

FINDING OF NO SIGNIFICANT IMPACT

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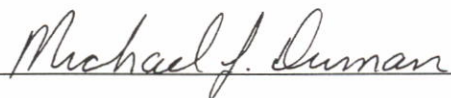
**Revised Environmental Assessment and
"Nationwide" Programmatic *Section 4(f)* Evaluations**

FOR

**Middle Fork Flathead River - SE Essex
BR 1-2 (85) 180; Control No. 1763**

FLATHEAD COUNTY, MONTANA

THE FEDERAL HIGHWAY ADMINISTRATION HAS DETERMINED THAT THIS PROJECT WILL NOT HAVE A SIGNIFICANT IMPACT ON THE HUMAN ENVIRONMENT. THIS **FINDING OF NO SIGNIFICANT IMPACT** IS BASED ON THE ATTACHED SUMMARY OF FINAL COORDINATION, THE REVISED ENVIRONMENTAL ASSESSMENT AND NATIONWIDE PROGRAMMATIC *SECTION 4(F)* EVALUATIONS, AND INPUT FROM THE DISTRIBUTION OF THE REVISED ENVIRONMENTAL ASSESSMENT AND FROM PUBLIC MEETINGS HELD TO DISCUSS THE PROJECT. THIS FINDING HAS BEEN INDEPENDENTLY EVALUATED BY THE FEDERAL HIGHWAY ADMINISTRATION AND DETERMINED TO ADEQUATELY AND ACCURATELY DISCUSS THE NEED, ENVIRONMENTAL ISSUES AND IMPACTS OF THE PROPOSED PROJECT, AND APPROPRIATE MITIGATION MEASURES. IT PROVIDES SUFFICIENT EVIDENCE AND ANALYSIS FOR DETERMINING THAT AN ENVIRONMENTAL IMPACT STATEMENT IS NOT REQUIRED. THE FEDERAL HIGHWAY ADMINISTRATION TAKES FULL RESPONSIBILITY FOR THE ACCURACY, SCOPE AND CONTENT OF THE REVISED ENVIRONMENTAL ASSESSMENT AND ITS ATTACHMENTS.



Date: 5-9-01

Federal Highway Administration

Summary of Final Coordination

Middle Fork Flathead River - SE Essex BR 1-2(85)180; Control No. 1763

This document summarizes the final coordination activities undertaken by the Montana Department of Transportation (MDT) to complete the Environmental Assessment (EA) and "Nationwide" *Section 4(f)* Evaluations for the proposed Middle Fork Flathead River-SE Essex project. At the request of the National Park Service-Glacier National Park (NPS), a Cooperating Agency for this project, MDT revised the EA previously distributed during March 2000. Although the scope of the proposed bridge replacement project remained unchanged from that described in the initial EA, the NPS asked MDT to revise the "Nationwide" *Section 4(f)* Evaluations included in the document and to prepare a new "Nationwide" *Section 4(f)* Evaluation addressing potential effects on the Walton area of Glacier National Park.

Publishing a Revised EA afforded MDT with opportunities to: 1) comply with the NPS's request for preparing a "Nationwide" *Section 4(f)* Evaluation for the Walton area; 2) formally respond to comments received at the April 2000 public hearing and written comments from the public and interested agencies; 3) enhance the EA by more clearly describing the proposal and providing current information; and 4) seek new comments from the public and involved agencies.

Public Notice and Availability of Revised EA

The Revised EA and "Nationwide" Programmatic *Section 4(f)* Evaluation for this project was approved for public availability by the Federal Highway Administration (FHWA) on March 7, 2001. The document was then distributed to local, state, and federal agencies and made available to interested members of the public prior to the end of March. Copies of the Revised EA were mailed to all agencies and persons on the Circulation List on March 9, 2001.

A notice announcing the availability of the Revised EA and "Nationwide" Programmatic *Section 4(f)* Evaluations was published in the *Daily Interlake* (Kalispell) newspaper on Friday, March 9, 2001. Similar notices were published on March 14 and March 15, 2001 in the following weekly newspapers: *Cut Bank Pioneer Press*; the *Whitefish Pilot*; the *Hungry Horse News*; and *The Glacier-Reporter* (Browning). A copy of the notice of availability from the *Daily Interlake* is attached.

As a result of the notice, one person (Loren Kreck of Columbia Falls, MT) requested a copy of the Revised EA. MDT's consultant mailed Mr. Kreck a copy of the Revised EA on March 28, 2001.

MDT's Notice of Availability and a transmittal note included with each Revised EA document advised the public that comments on the Revised EA were due by April 7, 2001.

Section 4(f) Concurrence Letter from USDOl, Office of the Secretary

On April 6, 2001, MDT received a letter from the U.S. Department of the Interior (USDOl), Office of the Secretary signed by Willie R. Taylor, Director, Office of Environmental Policy and Compliance in Washington, D.C. The letter indicates the USDOl's concurrence with MDT's analyses of effects and proposed mitigation measures contained in the Revised EA and the Nationwide Programmatic *Section 4(f)* Evaluations for this project. Receipt of the USDOl letter also completes the required *Section 4(f)* processing for this proposed project. A copy of Mr. Taylor's April 3, 2001 letter to MDT is attached.

Revised Wild and Scenic River Section 7 Evaluation

After MDT advised the USFS-Flathead National Forest of its decision to issue a Revised EA and Nationwide Programmatic *Section 4(f)* Evaluations, the USFS indicated its desire to "revisit" the Wild and Scenic River Section 7 Evaluation initially written for this project in September 1999.

During the writing of the Revised EA, MDT clarified a variety of issues for the USFS including potential effects on the Middle Fork channel, the location of the proposed gabion retaining wall, and the placement of riprap and road fill material needed to construct a new section of access road to the dispersed recreation site along the Middle Fork. The USFS also requested MDT to supplement its discussion of impacts on the Middle Fork of the Flathead Wild and Scenic River in the Revised EA. A revised Section 7 Evaluation for the proposed bridge replacement project was prepared by the USFS during March 2001 and was signed by the USFS Regional Forester's office on April 16, 2001. A copy of the April 16, 2001 Section 7 Evaluation is attached.

The revised Section 7 Evaluation concluded that the proposed bridge replacement would not have a direct and adverse effect on the values for which the Middle Fork of the Flathead River was designated a Wild and Scenic River. Although short-term impacts would occur due to the project's construction, the USFS concluded there would be no long-term significant adverse effect on the outstandingly remarkable values that caused the Middle Fork to be classified as a Recreational River.

The April 2001 Section 7 Wild and Scenic River Evaluation replaces the Section 7 Evaluation presented in the Revised EA.

Results of Formal Consultation With the USFWS

MDT concluded that this proposed bridge replacement is **LIKELY TO ADVERSELY AFFECT** the threatened bull trout. This conclusion was reached due to the necessity to work within occupied habitat for bull trout and the unlikely, but unavoidable, potential for harm to occur to an individual fish where construction takes place within the river. Formal consultation regarding any listed species is necessary to complete the requirements of Section 7 of the *Endangered Species Act* if the proposed action may affect any listed species or critical habitat.

Due to the potential for adverse effects to bull trout, MDT and the FHWA requested that formal

consultation with the U.S. Fish and Wildlife Service (USFWS) be initiated for this project. MDT and FHWA entered formal consultation with the USFWS on September 20, 2000. During formal consultation, the USFWS was provided with various project materials and contacted on several occasions by MDT's consultant to discuss the activities associated with the proposed bridge replacement.

The USFWS issued a Biological Opinion for this proposed project on May 4, 2001. In the Biological Opinion, the USFWS concurred with MDT's determinations that the proposed bridge replacement project MAY AFFECT, BUT WOULD NOT BE LIKELY TO ADVERSELY AFFECT gray wolves, grizzly bears, bald eagles, or Canada lynx. The USFWS's Biological Opinion also stated that the proposed project IS NOT LIKELY TO JEOPARDIZE THE CONTINUED EXISTENCE of the Columbia Basin distinct population segment of bull trout, nor any subpopulations thereof. No critical habitat would be affected since such habitat has not been designated for bull trout. The Biological Opinion specified two reasonable and prudent measures to minimize the impacts of incidental take of bull trout and listed several non-discretionary terms and conditions that must be implemented to fulfill these measures. Copies of the Biological Opinion are available from MDT Environmental Services or FHWA upon request.

New Section 106 Compliance (Walton Ranger Station Historic District)

During April 2001, the NPS asked MDT to review its conclusions about the proposed project's effects on the Walton Ranger Station Historic District and the potential for the new easement area for U.S. Highway 2 to encroach on the historic property. As **Figure 9** in the Revised EA shows, the boundary of the historic district appears to extend to the edge of the current roadway. The NPS verified that the written description of the district's boundaries submitted with site's nomination to the *National Register of Historic Places* indicates the boundary is at the edge of the existing road.

MDT's road design and right-of-way plans show that although the new road would be shifted away from the district, part of the required highway easement deed area would be within the Walton Ranger Station Historic District. Due to this encroachment, MDT performed additional coordination with the NPS and submitted a new Determination of Effect to the State Historic Preservation Office (SHPO). This minor use of the historic site also required MDT to revise its Nationwide *Section 4(f)* Evaluation for the Walton Ranger Station Historic District. Based on an analysis of potential effects to the historic district, MDT concluded this proposed project would have no adverse effect on the Walton Ranger Station Historic District. The Montana SHPO concurred with MDT's Determination of Effect on April 25, 2001. A copy of SHPO's concurrence letter is attached.

