sweat lodge located at MCC which the Club makes available for use by Montana Native Americans.

- * 170 **F**

G Although MCC is a beautiful course with a long and storied history, it is also the smallest eighteen hole course in the state of Montana. This project as presently proposed will substantially reduce and we believe effectively eliminate the Club's 8th hole tee box and severely reduce the width of the 18th fairway. The DEIS is very unclear on the how the proposed improvements to Old Highway 93 will impact the course, however virtually any reduction in the size of the course will make it impossible to continue operating as an 18 hole golf course.

THE DEIS EXCEEDS THE SCOPE OF THE CONGRESSIONAL APPROPRIATION

- * 166 **B** As you know, in 2002 Congress appropriated 5 million dollars for the project under the Public Lands Highway Discretionary Program ("PLH"). Congress appropriated the funds with the intention to evaluate, identify, design and construct a second access point into the Miller Creek area via a new bridge that would span the Bitterroot River. The funding for this project was based on an application, a copy of which is attached hereto as Appendix 1, that defined the "Proposed work" as "transportation improvements to the Miller Creek area [that] will include a new bridge to be constructed across the Bitterroot River to access highway 93. ... A new road

Response to Comment # 264 (continued)

* **168:** In 2004 and 2005 updated local and regional traffic volumes were obtained and traffic modeling was performed indicating that traffic flow along all study area roadways would be improved, thereby improving access for the Miller Creek area, by including Old US 93 with all the build alternatives. According to public meeting sign-in sheets, the Missoula Country Club General Manager, Neil Michelson, attended the March 2006 public meeting. At this meeting there was no apparent controversy related to the Old US 93 proposed improvements. Comments were received from Neil Michelson at the March 23, 2006 meeting regarding possible impacts to the golf course hedge.

Publication of the DEIS and public review period is the formal milestone in the NEPA process where project findings are provided to the public for review and to provide comment on the project proposal. Presentation of the DEIS to the public is designed to provide the public notice and opportunity to comment in detail on the project. Your letter demonstrates that you have availed yourself of this opportunity, as did many other members of the public.

* **169:** Three of the five alternatives evaluated in the EIS include a bridge across the Bitterroot River to access US 93. The Preferred Alternative does not conflict with local land use plans that show a new bridge across the Bitterroot River. Although Alternative 5A does not include a bridge, it does not preclude construction of a bridge in the future (see also Response Issue B under "Local Land Use Plan Conformity."

* **170:** As discussed in Response Issue G, holes eight and nine and the eighth and ninth hole tee boxes or fairways would not be impacted with Old US 93 improvements. The greens, holes, tee boxes, or fairways were never proposed to be impacted, nor would they be impacted with Alternative 5A. From the existing driveway entrance along the southwest property line toward US 93, approximately 30 feet of right-of-way would be acquired from the Country Club to accommodate the additional turning lanes at the Old US 93 and US 93 intersection. The area impacted is the landscaped area adjacent to the parking lot and entrance road. No impacts would occur to the parking lot. The only impact that would occur to the Country Club along the southern property line east of the entrance road in the area of holes 8 and 9 fairway and rough is to portions of the vegetative hedge or gravel maintenance area. In order to accommodate the wider Old US 93 typical section, an area of right-of-way approximately 250 feet long by five feet wide would be acquired as permanent right-of-way. No impacts to the 8th and 9th holes, fairways, or trees along the fairways would occur. See additional explanation under Response Issue F, which includes a graphic depicting impacts to the Missoula Country Club associated with the modified Old US 93 design. This information has been clarified in the FEIS.

****See Mr. King's email at end of his comment clarifying that he meant to refer to the 9th fairway, and not the 18th fairway.**

Comments

Responses

Comment # 264 (continued)

Craig Genzlinger
December 6, 2006
Page 3

will also be constructed to the bridge from lower Miller Creek Road."

B The "Project purpose and benefits" as set forth in the PLH, provides that:

"the need is for two accesses out of the Miller Creek area. The New bridge will make it possible. This will improve the health and safety of the public. In an emergency the two ways out will add to the safety and welfare of the public."

(See, Appendix 1 attached.)

- * 166 **B** The Notice of Intent published in the Federal Register on or about March 3, 2003, likewise reflects that the project contemplated a new bridge for the purpose of a second access to Miller-Creek. (Appendix 2.) Indeed, the Notice provides in relevant part, "A second entrance into the Miller Creek area is needed for safety and to relieve congestion." Also significant is that the study area as defined in the Notice does not encompass Old Highway 93, or very little of it, and certainly does not contemplate the substantial changes to Old Highway 93 as proposed in the latest version of the DEIS.
- * 166 **B** By law, the project and therefore the DEIS must conform to the purpose and intent of the appropriation. See, *Environmental Defense Fund v. EPA*, 167 F.3d 641 (D.C. Cir. 1999). Moreover, the DEIS must address the terms of the proposal, which in this case started entirely as a second access into the Miller Creek residential area. See, 40 CFR §1508.23¹. The preferred alternative as set forth in the DEIS, including the widening of Miller Creek Road, the expansion of Old Highway 93 and the resulting condemnation and destruction of a portion of MCC and other properties, along with various redesigned traffic control mechanisms on Missoula surface streets, does not conform to the original appropriation or the purpose as stated in the PLH or the Notice of Intent. For that reason alone, the DEIS in its present form should be denied approval and whatever remaining funds are unused should be retained to develop a project that truly meets the goal of the appropriation, which is to provide a second access to the Miller Creek residential area.
- * 170 **G**

OLD HIGHWAY 93 AND THE CLUB ARE OUTSIDE THE BOUNDARIES OF THE PROJECT AND PROJECT STUDY AREA

- * 175 From the beginning of this project and continuing throughout almost the entire EIS process, the Club, Old Highway 93 and other significant properties, roads and intersections (including north

¹ Legal authority is not limited to citations.

Response to Comment # 264 (continued)

* **171:** Due to the constrained nature of the Miller Creek area, there are a limited number of options available to improve traffic operations in the area. No other reasonable alternatives to the Old US 93 improvements were identified. An alternative evaluated to avoid improvements to Old US 93 was to widen US 93, which was found to fail operationally because widening US 93 would not accommodate an acceptable level of traffic volume. Refer to Response Issue B, under "Reasonable Alternatives for Old US 93." This information was added to Section 2.5.3 of the EIS.

* **172:** Scoping requirements under NEPA defined in 40 CFR 1501.7 have been fully adhered to during this process. The public and agency scoping conducted for this project is also in compliance with 23 CFR 771.111, as detailed in Section 5.3 of the EIS. Please refer to Response Issue B for more information.

* **173:** The Preferred Alternative (Alternative 5A) meets the project purpose and need of providing safe and improved access between US 93 and the Miller Creek area as stated in the DEIS (please refer to Response Issue B, under "The Preferred Alternative Related to the Purpose and Need" for more information.

* **174:** Numerous public and agency comments were received that supported Alternative 5A as the Preferred Alternative (see Response Issue A).

* **175:** The Miller Creek Road EIS process began in early 2003. Inclusion of Old US 93 with Alternative 5A occurred in mid-2004 and was presented at the June 2004 public meeting. During the remainder of 2004 and 2005 updated traffic volumes were obtained and traffic modeling was performed indicating that traffic flow along all study area roadways would be improved by including Old US 93 with all the build alternatives. Inclusion of Old US 93 with all the build alternatives was presented in March 2006 and in the DEIS published in September 2006. The Miller Creek Road EIS process is anticipated to be completed in early 2008. Impacts for all the build alternatives, as well as the No-Action Alternative, were fully assessed in the DEIS.

Comments

Responses

Comment # 264 (continued)

Craig Genzlinger
December 6, 2006
Page 4

- B** of Miller Creek and 93, the intersections of Old Highway 93 and Reserve and Reserve and Brooks), have not been included within the project boundary. The Notice of Intent provides that the "study area *begins* near the intersection of Miller Creek and US 93 to the north and extends southward approximately 4 miles along US 93. The east-west boundaries are approximately .25 miles west of US 93 and approximately 2.5 miles east of US 93." The Notice makes no mention of Old Highway 93, Reserve Street, Post-Siding Road, Brooks street or any other streets that will be affected by the project regardless of the alternative approved. The Notice of Intent has never been amended.
- * 176
- * 177
- * 175 It was not until 2006, some three years into the EIS process, that the Federal Highway Administration apparently unilaterally amended the boundaries and scope of the project study area to include substantial changes to Old Highway 93 among other streets and to change the project to one from a second access to Miller Creek to modifications to various surface streets.
- * 168 Like many other landowners the Club had no reasonable notice or expectation that its property and business would be impacted by this project. Consequently, input was not sought from the Club regarding any expansion of Old Highway 93 until well into 2006, nearly three years into the EIS process.
- B** Notice and public involvement must be provided to affected parties in compliance with federal regulations. 40 CFR §1506.6. The form and content of the notice must be in "sufficient detail to foster informed decision making ..." *Friends of Yosemite Valley v. Norton*, 348 F.3d 789, 800 (9th Cir.2003). For almost 3 years the scoping, notice and public involvement of this matter contemplated and portrayed a project that envisioned a second access into Miller Creek and which by its very definition excluded The Club, Old Highway 93, Reserve, Brooks and other properties and roads. The last minute inclusion of the Club and other properties within the DEIS is outside the scope of the appropriation, the project and the study area. Because this project was presented as not including, but expressly excluding my clients property and numerous other properties and roads, my clients and many others have not been afforded reasonable notice and opportunity to become publically involved in this project. Considering the scope creep of this project and the last minute unilateral change in the project and the study area, the project, and the DEIS as submitted, should not be approved.
- * 178
- * 176
- * 175
- * 168