The revised Nationwide *Section 4(f)* Evaluation for the Walton Ranger Station Historic District is attached.

Written Comments Received on the Revised EA and MDT Responses

MDT received seven (7) written comments on the Revised EA and Nationwide Programmatic

Section 4(f) Evaluations for the proposed Middle Fork Flathead River- SE Essex project during the prescribed 30-day public availability and review period. The following comments were submitted to MDT prior to April 7, 2001:

- April 5, 2001 letter from Oliver G. Coburn to Loran Frazier
- Loren Kreck "Letter to the Editor" from the *Daily Interlake* on April 5, 2001
- April 4, 2001 letter from Sharlon L. Willows
- March 30, 2001 letters from Paul Fossler (Environmental Services/Frazier)
- March 28, 2001 letter from Sharlon L. Willows
- March 27, 2001 letter from Mrs. Dwayne Phippen to Dave Galt, MDT Director

Comments offered in these letters are shown on the following pages. Pertinent comments from each letter have been highlighted and are shown in ***bold and italicized text***. MDT's responses follow each highlighted comment. Copies of the original letters received by MDT during the comment period on the Revised EA are also attached.

Oliver G. Coburn April 5, 2001 Letter

On April 5, 2001, **Oliver G. Coburn** of Columbia Falls, MT sent a letter to Loran Frazier, Administrator of MDT's Missoula District. The letter referenced a Letter to the Editor written by Loren Kreck and published in the April 5, 2001 *Daily Interlake* (Kalispell) newspaper. Key comments from Mr. Coburn's letter, shown below in ***bold and italic text***, are followed by MDT's responses.

I am appalled at the information brought to light in a "Letter-to-the-Editor" which appeared in todays edition of the Kalispell Daily Interlake (page A-4).

Mr. Kreck's Letter to the Editor and MDT's responses to his comments are provided on pages FC-6 through FC-8 of this Summary of Final Coordination.

A matter of such significance should have been brought to taxpayers attention before relegating the item to the "relative obscurity of a legal notices column, possibly read by some, but largely unnoticed by many. Whether this was a subterfuge or an innocent oversight on the part of your Department, I will not choose to argue.

A news release indicating MDT's intentions to replace rather than rehabilitate the U.S. Highway 2 bridge near Essex was published in January 1997. A public information meeting about this bridge replacement project was held during April 1997 and an open house public meeting to discuss and receive comments on the initial EA for the project was held in April 2000.

Advertisements announcing the availability of the initial EA and "Nationwide" Programmatic Section 4(f) Evaluation and open house public meeting to discuss the environmental document were published in five area newspapers between April 5 and April 13, 2000. The advertisements consisted of bordered notices and were published in the following newspapers: *Cut Bank Pioneer Press*; the *Whitefish Pilot*; the *Hungry Horse News*; *The Glacier-Reporter* (Browning); and the *Daily Interlake* (Kalispell). The announcement was published on two occasions prior to the

public meeting (April 6 and April 13) in the *Hungry Horse News* and the *Daily Interlake*.

A notice announcing the availability of the Revised EA and "Nationwide" Programmatic Section 4(f) Evaluations were published in the *Daily Interlake* (Kalispell) newspaper on March 9, 2001. Similar notices were published on March 14 and March 15, 2001 in the following weekly newspapers: *Cut Bank Pioneer Press*; the *Whitefish Pilot*; the *Hungry Horse News*; and *The Glacier-Reporter* (Browning). The notice consisted of a large bordered advertisement one of the main sections of each newspaper.

I would hasten to request a second-look at all aspects concerning the intended replacement of the Flathead River Bridge near Essex.

MDT has reviewed the problems and examined potential measures to address the needs of the Middle Fork of the Flathead River bridge near Essex since the early 1990s. During this review, MDT analyzed various options for attempting to repair the identified problems with the bridge but ultimately concluded the most effective action was to replace rather than rehabilitate the existing structure. MDT's reasons for undertaking this project are described in **Part II. Purpose and Need** of the Revised EA.

Beyond the estimated \$4.5 million to replace the existing bridge ...it would be well to consider the ecological-impact upon the stream and its immediate environment.

The Environmental Assessment and Nationwide Programmatic Section 4(f) Evaluations for the bridge replacement project was written to ensure the proposed action complies with the provisions of the *NATIONAL ENVIRONMENTAL POLICY ACT* and the *MONTANA ENVIRONMENTAL POLICY ACT*. These federal and state laws require that MDT undertake a full evaluation of the potential effects of the proposed project on the social, economic, and ecological environments. **Part IV. Affected Environment and Environmental Impacts** of the Revised EA (pages 26-71) describes the existing environmental conditions in the project area and analyzes the impacts of implementing the proposed bridge replacement project. The impacts of taking no action are also addressed in this section.

Because this bridge crosses the Middle Fork of the Flathead, the focus of the MDT's impact analyses was the stream and its immediate environment.

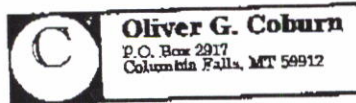
I do most sincerely request an extension of the present deadline and a new hearing with a possible on-site explanation of need with the public sufficiently notified to be present.

A public hearing was not held on the Revised EA because the open house public meeting on the initial EA was conducted on April 20, 2000 and because MDT has not changed the scope of the bridge replacement project.

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Frazier

4/10/01

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April 5 th. 2001

RECEIVED

APR 11 2001

ENVIRONMENTAL

Montana Department of Transportation,
Attention: Mr. Loren Frazier,
2100 West Broadway,
P. O. Box 7039,
Missoula, MT 59807 - 7039

Sir,

I am appaled at information brought to light in a "Letter-to-the Editor" which appeared in todays edition of the Kalispell Daily Interlake (Page A4).

A matter of such signifigance should have been brought to tax-payers attention before relegating the item to the "relative-obscurity" of a legal notices column, possibly read by some, but largely unnoticed by many. Whether this was a subterfuge or an innocent oversight on the part of your Department, I will not choose to argue.

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I do most sincerely request an extension of the present deadline and a new hearing with a possible on-site explanation of need with the public sufficiently notified to be present.

Thank you,

Loren Kreck April 5, 2001 Letter to the Editor *Daily Interlake*

On April 5, 2001, a letter from **Loren Kreck** of Columbia Falls, MT commenting on the proposed bridge replacement near Essex was published in the *Daily Interlake* (Kalispell) newspaper. Key comments from Mr. Kreck's letter, shown below in ***bold and italic text***, are followed by MDT's responses.

For anyone interested as to where their excessively taxed dollars are spent, look at the highway bridge spanning the Flathead River near Essex.

Only 35 years into its projected live span, it has been judged unsafe by the Montana Department of Transportation and condemned to be torn down. The reasons given are that the bridge is not earthquake-resistant and shows deterioration of the cement surface. Never mind that it is not on a known earthquake faultline, nor that a cement overlay could correct these problems at a cost of \$1.4 million, thus extending the life of the structure. The department's choice is to build a new bridge costing \$4.5 million, bringing with it a multitude of negative effects on the environment.

MDT has not declared the existing bridge unsafe for travel. However, the existing structure has several vulnerabilities that make collapse likely during a strong earthquake. These vulnerabilities (the bridge's fracture critical superstructure and the undesirable strap and hangar connections across the girders) are discussed on pages 5 and 6 of the Revised EA.

The project area is located on the northern edge of the Intermountain Seismic Belt that generally extends from northwestern Montana through Yellowstone National Park and into central Idaho and southwestern Utah following the Northern Rocky Mountains. According to the Montana Bureau of Mines and Geology "Earthquake Stats" web page (<http://mbmgsun.mtech.edu/eqstats.htm>), small earthquakes are common in the region, occurring at an average rate of 2-3 earthquakes per day.

Another link on the Bureau's website (http://www.seis.utah.edu/NEHRP_HTM/perseq.htm), shows that damaging earthquakes (magnitude 5.5) occurred in the Flathead region in both 1945 and 1952. Although Montana has not experienced a severe (magnitude greater than 6.0 on the Richter scale) since the 1959 quake at Hebgen Lake (a magnitude 7.5 quake), the risk of these damaging earthquakes is a very real concern for much of western Montana.

MDT's initial intentions for the Essex bridge were to rehabilitate the structure as discussed on page 5 of the Revised EA. The reasons why rehabilitating the existing bridge was dropped from consideration are disclosed on page 14 of the document. Simply adding a concrete overlay to the bridge deck would not correct geometric concerns or other recognized deficiencies at this river crossing.

The streambed drilling and planned channel excavation of a deepened channel and destabilizing of the bluff adjacent to the approach invite erosion and violate the intent of the Wild and Scenic Rivers Act, along with the massive riprap needed.

Limited excavation within the riverbed of the Middle Fork would be necessary to construct three drilled shaft piers to support the new bridge. Drilled shafts are constructed by first driving large-diameter steel casings into the channel bottom and then auguring out (drilling) material from inside the casing until the required depth beneath the channel bottom is obtained. Reinforcing steel is then placed and concrete poured to form the piers. The use of drilled shafts would contain the disturbance to the channel bottom and minimize the amount of sediments produced during pier construction. The use of drilled shafts would have considerably less adverse effects on water quality than employing conventional piers. Conventional piers would require that larger areas of the riverbed be excavated and dewatered so concrete footings for each pier could be poured.