THE DEIS CONFLICTS WITH OTHER LAND USE PLANS

- B** In 1997 the city and county of Missoula adopted the Miller Creek Comprehensive Plan Amendment, in contemplation of the review of several proposals for development in the valley. The plan addressed the need for additional accesses for the Miller Creek area throughout the planning process. The neighborhood input into the plan called for maintaining the residential nature of the roads within the planning area. The plan articulated the need for additional access

Response to Comment # 264 (continued)

- * **176:** The US 93/Miller Creek Road/Old US 93 intersection has been in the study area from project inception. As traffic operations analysis proceeded, it became clear that Old US 93 was a key to the traffic solution. Refer to Response Issue B for more information.
- * **177:** The Notice of Intent alerted the public and agencies about the project and that an EIS was being initiated, and included an initial purpose of the project. It is not unusual for a project's purpose to be refined and modified as a result of the NEPA process, when the project is studied in greater detail and public input is gathered. Such changes that occur during a project do not require a NOI to be reissued and published in the *Federal Register*. Refer to Response Issue B for more information.
- * **178:** Throughout the course of this project, a high level of public involvement was conducted in accordance with 40 CFR 1506.6 in the form of newsletters, postcards, newspaper advertisements, press releases, project website, project hotline, posters public meetings, and publication of the DEIS.

Responses

E
F
H
I

- * 169
- * 179
- * 166

BDH

* 180
B
E

* 170
B
F
G

B
F
G

E-367

Responses

* 181

FG

* 182

FG

F
* 183

F
* 184

* 181
F
G

* 185

* 186
G* 187
I
G* 188 **F**

A = Reference number for summary response issue

*** 185:** Impacts to Larchmont Golf Course were avoided with use of a short retaining wall as stated in Section 4.17 and 4.18 of the DEIS.

Comments

Responses

Comment # 264 (continued)

Craig Genzlinger
December 6, 2006
Page 7

- * 189 **F** 10. Failure to identify and analyze the impact to the intersection of Old Highway 93 and Reserve Street.

THE DEIS FAILS TO OFFER ALTERNATIVES TO OLD 93

- * 190 **B** NEPA requires that the DEIS offer alternatives to the proposed action. 42 U.S.C. §4332; 40 C.F.R. §1502.14. Although the DEIS offers various proposed alternatives relative to access from New Highway 93 to Miller Creek, the DEIS fails to offer any alternatives to the substantial action concerning Old Highway 93, except the "no-action" alternative. Failure to offer alternatives to the proposed improvements to Old Highway 93 does not comply with NEPA.

THE PREFERRED ALTERNATIVE DOES NOT ADDRESS THE BENEFIT, PURPOSE AND NEED OF THE PROJECT

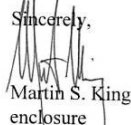
- * 191 **B** The purpose and need of the appropriation and this project was to provide a second access into Miller Creek. As stated above and in numerous objections previously voiced, the preferred alternative simply provides a stop-gap measure in the form of modifications to surface streets without addressing the real purpose of the project. The purpose and need of the project is not met through adoption of the preferred alternative

THE PUBLIC OPPOSES THE PREFERRED ALTERNATIVE AND THE PROPOSED MODIFICATIONS TO OLD HIGHWAY 93

- * 192 **A B D** Virtually all of the comments received on the DEIS to date have been in opposition to the preferred alternative and the proposed modification to Old Highway 93. The purpose of the DEIS process is to encourage public participation so to foster better decision-making. 42 U.S.C §4321; 40 C.F.R. §1501.1(c). Almost without fail the information offered by the public demonstrates not only that they oppose the preferred alternative but that it fails to meet the goal that was the impetus for this project in the first place.

For the foregoing reasons, and for the other reasons expressed at public hearings and by persons offering comments, and on behalf of the Missoula Country Club, we respectfully request that approval of the proposed DEIS for this project be denied.

Thank you for your attention to this matter. Please contact me with any questions.

Sincerely,

Martin S. King
enclosure

cc: Missoula Country Club
MSK/rk/06015771.spd

Response to Comment # 264 (continued)

* **186:** Noise levels at the Missoula Country Club for all project alternatives are predicted to be below the FHWA noise abatement criteria. This was clarified in Section 4.8.2 of the FEIS. Refer to Response Issue G, under "Noise and Visual" for more information.

* **187:** For proposed Old US 93 laneage and traffic forecasting, please refer to Figure 2-5 showing the revised typical section of 3 travel lanes plus one turn lane, Figure 4-5 showing an ADT of 20,300 on Old US 93, and Table 4-5 sixth row indicating a 138% increase in traffic on Old US 93. Liability for errant golf balls will remain as it is currently.

* **188:** As discussed under Response Issue F, in the DEIS it was shown that the left-turn movement from Old US 93 to US 93 was eliminated. In the FEIS, that movement could be maintained during non-peak hours; however, complete restriction of this left-turn movement may be warranted in the future, at the discretion of MDT who has jurisdiction of US 93.