MDT's proposed project does not include any other excavation within the channel and would not deepen the existing channel of the Middle Fork.

MDT's engineers are aware of the somewhat unstable nature of the material comprising the bluff near the northwest end of the present and proposed bridges. For this reason, MDT plans to install curb and gutter along the highway to avoid further disturbance of the bluff.

MDT has coordinated this proposed project with the USFS and the NPS, the managers of the Middle Fork of the Flathead Wild and Scenic River, and identified the potential effects of this project on the Outstandingly Remarkable Values (ORV) recognized at the time the river was designated to the Wild and Scenic River system. The USFS-Flathead National Forest has also conducted their own analysis of this project's impacts on the Wild and Scenic River. The conclusion of these analyses were that the proposed action would have no foreseeable long-term adverse effects on the free-flowing nature, the setting, or the water quality of the Middle Fork Recreational River Corridor.

The construction time will impact "quietude" and recreational use for commercial and private boaters. The blasting will disturb the residents and animal populations nearby. All of this could be avoided by maintaining the present bridge, along with a great savings of money for other much-needed projects.

MDT's Revised EA and Nationwide Section 4(f) Evaluations fully disclosed the expected noise impacts due to construction and the adverse effects on recreational use of the river during construction of the new bridge.

Small explosive charges would be used to reduce the existing bridge piers to rubble so they can be removed after the new bridge is substantially completed. The activity would result in short term noise impacts in the project area and could harm aquatic species including bull trout. Alternate methods of dismantling the piers (using jackhammers or chemicals to break the concrete piers into manageable pieces for removal) could produce noise impacts for a longer period or cause other potentially adverse environmental effects on water quality. This activity has been coordinated with the U.S. Fish and Wildlife Service and other environmental permitting agencies.

The NEPA and Clean Water acts require the publishing of a public hearing announcement. This notice was tucked away in the back pages of a local newspaper - legal but largely unnoticed. Only two private citizens gave input. This project should get a hard second look. To paraphrase the popular expression, "This dog don't hunt"- "This bridge don't fly."

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Ask for an extension of the April 7 deadline and a new hearing with an on-site "show-me" explanation of need.

A public hearing was not held on the Revised EA because the open house public meeting on the initial EA was conducted on April 20, 2000 and because MDT has not changed the scope of the bridge replacement project.

MDT's reasons for undertaking this project are described in **Part II. Purpose and Need** of the Revised EA.

Highway bridge a boondoggle

For anyone interested as to where their excessively taxed dollars are spent, look at the highway bridge spanning the Flathead River near Essex.

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Please write of your concern to: Loren Frazier, Montana Department of Transportation, 2100 W. Broadway, P.O. Box 7039, Missoula, MT 59807-7039.

Ask for an extension of the April 7 deadline and a new hearing with an on-site "show-me" explanation of need. — **Loren Kreck, Columbia Falls**

DAILY INTERLAK
4/15/01

Sharlon L. Willows' April 4, 2001 Comment Letter (With Attachments)

On April 6, 2001, MDT Environmental Services received a letter from **Sharlon L. Willows**, C.L.A., Coordinator for the Coalition for Canyon Preservation, Inc. (CCP) with comments on the Revised Environmental Assessment and *Section 4(f)* Evaluations. Ms. Willows' comments are shown in ***bold and italic text*** and followed by MDT's response.

(1) More Measures to minimize harm needed. The Nationwide 4(f) falsely claims the proposed project includes all possible planning to minimize harm, when in fact, no state-of-the-art methods of minimization or state-of-the-art aesthetic designs within the easement have been mentioned yet in the NEPA/4(f) process. See attachments.

MDT has considered options to stay within the existing easement for U.S. Highway 2 on the Flathead National Forest and within the currently authorized area for the roadway in Glacier National Park. As stated in the Revised EA and Nationwide *Section 4(f)* Evaluations, MDT's initial intentions for this project were to rehabilitate the existing bridge. MDT also considered reconstructing the bridge on its present alignment. With rehabilitation, the need for new easement areas on adjoining public lands would have been avoided. Rebuilding on the present alignment would likely have minimized the amount of new easement area needed for the highway. For the reasons described on pages 14 and 15 of the Revised EA, MDT found both of these options to be unacceptable.

The measures to minimize harm to *Section 4(f)* resources that would be undertaken by MDT are identified and described on pages 3 and 4 of the Nationwide *Section 4(f)* Evaluation form for Walton Area-Glacier National Park. The proposed measures to minimize harm were developed through consultations with the USFS-Flathead National Forest and the NPS-Glacier National Park. Both agencies have agreed with MDT's proposed mitigation measures. The USDOT Office of the Secretary issued its *4(f)* approval for this project on April 3, 2001 (letter attached).

The MDOT has not considered flexibility in reduction of the right-of-way width & feathering the edges instead of clear cutting a rigid wide swath.

Clearing would not occur within the entire width of the new road right-of-way. Clearing would only occur within the required construction limits for the new highway or where necessary to provide a safe clear zone for motorists. Provision of a safe clear zone is consistent with Chapter 14 (Roadside Safety) in MDT's *Road Design Manual* and with guidelines presented in the American Association of State Highway and Transportation Officials (AASHTO) *Roadside Design Guide*.

What is the width to be cleared at the Historic Walton cultural landscape area? Some design features for minimization are discussed (but not applied) in the USDOT/FHWA Final Nationwide Section 4(f) Evaluation & Approval and in the attached publications.

Even though the new centerline for U.S. Highway 2 would be shifted away from the Walton Ranger Station Historic District, MDT's proposed new easement would encroach slightly on the historic district. This encroachment is unavoidable since a portion of the boundary for the historic

district was established at the edge of the existing highway. However, the proposed construction limits for U.S. Highway 2 adjacent to the Walton Ranger Station would remain within the currently authorized area (and previously disturbed area) for the highway. No additional clearing would be necessary east of the highway adjacent within the historic district. MDT's project would modify the approach to the Ranger Station due to the alignment shift and would rebuild roadside slopes adjacent to the historic district. A portion of the currently authorized area for U.S. Highway 2 within the historic district would no longer be needed and this area would be graded and revegetated with native species.

In the area south of the main approach to the Walton Ranger Station (towards Browning), the construction limits would generally extend some 49 feet (15 meters) to either side of the existing and proposed centerlines. The cleared width for U.S. Highway 2 in this area would be about 98 feet (30 meters) wide. MDT's plans show that the proposed construction limits would encroach only slightly on the tree cover along the east (Ranger Station side) and west (river) sides of the highway. A few large conifers trees adjacent to the road at this location would likely be removed.

MDT discussed the proposed mitigation measures at length with NPS-Glacier National Park staff and both parties agreed to the mitigating actions described in the *Section 4(f)* Evaluations. The U.S. Department of the Interior Office of the Secretary provided its *Section 4(f)* approval for this project on April 3, 2001.

(2) The Park's Revegetation Proposal (10/25/98, J. Lapp) states: "There are many large conifer trees beyond the road shoulder between St 434 and St 436. These trees must be retained if at all possible." When is this being integrated into Section 4(f) mitigations?

Removing some large trees beyond the existing road shoulder between Project Stations 434 and 436 is unavoidable due to location of the new bridge and the associated shift in U.S. Highway 2's alignment on Glacier National Park lands. Vegetation, likely to include a few young cottonwoods and large conifers, would be cleared on Glacier National Park lands to accommodate the reconstruction of the U.S. Highway 2 approach to the new bridge. As indicated previously, MDT anticipates that only a few large trees adjacent to both sides of the road in the area south of the Walton Ranger Station entrance would have to be removed.

(3) What is happening to the Glacier Park beaches along the WSR river (see photo attached?) Where is a map showing the proposals and an accurate official delineation of the OHW mark (ordinary high water) that accounts for current 3 yr. drought conditions? The beaches above the OHW are part of the Section 4(f) easement area.

The effects of this project on Glacier National Park lands including the riparian zone at the south end of the proposed bridge is described on pages 39-43 and on pages 76-79 of the Revised EA. MDT's responses to comments on the initial EA from Glacier National Park and the USDO I Office of the Secretary (included in **Appendix G**) also address the potential effects of the proposed bridge replacement to Glacier National Park lands.

The "ordinary highwater mark" as defined by the COE in 33 CFR 328 means "that line on the

shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."

MDT has established the elevation of the ordinary high water mark at this crossing to be about 3737.5 feet (1139.2 meters). This elevation can be identified on MDT's design plans and cross-sections for this project and was used to calculate fill quantities subject to Section 404 permitting by the Corps of Engineers (COE). **Figure 2c** from the Revised EA has been modified to show the approximate location of the ordinary highwater mark. It is important to note that by constructing the proposed access road, the location of the ordinary highwater mark near the north bridge end would change due to the placement of embankment material for the road's foundation. A copy of the modified **Figure 2c** is attached.

33 CFR Part 328.5 recognizes that gradual changes due to natural or manmade causes may occur over time and alter the boundaries of waters of the United States (like the ordinary high water mark). This statute indicates that permanent changes should not be presumed until the circumstances causing the change are examined and verified by the COE district engineer. To our knowledge, the COE has not indicated that changes are necessary to the ordinary high water mark at this river location or to any other rivers or streams in the state.

Response to concerns expressed on EXHIBIT Attachment to Sharlon Willows' April 4, 2001 letter.