* **189:** Impacts to the intersection of Old US 93 and Reserve Street are presented in Section 2.6.2.1, Section 4.4.1.2, Table 4-5, Section 4.5.2, and Table 4-9 of the EIS.

* **190:** Due to the constrained nature of the Miller Creek area, there are a limited number of options available to improve traffic operations in the area. No other reasonable alternatives to the Old US 93 improvements were identified. An alternative evaluated to avoid improvements to Old US 93 was to widen US 93, which was found to fail operationally because that would not accommodate an acceptable level of traffic volume. Refer to Response Issue B, under "Reasonable Alternatives for Old US 93." This information was added to Section 2.5.3 of the EIS.

* **191:** The appropriation of federal funds for transportation improvements requires that the National Environmental Policy Act (NEPA) process be followed. NEPA requires that a range of reasonable alternatives be developed and evaluated, and reasonable alternatives cannot be constrained based on the intent of a Congressional appropriation. Three bridge alternatives were fully evaluated in the EIS. (Also refer to Response Issue B, under "Purpose of Congressional Earmark.") In 2004 and 2005 updated traffic volumes were obtained and traffic modeling was performed indicating that traffic flow along all study area roadways would be improved, thereby improving access for the Miller Creek area, by including Old US 93 with all the build alternatives. The Preferred Alternative 5A meets the purpose and need for the project, which is to provide safe and improved access between US 93 and Miller Creek area. See Section ES.5 of the FEIS for reasons why Alternative 5A was selected as the Preferred Alternative.

* **192:** Numerous public and agency comments were received that supported Alternative 5A as the Preferred Alternative (see Response Issue A).

Responses

PUBLIC LANDS HIGHWAYS DISCRETIONARY PROGRAM
FY 2002 CANDIDATE PROJECT APPLICATION

- Response to Comment # 264 (continued)

Appendix E: Comments and Responses

Responses

Response to Comment # 264 (continued)

possible. This will improve the health and safety of the public. In an emergency the two ways out will add to the safety and welfare of the public.

9. **Planning and Coordination:** The Western Federal Lands Highway Division and Missoula County will plan and coordinate this work.

11. **Project Administration:** FHWA-Western Federal Lands Highway Division, Vancouver,
WA

13. **Commitment of Other Funds:** No other funding sources have been committed to this project.

15. **Future Funding Needs:** Completing the Miller Creek Road will require additional funding.

One month – advertise for consultants with RFP. Two weeks to assess consultant reply. Two weeks to award the project and give the order to proceed.

The road construction will have a separate NEPA study, therefore, portions of this construction may take place concurrent with the bridge study.

Comments

Responses

Comment # 264 (continued)

Response to Comment # 264 (continued)

Project name and Conference total	
Statewide improvements, Hawaii	9,000,000
Timucuan Preserve bike route, Florida	1,000,000
Trail extension at Mount Vernon Circle, Fairfax, Virginia	100,000
US-30 and Acadia National Park road improvement, Maine	500,000
US-30 Morrisons/Whiteside County expansion, Illinois	750,000
USA-95 Laughlin cut-off to railroad pass widening, Nevada	8,000,000
USMC Heritage Center Access Improvements, Virginia	800,000
Wind Cave National Park highway resurfacing, South Dakota	1,250,000
Woonaschoct Depot rehabilitation, Rhode Island	600,000
Yellowstone and Missouri Rivers, and Fort Union Trading Post bike trail, North Dakota	650,000
	400,000

The conferees direct that the funds allocated above be derived from the FHWA's public lands discretionary program, and not from funds allocated to the Fish and Wildlife Service's and National Park Service's regions.

INTERSTATE MAINTENANCE DISCRETIONARY

Within the funds available for the interstate maintenance discretionary program, funds are to be available for the following projects and activities:

Project name and Conference total	
Brent Spence Bridge replacement I-75 and I-71, Kentucky	\$2,000,000
City of Renton/Fort Quindall project, Washington	1,000,000
Cleveland inner belt, Ohio	500,000
I-10 Irvington interchange, Alabama	800,000
I-10 Katy Freeway, Houston, Texas	7,000,000
I-10 Riverside Avenue interchange, California	500,000
I-12 Interchange at LA 1088, Louisiana	1,500,000
I-12 Northshore Blvd. Interchange, Louisiana	2,000,000
I-15 Interchange at MP 10, Utah	1,000,000
I-16 reconstruction, Utah	5,000,000
I-180 Lycoming Mall Road interchange, Pennsylvania	2,000,000
I-196 Washington Bridge, Rhode Island	1,000,000
I-215 Southern Beltway to Henderson, Nevada	5,000,000
I-25 Broadway and Alameda interchanges, Colorado	500,000
I-25 North of Raton, New Mexico	1,500,000
I-295 connector, Commercial Street, Maine	500,000
I-296 reconstruction, Rhode Island	3,000,000
I-35 East/I-635 interchange, Texas	6,400,000
I-35 West/US 287 interchange, Texas	4,900,000
I-40 Arizona state line east to milepost 30, New Mexico	5,000,000
I-40 crosstown expressway realignment, Oklahoma	5,500,000
I-44 Fenton industrial corridor improvements in St. Louis County, Missouri	4,000,000
I-44 relocation and improvements, Phelps County, Missouri	4,000,000
I-470 reconstruction and removal of bridges, Missouri	7,000,000
I-49 southern extension from I-10, Louisiana	1,000,000
I-5 Corridor arteries, California	1,000,000
I-5 HOV/general purpose lanes, California	4,000,000
I-5 Medford interchange, Oregon	1,000,000
I-65 and Valley Dale Road interchanges, Alabama	8,000,000
I-70 improvements from CBD to northside, Missouri	5,000,000
I-70/I-75 interchange construction, Ohio	1,000,000
I-70/MD86/MD365 intersection reconstruction, Maryland	6,000,000
I-75 Exit 11, Kentucky	375,000
I-79 Bridgeport to Meadowbrook Road, Harrison County, West Virginia	10,000,000
I-79 Connector, West Virginia	4,800,000
I-79/SR 910 interchange, Pennsylvania	250,000
I-79/Warrendale Technology Park interchange, Pennsylvania	1,750,000
I-80 Exit at Stoney Hollow Road, Pennsylvania	3,000,000
I-80 widening and reconstruction in Johnson County, Iowa	6,000,000

Responses

Response to Comment # 264 (continued)

Page 1 of 2

<http://frwebgate2.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=968783523725+0+0+0&WASActi...> 10/27/2006

Comments

Responses

Comment # 264 (continued)

meeting is scheduled for Wednesday, March 26th from 5 p.m. to 8 p.m. at the Linda Vista Golf Course Clubhouse located on 4915 Lower Miller Creek Road, Missoula, Montana. Brief identical presentations will be

[[Page 10064]]

Page 2 of 2

given at 6 p.m. and 7 p.m. A series of public meetings will be held in Missoula. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above. Additional project information can be obtained at the Web site (www.millereis.com) or from

the Telephone Information 'Hotline' (1-800-865-6905).

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this proposed action.)

(Authority: 23 U.S.C. 315; 49 CFR 1.48)

Issued February 25, 2003.
Dale Paulson,
Program Development Engineer, Montana Division, Federal Highway
Administration, Helena, MT 59602.
[FR Doc. 03-4856 Filed 2-28-03; 8:45 am]
BILLING CODE 4910-22-M

Response to Comment # 264 (continued)

<http://frwebgate2.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=968783523725+0+0+0&WASActi..> 10/27/2006

Responses

Response to Comment # 264 (continued)

From: Martin S. King [<mailto:mking@wthlaw.net>]
Sent: Thursday, December 07, 2006 10:22 AM
To: Genzlinger, Craig
Subject: Miller Creek EIS

Dear Mr. Genzlinger,

In my comment letter of December 6 submitted on behalf of the Missoula Country Club I incorrectly refer to the "18th fairway" on page 2. That should be the "9th fairway".

Please make a note of this correction. My apologies for the error.

Martin S. King, Esq.
Worden Thane P.C.
111 N. Higgins Ave., Suite 600
P.O. 4747
Missoula, Montana 59806
Tel: 406-721-3400
Fax: 406-721-6985
mking@wthlaw.net

*****CONFIDENTIALITY NOTICE*****

This message is protected by the Electronic Communications Privacy Act, 18 USC § 2510 et seq., and may not be forwarded without the consent of the named recipient(s). The information contained in this message is confidential, is intended only for the use of the individual or entity named, and may be subject to the attorney-client privilege. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender by reply E-mail or by calling Worden Thane P.C. at either 1-406-721-3400 OR 1-800-337-3567, so that our address record can be corrected. Thank you.

Comments

Responses

Comment # 265: Blaise Hartman

Genzlinger, Craig

From: blaise hartman [blaisehartman@bresnan.net]
Sent: Friday, September 22, 2006 9:17 AM
To: Genzlinger, Craig
Cc: misty.mccoy@c-b.com
Subject: Comment on Miller Creek EIS

I want to express my opinion on the draft EIS for the Miller Creek area, and specifically the preferred alternative 5A. I think this alternative is the worst possible alternative, possibly even worse than the do nothing alternative.

I don't see anyway that stop lights at the Y, Briggs, and Old Highway 93 will not lead to absolute gridlock in the area. Has anyone examined the traffic impacts when a 3 way stop was implemented at the corner of Briggs and Miller Creek Road during the 39th Street reconstruction, before hundreds of residences were added in Maloney Ranch? Traffic backed up 1/2 way up the hill on Miller Creek Road, and to Linda Vista Blvd on Lower Miller Creek Road. I can't imagine adding 2 more intersections can possibly move traffic faster, it can only lead to gridlock.

As for impact on Highway 93, how can adding another traffic signal on Highway 93 (Reserve Street and Old Highway 93) possible improve traffic flow, or as stated in the EIS have the least impact on Highway 93 compared to the other alternatives which have a grade separated on-ramp?

* 193 have you studies the impact on traffic on 39th Street from adding a traffic light at the intersection of 39th Street and Reserve? Westbound traffic on 39th street is now backed up from Russell Street to Reserve, and it can take several cycles of lights to get through the intersections of Dore Lane and Reserve. Is there any doubt that, like the North Reserve gridlock caused by the lack of alternative routes and multiple traffic lights, if this alternative is adopted the entire Miller Creek area and eventually the entire South West Missoula area will become gridlocked? Most disappointing is that Alternative 5A virtually eliminated the possibility of public transportation in the area, so while kids from Lolo and Frenchtown will be free to ride the bud into the city, kids living in the city in Miller Creek will be shut out from public transportation while their parents subsidize the system through their taxes.

My preferred alternative is 3B. This alternative has the best long term potential to mitigate traffic and improve quality of life for all people, not just those commuting from the University and downtown areas to their homes in Lolo and Ravalli County. The overpass would be a great opportunity to provide much needed public access to the Bitterroot River, and a way for Miller Creek residents to safely access the Blue Mountain recreation Area without the need to drive.

* 194 If alternative 5a is ultimately chosen I hope it can be reworked to at a minimum remove the signal at the Miller Creek Y and replace it with a tunnel, and include improvements to widen or replace upper Gharrett Street to provide a safe and reasonable alternative access to the Miller Creek area.

Thanks you for listening.

Response to Comment # 265

Responses to this comment letter can be found under Summary Response issue letter A, D, F, G, H, I, and N.

* **193:** The traffic light at the intersection of Reserve and 39th Street was included in the traffic demand model that was used as the basis for the future year (2025) traffic analysis of each of the alternatives. The alternatives traffic analysis indicated that there would be no notable changes to the number of vehicles forecast to travel on 39th Street under any of the alternatives. While congested conditions at and approaching signalized intersections would occur under any of the alternatives, neither the entire Miller Creek area nor the entire SW Missoula area are expected to become gridlocked.

* **194:** None of the potential solutions reviewed during the alternatives development and analysis process were found to be as feasible as the MCR upper "Y" intersection configuration shown in the DEIS and FEIS.

Comments

Responses

Comment # 266 (continued)

millers creek road
environmental impact statement

Comments on the DEIS
September 22, 2006 – November 6, 2006

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT:

PAGE # 2

2) Because of the increased development of Southwest Missoula (Maloney ranch) with limited/inadequate ingress and egress, your Preferred Alternative 5A is unacceptable as a solution. It is a costly proposal and causes unsatisfactory change to the area. You have been informed, strongly, about the need for a bridge over the Bitterroot River south of the Miller Creek/Hiway 93 intersection. The majority of the residents and County officials favor this as a needed change for safety and reduced Lower Miller Creek Rd traffic.

3) Changes are needed on Hiway 93/Miller Creek Rd and Hiway 93/Reserve St intersections in addition to the Bitterroot River bridge.

Name:	
Address:	
Phone:	e-mail:
Date:	

www.millereis.com

Response to Comment # 266 (continued)

D
E
F
G
H

E
F
F
H
I
J

Comments

Responses

Comment # 266 (continued)

millers creek road
environmental impact statement

Comments on the DEIS
September 22, 2006 – November 6, 2006

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT:

PAGE #3

* 195

DOF II

Unless you have a meeting with HDR Engineering, Inc., Rail Transit & Planning Division and the Montana Department of Transportation you will not be able to establish a good, workable plan. Further, ALL residents and businesses need to be communicated with in the Southwest corridor, Big Flat west & North, keeping in mind that a by-pass west of the city is vital to reduce traffic at the "bottleneck" that exists at the Miller Creek and Reserve St. intersections. Heavy semi-truck traffic is increasing daily. Currently, Reserve St. is being used for a by-pass for North/South connect from Hwy 93 and I-90. I have experienced five semi's in line at left turn traffic lights. This creates long lines and hazardous driving conditions... especially during inclement weather and poor visibility.

Name:	
Address:	
Phone:	e-mail:
Date:	

www.millereis.com



Response to Comment # 266 (continued)

* **195:** Agency coordination and public involvement occurred throughout the project, and is presented in Chapter 5.0 of the DEIS and FEIS.