Sharlon Willows' April 4, 2001 comment letter contained a page titled "EXHIBIT" which contained the following comments. Ms. Willows' comments are shown in *bold and italic text* and followed by MDT's response.

Large wetland/floodplain beaches are currently underneath the existing Essex bridge. These natural beaches are planned to be completely filled with riprap (amounts undisclosed) to create the base for gabion wall and new longer road for access to FS recreation site (neither were mentioned in the EA- barely mentioned p. 39, 32, shown p. 21). Then new material excavated from within the channel to add more fill (p. 30). All this major road development in a floodplain/wetland, a natural beach on WSR, illogically claimed to be "minor"!

The page numbers referenced in this comment apparently refer to text included in the initial EA not the Revised EA.

The areas beneath the existing and proposed bridge do not meet the definitions of wetlands according to the 1987 Corps of Engineers guidelines. These areas beneath the present bridge and proposed location of the new bridge possess some, but not all, of the characteristics required to be considered jurisdictional wetlands (hydrophytic vegetation, hydric soils, and wetland hydrology).

Pages 17-21 of the Revised EA provide a more detailed description of activities and features

associated with the Preferred Alternative than was presented in the initial EA. **Figures 2a, 2b, and 2c** were also modified to better depict where the gabion wall would be built, the area of road fill for the new section of access road, and the location of riprap.

The proposed project would not excavate material from the channel to add more fill. The reference in the comment above is presented out of context. The "excavation in the channel" described on page 30 of the initial EA referred to the excavation within the river bed necessary to construct three drilled shaft piers. This excavation would occur inside the driven steel casings for the drilled shafts.

The area shown in light purple on **Figure 2a** is the area that would be disturbed by construction of the embankment and gabion retaining wall. The location of riprap at each bridge end and the location of the gabion retaining wall are highlighted on **Figure 2c**. **Figure 2c** shows that the riprap and gabion wall at the north end (Essex end of the new bridge) would be well away from the beach referred to in the comment.

?What is happening to the beach on the Glac Park side?

This comment was responded to previously. See MDT's response to your comment (3) from your April 4, 2001 letter (page FC-10).

Response to request for Wetlands Survey/1993 Biological Resources (Wetlands) Report.

One of the attachments submitted with Sharlon Willows' April 4, 2001 comment letter on the Revised EA was a copy of an April 18, 2000 letter requesting information on wetlands.

Please send the CCP a full and complete copy of the: (1) "Wetlands Survey" for this proposed project prepared for MDT by a biological resources consultant in June 1997 (EA p. 34). And, (2) the 1993 Biological Resources (Wetland)* Report and its new information (p. 35).

Why isn't this relevant information part of the EA?

**** Wetlands Section/Evaluation forms in App. - only send BRR on Wetlands.***

MDT's initial and Revised EA documents disclosed all information known about wetlands in the project area. As indicated previously, the areas beneath the existing and proposed bridge do not meet the definitions of wetlands according to the 1987 Corps of Engineers guidelines.

MDT Environmental Services sent Ms. Willows a copy of these materials on April 17, 2001.

Response to concerns listed in Petition for An EIS to Preserve Existing Wilderness Zoning in Glacier Park.

One of the attachments submitted with Sharon Willows' April 4, 2001 comment letter on the Revised EA was a petition signed by 46 people. The petition reads as follows:

PETITION FOR AN EIS TO PRESERVE EXISTING "WILDERNESS" ZONING IN GLACIER PARK

& TO CONSIDER "RUSTIC" ALTERNATIVE INSTEAD OF 26 ACRE "DEVELOPMENT AREA" ZONE @ ESSEX BRIDGE/WALTON RANGER STATION ALONG THE MIDDLE FORK WILD & SCENIC RIVER

We, the undersigned, support full re-evaluation of the State MDOT proposal: (1) to build two giant riprap walls on natural beaches at Essex Bridge; (2) to acquire over 6 ac. of Federal Wild & Scenic River Corridor (including 3.08 acres of Glacier Park); and (3) to use the main entrance to the Historic District site and the main WSRiver public access as construction staging areas. Please apply WSR regs Title 36 CFR 297 and 82 FR 39458-59 WSR Guidelines in an EIS for these "Connected Actions."

MDT's responses to the items listed in the petition are provided below.

(1) to build two giant riprap walls on natural beaches at Essex Bridge;

A complete description of MDT's proposal is presented on pages 17 through 25 in the Revised EA. The description includes a discussion of where riprap would be placed and provides approximate dimensions for the gabion retaining wall that would be built near the Essex end of the new bridge.

(2) to acquire over 6 ac. of Federal Wild & Scenic River Corridor (including 3.08 acres of Glacier Park);

Pages 28 and 29 of the Revised EA contain discussions about the amount of land needed for highway purposes from within Glacier National Park and the Flathead National Forest. MDT has previously been authorized by the NPS to operate and maintain US 2 on about 2.10 acres of Glacier National Park land within the project area. Considering the area of this existing authorization and MDT's anticipated right-of-way needs, this proposed project would increase the total area devoted to US 2 within the Park by some 0.97 acres. About 0.54 acres of the area now authorized for US 2 by the NPS would no longer be required for this proposed project. This land would be graded, revegetated and restored to a natural condition by MDT as part of this proposed project.

(3) to use the main entrance to the Historic District site and the main WSRiver public access as construction staging areas.

As indicated on page 68 of the Revised EA, NPS has suspended its work to implement parking and trailhead improvements at Walton. According to the NPS, there are no plans at this time to pursue the Walton project.

During the development of the environmental assessment for the improvements at Walton, the NPS and MDT discussed the possibility of using the area where the parking facilities would be built as a staging area for MDT's contractor. However, when the NPS cancelled its environmental assessment, plans for MDT's contractor to use the lands at Walton were dropped from consideration.

The dispersed recreation site adjacent to the river on the Flathead National Forest is the only viable staging area for MDT's contractor to use while building the proposed bridge. The use of this site has been coordinated with the USFS since 1996 when MDT concluded that replacing, rather than rehabilitating, the existing bridge was the best course of action at the Middle Fork crossing.

Please apply WSR regs Title 36 CFR 297 and 82 FR 39458-59 WSR Guidelines in an EIS for these "Connected Actions."

MDT has already responded to this comment in **APPENDIX F** of the Revised EA (see page F-17). Connected actions are discussed in § 1508.25 (Scope) of the *COUNCIL ON ENVIRONMENTAL QUALITY* (CEQ) Regulations. According to § 1508.25 (a) (1) of the CEQ Regulations, actions are connected if they:

- 1) automatically trigger other actions which may require environmental impact statements (or assessments);
- 2) cannot or will not proceed unless other actions are taken previously or simultaneously; or
- 3) are interdependent parts of a larger action and depend on the larger action for their justification.

The CEQ Regulations indicate that if any of these conditions are met, "connected actions" exist and the closely related actions must be discussed in the same impact document. MDT's proposed bridge replacement and the NPS's proposed parking and trailhead improvement project at Walton are not "connected actions" as described by the CEQ Regulations.

Response to Walton Ranger Station Entrance to Glacier National Park Figure Attached to Sharlon Willows' April 4, 2001 letter.

One of the attachments submitted with Sharlon Willows' April 4, 2001 comment letter on the Revised EA was a drawing of the NPS's proposed Visitor Services Zone at Walton. The drawing offered numerous concerns regarding the MDT's proposed bridge replacement and NPS plans to improve facilities at Walton Ranger Station. Pertinent comments from this exhibit are highlighted below in ***bold and italic text*** and followed by MDT's response.

26 Acre Development Zone in Area of High Ground Water Level (p 16)

Expectation of Congested Visitor Conditions

EA irrationally concludes the changes to Congested Visitation " would have no known cumulative effects." (p 33).

These comments pertain to the NPS's Environmental Assessment for the improvements to the Walton Area not MDT's proposed project.

Re: Connected Actions MDT CN 1763 + GLAC Walton Plan

MDT has already responded to a similar comment concerning connected actions in **APPENDIX F** of the Revised EA (see page F-17). See also MDT's response on the previous page (page FC-14).

"Walton Ranger Station Historic District " has survived with minimum change, thus adding to its significance" (Nomination Form). Collectively, the adverse impacts affecting the setting of this Historic District are:

2 - modern 460' x 200' high riprap walls filling all natural beaches/wetlands within 150 feet of Ranger Station at major US 2 entryway.

A complete description of MDT's proposal is presented on pages 17 through 25 in the Revised EA. The description includes a discussion of where riprap would be placed and provides approximate dimensions for the gabion retaining wall that would be built near the Essex end of the new bridge.

120 ft. wide clearcut (R/W acquisition of 3.08 ac GLAC for US2 road/bridge construction that encroaches on historic district setting and entry way.

Your reference to a 120-foot-wide clearcut on Glacier National Park lands is not accurate. MDT's impacts on the Walton Ranger Station Historic District are discussed on pages FC-9 and FC-10.

As indicated in earlier on page FC-10, the construction limits would generally extend some 49 feet (15 meters) to either side of the existing and proposed centerlines in the area south of the main approach to the Walton Ranger Station (towards Browning and away from the historic district). MDT's plans show that the proposed construction limits would encroach only slightly on the tree cover along the east (Ranger Station side) and west (river) sides of the highway. A few large conifers trees adjacent to the road at this location would likely be removed. In short, the proposed road reconstruction in the vicinity of the Walton Ranger Station would change the setting of the historic district very little.

Construction Staging site at entryway to Historic District - heavy construction equipment/safety conflicts with public access for 2-3 construction seasons.

The document also indicates to readers on pages 20, 68, and 79 that the proposed use of NPS land at Walton as a staging area for MDT's contractor was dropped from consideration.

Construction of a 4-bedroom dormitory that will become largest visual encroachment on the historic district. No discussion of need for such a large dorm.

This comment pertains to the NPS's proposed improvements to the Walton Area not MDT's proposed bridge replacement.

**** Contrary to MDT Revised EA, GLAC has withdrawn this proposal (3-7-01 news release)***

MDT was fully aware of the NPS decision to suspend work to implement their proposed parking and trailhead improvements at Walton Ranger Station at the time the Revised EA was published. The Revised EA conveyed this information to reviewers as can be seen in the text of the first full paragraph on page 68. The document also indicates to readers on pages 20, 68, and 79 that the proposed use of NPS land at Walton as a staging area for MDT's contractor was dropped from consideration.

**** Alternatives Not Considered***

Part III of the Revised EA and Nationwide *Section 4(f)* Evaluation forms prepared for this project describe the range of alternatives considered by MDT, the reasons some alternatives were dropped from consideration, and the reasons for selecting the Preferred Alternative.

**** Statutory Wild & Scenic River Corridor not shown (existing near natural setting not disclosed)***

Figure 6 of the Revised EA shows the Middle Fork of the Flathead Wild & Scenic River Corridor. The Figure presented in the Revised EA was generated from a scanned map of the Corridor provided by the USFS-Flathead National Forest. MDT's discussions clearly indicate the entire project is located within the Wild and Scenic River Corridor.

MDT believes that the Revised EA adequately describes the present setting of this project. The lands in the project area have been modified from their natural state by developments on NPS and USFS land and within the Parma Subdivision, by the construction of the present highway bridge, and by the previous highway bridge that was lost during the 1964 flood.

**** Historic District not shown***

The historic district was not shown on **Figure 8** (page 75) in the Revised EA that shows the Proposed Visitor Services Zone at Walton. However, **Figure 9** (page 77) shows the historic district and the same buildings depicted in **Figure 8**.

**** Total Proposals not shown (CCP has added)***

The proposed trailhead and parking improvements at Walton were not shown since efforts to develop the proposal have been suspended by the NPS and could be subject to change. The Revised EA disclosed that the NPS had released an Environmental Assessment on the proposed

development at Walton, identified the types of improvements being considered by NPS at Walton, and examined the cumulative effects of implementing the bridge project and the proposed improvements at the Walton Ranger Station.

Construction staging site in floodplain

Portions of the dispersed recreation site that would be used as staging area for bridge construction lie within the 100-year floodplain of the Middle Fork (based on a calculated 100-year flood elevation of about 1141.4 meters (3745.1 feet).

Response to Sharlon L. Willows March 22, 2001 letter to Jimmy DeHerrera HHRD Ranger.

Sharlon Willows' April 4, 2001 comment letter contained a copy of a letter with numerous attachments she submitted to Jimmy DeHerrera, District Ranger of the USFS Flathead National Forest's Hungry Horse/Glacier View Ranger District on March 22, 2001.

The comments in Ms. Willows' letter are directed to the USFS and MDT cannot speak on their behalf.

Response to Postcard Requesting A Public Vote on Flathead River Bridge Construction

Numerous postcards "ballots" were received by the FHWA, MDT, and other agencies during early 2001. The postcards were apparently distributed by the Coalition for Canyon Preservation and offered members of the public a chance to vote "Yes" or "No" to indicate their support for constructing a new bridge at the South Fork of the Flathead River (near Hungry Horse) or building a new bridge across the Middle Fork at Essex. Only the following comment from the postcard relates to the proposed bridge replacement at Essex:

YES NO Support Construction this summer of 44 ft. wide 2-lane Earthquake Resistant bridge (+ ped lane) at Middle Fork of Flathead River near Essex & Walton entrance to Glacier Park. This bridge is "Eligible for Rehabilitation" (66=SR).

Both the South Fork bridge and the Middle Fork of the Flathead River bridge near Essex need to be replaced. MDT is moving forward in efforts to develop plans for the proposed U.S. Highway 2 bridge across the South Fork of the Flathead River. MDT's projects are implemented as project development activities are completed and funding becomes available. The Middle Fork bridge replacement has been programmed for construction ahead of the South Fork bridge and related highway reconstruction west of Hungry Horse.

MDT's proposed bridge at Essex would have wide shoulders to accommodate travel by pedestrians and bicyclists.

Rehabilitating the existing bridge was initially considered by MDT but eliminated from consideration for the reasons specified on page 14 of the Revised EA.

Coalition for Canyon Preservation, Inc.

P.O. Box 422

Hungry Horse, Montana 59919-0422

Dedicated to the Protection of the Flathead Wild & Scenic River System

RECEIVED
April 4, 2001

APR 06 2001

Attn: MDT Environmental Unit

ENVIRONMENTAL

Re: MDT Essex Bridge & Road project CN 1763 w/
Giant Riprap Walls & major clearcut @ Historic Walton
Entrance to GLAC / Section 4(f) Comments

Dear MDT,

(1) More Measures to minimize harm needed. The Nationwide 4(f) falsely claims the proposed project includes all possible planning to minimize harm, when in fact, no state-of-the-art methods of minimization or state-of-the-art aesthetic designs within the easement have been mentioned yet in the NEPA/4(f) process. See attachments.

The MDOT has not considered flexibility in reduction of right-of-way width & "feathering" the edges instead of clearcutting a rigid wide swath. What is the width to be cleared at the Historic Walton cultural landscape area? Some design features for minimization of impacts are discussed (but not applied) in the USDOT/FHWA Final Nationwide Section 4(f) Evaluation & Approval, and in the attached publications

(2) The Park's Revegetation Proposal (10/25/98, J.Lapp) states: "There are many large conifer trees beyond the road shoulder toward the river between St. 434 and St. 436. These trees must be retained if at all possible." When is this being integrated into Section 4(f) mitigations?

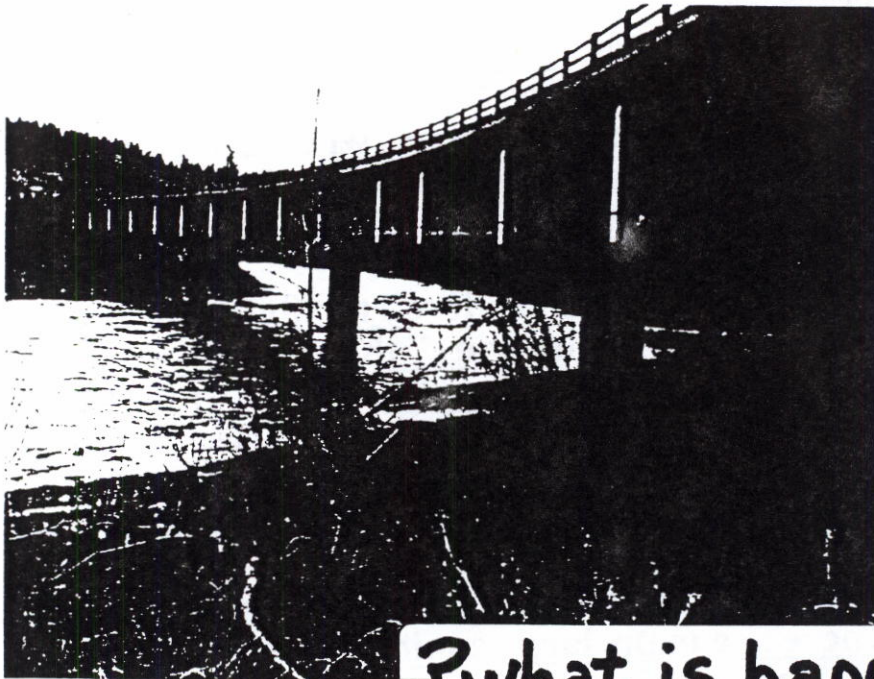
(3) What is happening to the Glacier Park beaches along the WSR river (see photo attached)? Where is a map showing the proposals and an accurate official delineation of the OHW mark (ordinary high water) that accounts for current 3 yr. drought conditions? The beaches above OHW are part of the Section 4(f) easement area. Respectfully submitted,
Encl.(3) CC: FHWA

Sharon L. Willows, C.L.A.
CCP Coordinator

EXHIBIT

Large wetland/floodplain natural beaches are currently underneath the existing Essex bridge. These natural beaches are planned to be completely filled with riprap (amounts undisclosed) to create the base for gabion wall and new longer road for access to FS recreation site (neither were detailed in the EA- barely mentioned p. 39,32; shown p. 21). Then, new material excavated from within the channel to add more fill (p. 30). All this major road development in a floodplain/wetland, a natural beach on WSR, illogically claimed to be "minor" !

FS



?what is happening
to the beach on
Glac Park side?