Comments

Responses

Comment # 266 (continued)

milller creek road
environmental impact statement

Comments on the DEIS
September 22, 2006 – November 6, 2006

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT:

PAGE #4

5/ A large amount of money has been paid out by our community and County for a solution to a serious traffic problem we now must live with. Enough time has been used that, by now, should have produced an acceptable solution. If the next meeting isn't inclusive of what I have submitted here we will not have advanced to resolve our urgent needs and the problems will increase, safety will decrease and result in unwanted and undesired community dissatisfaction.

Respectfully submitted,

Name:	Norm Balke
Address:	4845 Lower Miller Creek, Missoula, 59803
Phone:	406-251-2135
e-mail:	
Date:	October 24, 2006

Response to Comment # 266 (continued)

Responses

RECEIVED
NOV 02 2006
FTHWA
MONTANA DIVISION

FGI

AD

Sincerely yours,
Dr. Stephen R. Dailey
501 Benton Ave.
Missoula, Mt. 59801

E-383

Comments

Responses

Comment # 268: David V. Diggs

October 30, 2006

Craig Genzlinger, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena, MT 59601

RECEIVED
NOV 02 2006
FHA
MONTANA DIVISION

Re: Proposed DEIS for Milleer Creek/Old Highway 93, preferred alternative 5A

F
G

As a long time member of the Missoula Country Club, I strongly oppose the change proposed for Old 93. The change would greatly impair and make much more dangerous access and egress to the Country Club and spoil the layout of the golf course.

B

I do not feel that the entire project answers the need or the objectives of the assignment. The definite purpose of the change was to provide a second road providing access to and from the Miller Creek area. Your proposal does not address this need at all. The obvious and soon to be necessary answer is a second bridge across the Bitterroot River south of Buckhouse bridge. Why would you even consider a temporary band-aid solution which messes up the Country Club and the businesses along Old 93?

A
D
F
G

D

I would say, scrap this plan, and get on with providing the real need in this situation which is a new bridge across the river.

Very Truly Yours,

David V. Diggs

David V. Diggs

*601 West Crestline, Sr.
Missoula, MT 59803*

Response to Comment # 268

Responses to this comment letter can be found under Summary Response issue letter A, B, D, F, and G.

Responses

Response to Comment # 269

RECEIVED
10/20/06 NOV 02 2006
FBI/DOJ
MONTANA DIVISION

DEAR MR. GENZLINER

AS 20 YEAR MEMBERS OF THE
MISSOULA COUNTRY CLUB, WE WISH TO
EXPRESS STRONG OPPOSITION TO THE
DRAFT EIS ALTERNATIVE 5A. THIS
WOULD POSE A SEVERE SOCIAL &
FINANCIAL IMPACT ON NEARLY 600
FAMILIES (EOLING & SOCIAL) WHO
FREQUENT THE GOLF COURSE, DINING
ROOM & SWIMMING POOL.

KAYE & ROGER HELMS
P.O. BOX 8763
MISSOULA, MONTANA 59807

CC - SENATOR BAUCUS
MARY OR ENGLEN
MISSOULA CO. COMMISSIONERS
MISSOULA COUNTRY CLUB

A = Reference number for summary response issue

Appendix E: Comments and Responses

Comments

Responses

Comment # 270: Amy Joyner

October 30, 2006

I am writing to express my concern over the Miller Creek Road project. I have attended nearly every public meeting for this project since the process began.

Of course, everything has been revised so many times, the preferred alternative looks nothing like the Miller Creek residents were hoping for. Improving existing roads falls short of addressing our essential need for safety.

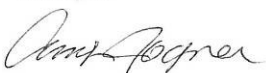
Yes, the "Y" of Upper and Lower Miller Creek Roads does need a major adjustment. It is a hassle for drivers and a headache for emergency personnel during peak hours. But, no matter what it looks like, the same ever-increasing number of drivers will be using the same single access road to the growing region. Please do the retrofit proposed for the Preferred Alternative.

But, no not drop the previous proposal of a bridge over the Bitterroot River. This is also essential for safety, and a bonus for convenience. We can't keep plugging homes into an area with only one way in and one way out. I am aware that the Corps of Engineers will not approve a bridge at this time. No reasonable answer to that was given at the last meeting, yet the Alternatives 2B, 3B and 4C were all posted on the wall. So in fact, we were presented options that are, in truth, not options at all.

So, yes I do support the Preferred Alternative as Phase one. However the grading of Upper Miller Creek has to be done in a way that will lessen wintertime ice slides for cars traveling north down the road to the new stop light.

Don't stop there. Phase two has to be a second access, which necessitates a bridge. For that, I support either 2B or 3B. It looks as if 3B would be the best and easiest to maneuver, but cost much more. But, as was stated in the Missoulian editorial of October 26, 2006, let's do it soon. Construction costs won't get any cheaper if we wait another 10 years.

Thank you,



Amy Joyner
5201 Frazer Ct.
Missoula, MT 59803
406-251-0011

Response to Comment # 270

Responses to this comment letter can be found under Summary Response issue letter C, D, E, F, H, and O.