GLAC

FROM

FEDERAL HIGHWAY ADMIN
610 EAST FIFTH STREET
VANCOUVER WA 98661-3801

422

TO

Ms.
Bo
Hui

Jiffy™ Disk Ultra Mailer for

- Do not bend or fold
- Avoid exposure to magnetic fields
- Avoid moisture

FIRST CLASS MAIL • FIRST CLASS

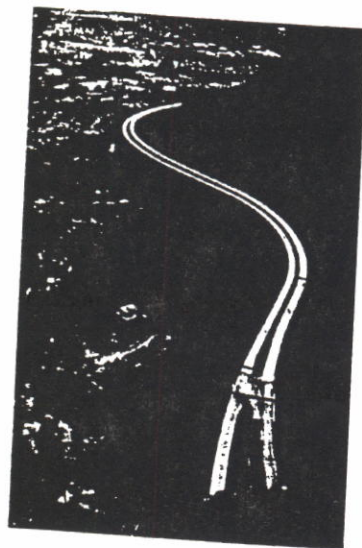
Roadway Aesthetic Treatments 2001

Photo Album Workbook

U.S. Department of Transportation
Federal Highway Administration



Roadway Aesthetic Treatments Photo Album Workbook



- Includes innovative aesthetic treatment examples that have been applied nationwide on approximately 200 U.S. transportation projects
- Includes color photographs and brief project and aesthetic treatment descriptions along with typical details and construction costs
- Beneficial to public and private transportation organizations
- For more information, comments, or to make a submittal, contact: Rich Barrows P.E.
Project Team Leader
WFLHD Technology Development Team
610 East 5th Street
Vancouver, WA 98661

ENVIRONMENT

Flexibility in Highway Design Sparks Widespread Interest

Highway designers are showing broad interest in designs that fit communities better, yet observe the suggested American Association of Highway and Transportation Officials (AASHTO) Green Book guidelines. For example, the enthusiastic reception of a new FHWA publication, *Flexibility in Highway Design*, has unexpectedly exhausted initial printing and led to a reprint.

Since September 1997, FHWA has distributed about 10,000 copies of the publication. Requests are pouring in from all elements of the transportation community. From organizations, consultants, citizens, professional engineers, and professors of engineering, the interest and attention given to developing community-compatible facilities are growing. The publication is being recognized as a good resource guide for addressing the design considerations and flexible principles leading to sustainable communities.

The challenge is putting people first in highway design. *Flexibility in Highway Design* shows how to use opportunities under current AASHTO design guidelines to create flexible designs that sustain com-

Flexibility in Highway Design



Requests are pouring in from all elements of the transportation community for copies of this hot publication.

munities without compromising safety. The publication gives practical design suggestions and case examples for major design areas including horizontal and vertical alignment, cross-section elements, structures, and intersections. For example, the Green Book gives a range of turning radius designs for intersections. A wide turning

radius moves traffic as quickly as possible through intersections. However, in residential areas the same wide turning radius may undermine lower residential speed limits as well as make intersections less safe for pedestrians.

The publication was developed in partnership with AASHTO, State DOT's, and environmental organizations. Currently, AASHTO is considering adopting the publication as a companion to the Green Book.

The publication and the joint efforts of FHWA and AASHTO have also created interest in a possible national training effort on this timely subject. Discussions are underway to develop training and technical

assistance in flexible design principles and practices for interdisciplinary transportation staff members by early 1999.

For copies of *Flexibility in Highway Design*, call FHWA at (202) 366-2065. For more information about the publication, contact Harold Peaks at (202) 366-1598.
- Florence W. Mills,
(202) 366-2062,
florence.mills@fhwa.dot.gov



OK - ordered 10/20/98

Walton Ranger Station
Entrance to Glacier National Park

26 acre Development Zone in
"Area of High Ground Water Level" (p.16)
"Expectation of Congested Visitor Conditions" =
Visitor Services/Development Zone GMP FEIS, p. 24
EA irrationally concludes the change to Congested Visitation
"would have no known cumulative effects" !! (p.33)

Proposed Visitor Services Zone
Walton

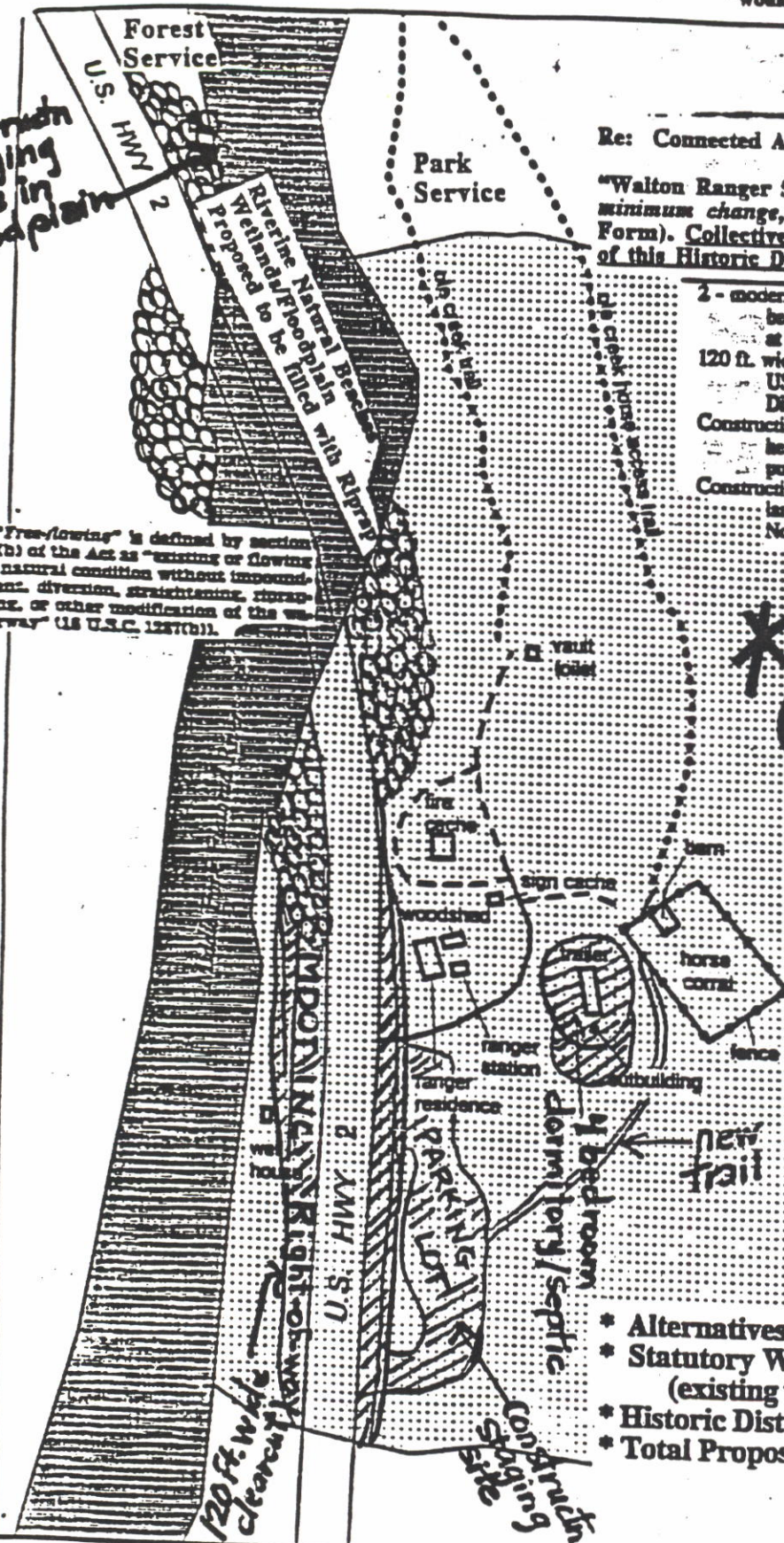
Re: Connected Actions MDT CN 1763 + GLAC Walton Plan

"Walton Ranger Station Historic District 'has survived with minimum change, thus adding to its' significance' (Nomination Form). Collectively, the adverse impacts affecting the setting of this Historic District are:

- 2 - modern 460' x 200' high riprap walls filling all natural beaches/wetlands within 150 ft. of Ranger District at major US 2 entranceway.
- 120 ft. wide clearcut (R/W acquisition of 3.08 ac. GLAC) for US 2 road/bridge construction that encroaches on Hist. District setting & entryway
- Construction Staging site at entryway to Historic District - heavy construction equipment / safety conflicts with public access for 2-3 construction seasons.
- Construction of a 4-bedroom dormitory that will become the largest visual encroachment on the Historic District. No discussion of "need" for such a large dorm.

"Free-flowing" is defined by section 18(b) of the Act as "existing or flowing in natural condition without impoundment, diversion, straightening, storage, pine, or other modification of the waterway" (16 U.S.C. 1257(b)).

Construct staging site in floodplain



* Contrary to MDT Revised EA, GLAC has withdrawn this proposal (3-7-01 newsrel)

- * Alternatives not considered
- * Statutory Wild & Scenic River Corridor not show (existing "near natural" setting not disclosed)
- * Historic District not shown
- * Total Proposals not shown (CCP has added)

Proposed Visitor Services Zone

Middle Fork Flathead River

paved roads
unpaved roads
Trails



100 0 100 200 Feet



FIG. 2

Coalition for Canyon Preservation, Inc.

P.O. Box 422

Hungry Horse, Montana 59919-0422

Dedicated to the Protection of the Flathead Wild & Scenic River System

March 26, 2001

Jimmy DeHerrera, USDA FS Ranger FAX 387-3889 -and-
Denis Davis, Asst. Supt. GLAC, USDOI NPS FAX 888-7904 (6 pgs)

Re: MDT Essex Bridge & Road project CN 1763 w/
Giant Riprap Walls @ Historic Walton Entrance to GLAC

Dear officials,

(1) MDOT's Revised EA completely omits Clean Water Act (CWA) compliance. Please allow the CCP to comment this week on this important NEPA/CWA omission for outstanding Class A1 waters.

(2) CCP requests opportunity for comment and review of the new Federal Draft Section 7's being prepared for MDOT's Revised EA for this project on Middle Fork of the Flathead WSR which states "It should be noted that a new Section 7 Determination is being prepared by the USFS and should soon be available" (Revised EA, p. G-7). CCP hereby requests comment opportunity on the new *Draft* Section 7 s apparently being prepared by both USDOI & USDA FS.

Please exercise prudence in basing Federal Section 7 on MDOT Revised EA - the State of Montana does not recognize the precedence of the Federal WSRA statute. Please understand the CCP has had MDOT NEPA documents in Federal courts for over 5 years in the past (with the outdated Bad Rock Canyon FEIS now explicitly in noncompliance with *CCP v. Bowers* 9th Circuit Court ruling of 1980). MDOT's NEPA documents on the Flathead WSR system (by RPA) are notorious for blatant noncompliance with numerous Federal statutes that preserve and protect known "outstandingly remarkable values" on Flathead WSR system.

There is no compliance with NEPA without public review. As you know, there has been no public hearing on this controversial project & only 2 citizens showed up at MDOT's downplayed meeting on the matter last April. Again, there has

never been an agency newsrelease on this project that mentioned numerous WSR issues.

(3) MDOT has refused to supply the CCP with a copy of the required wetlands analysis (attached as p. 3 of FAX) . The public has a right to early involvement in CWA hydraulic analysis @ 23 CFR 650.109 - where is MDOT's draft 404 permit application that should be an attachment to NEPA document ?

Again, alternatives to minimization of Riprap need consideration. Weed-free riprap should be required. Quantification of dredge & fill is required of CWA compliance. Please take action to obtain a copy of the NEPA/CWA wetland analysis that is being withheld . Design mitigation cannot occur without the 404 permit details required to be integrated with NEPA (See DOT/COE/EPA Agreement wrongly ignored by MDOT).

Respectfully,

Sharon L. Willows Certified Legal Asst.
Administrative Law, CCP Research Coordinator.

Encl.

1. CCP Unanswered Request for a copy of NEPA/ CWA wetland analysis, 4-18-00, 1 pg.
2. DOT/EPA/COE MOA to integrate NEPA/CWA, May 1992, 3 pgs.

CC: Cathy Barbouletos, FNF Supervisor, FAX 758-5363 Attn: Terry Chute to refer to Region.

4-7-01 Request For Extension of Public Comment Period
To include public review of Federal compliance documents for :
1) Section 4f GLAC
2) Section 404 CWA GLAC & FS side
3) Section 7- USDOI & USDA FS

DOT FHWA
DRAWER 10056
HELENA, MT 59626-0056

✓ MT DEPT. HIGHWAYS/TRANSPORTATION
2701 PROSPECT AVENUE Env. Unit
HELENA, MT 59620-1001

No Response

Coalition for Canyon Preservation, Inc.

P.O. Box 422

Hungry Horse, Montana 59919-0422

Dedicated to the Protection of the Flathead Wild & Scenic River System

April 18, 2000 FAX ~~3~~ USPS

Joel Marshik, P. E.
MDT Enviromental Services Mgr.
2701 Prospect Ave.
Helena, MT 59620-1001

Attn: CN 1763 Middle Fork Flathead Essex Bridge EA
Wetland Assessment/Biological Resources Report
(p.34.35).

Dear Joel,

Please send the CCP a full and complete copy of the:
(1) "Wetlands Survey" for this proposed project prepared
for MDT by a biological resources consultant in June 1997
(EA, p. 34). And, (2) the 1993 Biological Resources (Wetland)*
Report and its' "new information (p. 35). If there is a
charge for the background information, please send a bill.

Thank you for sending these analyses at your earliest
possible convenience. Why isn't this relevant information
part of the EA? Respectfully,

Sharon L. Willows
CCP Research Coordinator

CC: GLAC & FS, 3-26-01
COE 4-4-01 1

* Wetlands Section/Evaluation
Forms in App. - only send BR
on Wetlands.



DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF THE ARMY

MAY 1 1992

MEMORANDUM FOR REGIONAL ADMINISTRATORS AND DISTRICT/DIVISION ENGINEERS

SUBJECT: Implementation of the Intermodal Surface Transportation Act

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) is landmark legislation. It sets new directions for the Nation's highway and transit programs in a post-interstate highway era.

Important provisions of the ISTEA include a new emphasis on comprehensive intermodal planning at the state and metropolitan area levels; greater flexibility in funding for both transit and highways, based on local needs and preferences; and increased attention to compatibility between transportation and environmental protection. Booklets summarizing key overall provisions of ISTEA and summarizing its environmental features are enclosed.

The rapid and successful implementation of ISTEA is a top priority for President Bush and for each one of us. The additional funding available under the Act is an important resource both for the renovation of our transportation infrastructure and as a vital stimulus to our economy. The Department of Transportation has taken steps to assure that the ISTEA funds are immediately made available to state and local agencies so the money can be put to work creating jobs and helping to jump-start the economy.

But making the funds available is only half the job. They have to be put to use on actual construction projects. All three of our agencies are firmly committed to removing any unnecessary impediments to such projects. Recognizing the importance of environmental protection and the necessity to comply with legal requirements, we believe that we can help accomplish the President's objective by, among other measures, streamlining and improving the efficiency of the environmental review and clearance process and taking prompt action on Section 404 permit applications. This is consistent with the President's comprehensive plan announced on August 9, 1991, to improve the protection of the Nation's wetlands and streamline the regulatory process.

In 1988, the Federal Highway Administration (FHWA), Army Corps of Engineers (COE), Environmental Protection Agency (EPA), Fish and Wildlife Service, and National Marine Fisheries Service

Integrated Steps of The Federal-aid Highway Development and Section 404 Permit Processes

Highway Development Process

Section 404 Process

1. IDENTIFY PROJECT CONCEPT AND OBJECTIVES

2. IDENTIFY SOCIAL, ECONOMIC, AND
ENVIRONMENTAL CONSTRAINTS

3. DEVELOP PRELIMINARY ALTERNATIVES

4. ANALYZE THE IMPACTS OF THE ALTERNATIVES
ON SOCIAL, ECONOMIC, AND ENVIRONMENTAL
RESOURCES

✓ 5. INCORPORATE ALTERNATIVE ANALYSIS IN
THE ENVIRONMENTAL DOCUMENT; MAKE
THE DOCUMENT AVAILABLE FOR COMMENT

6. INCORPORATE COMMENTS INTO THE SELECTION
OF A PREFERRED ALTERNATIVE;

1. Jurisdictional
determination

2. Pre-application
consultation

3. Application acceptance
4. Public Notice
✓ 5. 30-day comment period
6. Agency coordination
7. Satisfy environmental
requirements



PETITION FOR AN EIS TO PRESERVE EXISTING "WILDERNESS" ZONING IN GLACIER PARK

& TO CONSIDER "RUSTIC" ALTERNATIVE INSTEAD OF 26 ACRE "DEVELOPMENT AREA" ZONE @ ESSEX BRIDGE / WALTON RANGER STATION ALONG THE MIDDLE FORK WILD & SCENIC RIVER

We, the undersigned, support full re-evaluation of the State MDOT proposal: (1) to build two giant riprap walls on natural beaches at Essex Bridge; (2) to acquire over 6 ac. of Federal Wild & Scenic River Corridor (including 3.08 ac. of Glacier Park); and (3) to use the main entrance to Historic District site and the main WSRiver public access as construction staging areas. Please apply WSR regs Title 36 CFR 297 and 82 FR 39458-59 WSR Guidelines in an EIS for these "Connected Actions".

Print & Sign Name	Address
① PAUL CIANEK <i>Paul C</i>	Po Box 261 WF, MT 59937
2 Janelle Habeck - Janelle Habeck	828A. Vine Ave. Oshkosh, WI
3 Michael Lindell <i>M Lindell</i>	20 M. 11 WF, MT 59937
4 Jeff Whelan <i>J Whelan</i>	18729 22nd Dr SE Bayview WA
5 Jon Biel <i>J Biel</i>	3315 SW Palom Portland, OR
6 Pat Cooley <i>Pat Cooley</i>	3114 266th St Spanaway WA 98381
7 Lori Alfonso <i>Lori Alfonso</i>	3315 SW Falcon Portland OR
8 Roger Sherman	1370 4th Ave W/N Col Falls 9721
9 ROSS TITUS <i>Ross Titus</i>	Box 1079, Bigfork, MT 59911
10 Wanda Br. Melan <i>Wanda Br. Melan</i>	7227 Farm to Market Rd. Whitefish 59911
11 Rudy Owsinski	1205 Farm to Market Rd. Whitefish 59911
12 Connie Cohen <i>Connie Cohen</i>	Box 1657 WF, MT 59937

PETITION FOR AN EIS TO PRESERVE EXISTING "WILDERNESS" ZONING IN GLACIER PARK

& TO CONSIDER "RUSTIC" ALTERNATIVE INSTEAD OF 26 ACRE "DEVELOPMENT AREA" ZONE @ ESSEX BRIDGE / WALTON RANGER STATION ALONG THE MIDDLE FORK WILD & SCENIC RIVER

We, the undersigned, support full re-evaluation of the State MDOT proposal: (1) to build two giant riprap walls on natural beaches at Essex Bridge; (2) to acquire over 6 ac. of Federal Wild & Scenic River Corridor (including 3.08 ac. of Glacier Park); and (3) to use the main entrance to Historic District site and the main WSRiver public access as construction staging areas. Please apply WSR regs Title 36 CFR 297 and 47FR 39458-59 WSR Guidelines in an EIS for these "Connected Actions".