*** 196:** Alternative 5A (Preferred Alternative) does not preclude construction of a bridge in the future.

Comments

Comment # 271: MJ Horner

Craig Langdoner, PE
Federal Highway Administration
Montana Division Office
585 Shepard Way
Helena, MT 59601

B It has come to our attention that three years ago when the proposed Environmental Impact Statement for Miller Creek was drafted, Old Sluery 93 was NOT an alternative. In fact, it was not even included in the original proposal.

B How - Increase Blue Mountain proposal was
F shot down - by 115 families - Old Hwy 93 is a suggested
F alternative! Where is the impact study on that proposal?
G How is this going to affect property or businesses on
D Old Hwy 93? How is it going to provide a second
access point into or out of the Miller Creek area? It's
just an extension of the one access already there!

D E F L Alternative D.A. is not going to solve the problem with this configuration but is going to cause more problems with the traffic increase there. What about the traffic that will be routed past Lake Springs School? How the powers to be given any consideration toward the safety of those children?

Dear parents we raised seven children in the Missiona School District! No more always disliked the fact that so many schools are already on busy streets including Cold Springs Now!! Think about the impact

Responses

Response to Comment # 271

Responses to this comment letter can be found under Summary Response issue letter B, D, F, G, H, I, L, and O.

Response to Comment # 271 (continued)

Of all the ever wet picture, September 93 connection, from Mayo, to Anne and ultimately to September 90 from only one access from Millen Creek. Millen Creek Road, with a bridge (overpass) across Bitterroot River and the railroad tracks by Sparks Road (short distance across back) will provide a direct access road. Then north across Blue Mountain river (and in a few years will be possible to be the case) get the plan to add from Millen Creek, the Bitterroot Valley, to September 90 connected there a "fenced and" approach by widening May 93! That the figure "influenced" as to gradient in Millen Creek, a bridge and river access will be needed in a few years anyway!

Traffic projected for September 93, a few years back when 93 river widened, was a 130% increase in four years - that figure was recorded on only three of you think about it, "there shall be one bridge with the widest access than projected because of all the growth in that area.

The are concerned, specifically, with the impact study - that get down - regarding Alternatives 1 on the impact widening. And study 93 will have on the foundation, into the Nevada County Creek.

What about the adverse effect it will have on the restoration of that course? The only access to and

Comments

Responses

Comment # 272: Deborah P. Cole

milller creek road
environmental impact statement
RECEIVED

Comments on the DEIS
September 22, 2006 – November 6, 2006

NOV 02 2006

MTWA
MONTANA DIVISION

COMMENT SHEET

Thank you for reviewing the Miller Creek Road Draft Environmental Impact Statement (DEIS) and for providing your comments. The DEIS is also available for review on the project Web site at www.millereis.com. Please mail your comment to the address on the other side by **November 6, 2006**, to be a part of the official public record. You can also provide comments through the project Web site.

COMMENT: I THINK WE NEED A BRIDGE OVER THE BITTERROOT RIVER TO PROVIDE AN ALTERNATIVE ROUTE INTO AND OUT OF THE MILLER CREEK AREA. AT THIS TIME I DON'T SEE ANY POINT TO WIDENING THE SHORT SPAN OF ROAD FROM THE Y TO THE LIGHT AT 93. THERE IS NO NEED TO SHOOT PEOPLE DOWN MILLER CREEK RD FASTER WHEN THEY CAN'T GET OUT ON 93 ANY FASTER. THE HOLD UP IS AT THE LIGHT, NOT ON MILLER CREEK. THE TRAFFIC IS ONLY HEAVY FOR, AT MOST, TWO HOURS PER DAY- FROM 6:30 AM TO 8:30 AM. I DON'T THINK THE WAIT TIME IS EXCESSIVE. ANY OTHER AREA OF THE COUNTRY WOULD BE THRILLED WITH ONLY A FIFTEEN MINUTE WAIT IN TRAFFIC! I CAN LEAVE MY HOME MONDAY THROUGH FRIDAY AT 7:50 OR 7:55 AND BE DOWN TO THE LIGHT IN TWO MINUTES AND OUT TO THE LIGHT AT RESERVE IN ABOUT FIVE MINUTES. I LIVE AT THE Y ON MILLER CREEK. I THINK YOU JUST WASTED A BUNCH OF MONEY ON A STUDY AND ARE NOT PLANNING TO

Name: GIVE THE RESIDENTS WHAT THEY WANT AND NEED
Address: A BRIDGE!! PLEASE LISTEN TO THOSE OF US WHO
Phone: HAVE LIVED HERE e-mail: FOR A LONG TIME
Date: INSTEAD OF SOME FIRM FROM DENVER!!

www.millereis.com

Deborah P. Cole

Response to Comment # 272

Responses to this comment letter can be found under Summary Response issue letter C, D, F, H, and I.

J:_Transportation\071257.300\Management\reports\Final EIS\Appendices\App E
Comment & Responses\App E - Reorg.doc