Print & Sign Name

Address

1. ^{JERRY HILL} Jerry B Hill PO Box 34 West Glacier
2. ^{DARLENE WAGNER} Darlene Wagner Box 158 Hungry Horse
3. Dan Jan Box 547 West Glacier
4. Lorey Krack Box 536 Columbia Falls - MT
5. D. Linnell Blank Box 953 Whitefish MT 59937 ⁵⁹⁹¹²

Feb. 9
Due by Jan. 20th, to:
Superintendent
Glacier National Park
West Glacier, MT 59936

Not Private

"Free-flowing" is defined by section 16(b) of the Act as "existing or flowing in natural condition without impoundment, diversion, straightening, riprap-ping, or other modification of the waterway" (16 U.S.C. 1287(b)).

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Print & Sign Name

Address

- 1 Steve Kelly
Steve Kelly P.O. Box 4641, Bozeman, MT 59772
- 2 Charlie Dreyer
CHARLIE DREYER 4750 JORDAN SPURD. BOZEMAN, MT 5971
- 3 David B. Ferris
DAVID B. FERRIS 505 6th St Whitefish, MT 59935
- 4 David R. Brown
DAVID R. BROWN 222 Central Ave W.F. 59937

Due by Feb. 9 Jan. 20th, to:
Superintendent
Glacier National Park
West Glacier, MT 59936

Not Private

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Print & Sign Name

Address

(406) 837-3233



Jim Manley
P.O. Box 778
Bigfork, MT 59911

1 Jim Manley

2 Jeffery Tuck 406-837-4208
990 McCaffery Rd, Bigfork 59911

3 Patricia L Brown 406 837 5018
560 Wolf Creek Dr Bigfork MT 59911

4 Karl Brown 560 Wolf Cr Dr. Bigfork MT. 59911
406-837-5018

Due by Feb. 9 to:
Jan. 20th
Superintendent
Glacier National Park
West Glacier, MT 59936

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Print & Sign Name

Address

1 Mae Donofrio Mtz Donofrio

311 Skyline Dr. MSI
59802

2 Deborah Clow Deborah Clow

PATRICIA L. PIERCE HAGAN

311 Skyline Dr. Missoula
59802
MISSOULA

3 Patricia G. Grogan - 2405 Raymond Ave MT 59802

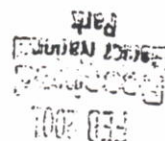
4 Eric Lunde Eric Lunde

1602 Jackson St

Missoula, MT 59802

Feb. 9

Due by Jan. 20th, to:
Superintendent
Glacier National Park
West Glacier, MT 59936



Not Private

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Print & Sign Name

Address

- 1 CRAIG B DRYNAN Craig B Drynan 202 W 6TH ST WHITEFISH MT
- 2 Alison U. Wilhelmi Alison U. Wilhelmi 123 Park Ave. Whitefish, MT
- 3 Jessica Owen Jessica Owen 506 Texas Ave Whitefish, MT
- 4 Susan Koskela Susan Koskela 202 W 6TH ST Whitefish, MT

Feb. 9

Due by Jan. 26th, to:
Superintendent
Glacier National Park
West Glacier, MT 59936

Not Private



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Print & Sign Name

Address

1. Sue Bradford BOX 8574 MISSOULA, MT 59807
2. Darrell Geist POB 7941 Missoula MT 59807
3. SL GREGGSON POB 4784 MSA 59806
4. Vicki Kalm 310 Dearborn Ave MSA MT 59807

Feb. 9
Due by Jan-26th, to:
Superintendent
Glacier National Park
West Glacier, MT 59936

Not Private

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Print & Sign Name

Address

1. Kathy Kinzfogel Kathy Kinzfogel Hwy 83 S. Swan Lake, MT 59911
2. Brian Parks Brian Parks Hwy 83 Swan Lake, MT 59911
3. Amy Larkhart Amy Larkhart Hwy 83 Swan Lake, MT 59911
4. Jack P. Novosel Jack P. Novosel Hwy 83 Swan Lake, MT 59911
5. Susan Novosel Susan Novosel Hwy 83 Swan Lake, MT 59911

Send to (by 1-26):

SUPERINTENDENT,
GLACIER NATIONAL PARK
WEST GLACIER, MT. 59936


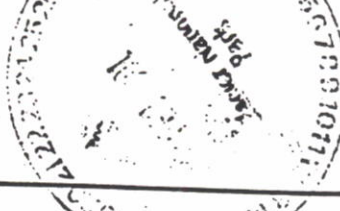
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Print & Sign Name

Address

1.   140 Haskill Dr.
Whitefish, MT 59937
2. Andrea Brew
Box 463F
Whitefish MT 59937
3. Patricia M. Phillips Sullivan
P.O. Box 4628
Whitefish, MT 59937
4. KIM SANDS
P.O. Box 4761
Whitefish MT 59937

Feb. 9
Due by Jan. 26th, to:
Superintendent
Glacier National Park
West Glacier, MT 59936

Not Private

Coalition for Canyon Preservation, Inc.

P.O. Box 422

Hungry Horse, Montana 59919-0422

Dedicated to the Protection of the Flathead Wild & Scenic River System

March 22, 2001

Jimmy DeHerrera, HHRD Ranger -and-
Deb Manley Mucklow, Acting for Greg Warren
USDA Flathead National Forest, Hungry Horse 59919

Re: MDT Essex Bridge & Road project CN 1763 w/
Giant Riprap Walls

Dear officials,

MDOT's Revised EA for this project on Middle Fork of the Flathead states "It should be noted that a new Section 7 Determination is being prepared by the USFS and should soon be available" (Revised EA, p. G-7). As you know, the proposed Giant Riprap Walls 460 ft. long X approx. 200 ft. high (MDOT R.EA p.25; Mar.'01 EA, pgs. 21,39) would constitute a "Water Resources Project" whereby riprap channelization is explicitly precluded by the Wild & Scenic Rivers Act. See 36 CFR 297:

"Free Flowing" is defined by section 16(b) of the Act as "existing or flowing in natural condition without impoundment, diversion, straightening, riprapping, or other modification of the waterway" (16 U.S.C. 1287(b)).

We have previously sent you photos of the approx. 1.7 ac. of wetlands with very little old riprap proposed to be entirely filled with riprap for the giant walls. How is the new Section 7 being handled administratively (please inform who is in charge) and how is it that the new determination "shall be made in compliance with the (NEPA)" if it is not included in the MDOT Revised EA ? The CCP hereby requests required public involvement opportunity for this new Section 7 for this controversial precedential WSR development.

Alternatives to Riprap Should be considered. Enclosed is a new source of innovative aesthetic treatments that possibly could be utilized instead of illegal riprap. Please obtain a copy of state-of-the-art alternatives appropriate for WSR locations. Please take action to achieve design mitigation. Respectfully,

Encl. FHWA Roadway Aesthetic Treatments info.
CC: MDOT, GLAC, FS SO, FHWA

Sharon L. Wilcox
CCP Coordinator



U.S. Department
of Transportation

**Federal Highway
Administration**

WESTERN FEDERAL LANDS HIGHWAY DIVISION
610 EAST FIFTH STREET
VANCOUVER, WA 98661-3801
(360) 696-7700 FAX: (360) 696-7846

March 12, 2001

Refer to: HTS-17.1
File: 741
#22854L_CWF

Letter to Contributors and FLH Customers:

The Federal Highway Administration's Federal Lands Highway Divisions have extensive experience constructing highway projects, which include aesthetic treatments for many features. In an effort to document innovative practices being applied across the nation, a Federal Lands Highway Technology Deployment project was initiated to collect information about aesthetic treatments used in highway construction. Many of you have contributed to this effort.

The product of this effort is the attached compact disc with approximately 200 examples of innovative aesthetic treatments. The Roadway Aesthetic Treatments Photo Album Workbook is a compilation of contributions from over 150 public and private transportation organizations. The examples of innovative aesthetic treatments include descriptions, justifications, design details if available, and a contact for further information.

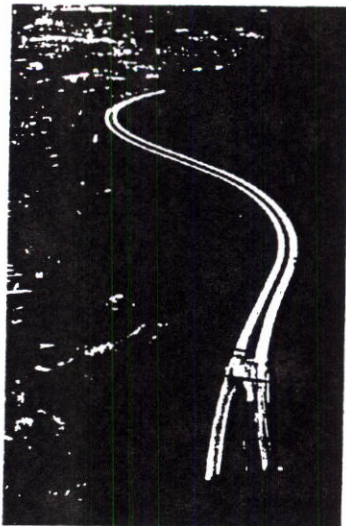
We appreciate all the cooperation and contributions of photos, descriptions, design details and contacts to make this product a success. The workbook has been showcased at the recent annual meetings of the American Association of State and Transportation Highway Officials and the annual meeting of the Transportation Research Board. The compliments received at these showcase events are a tribute to the efforts put forth and the value of this product to highway designers and transportation officials.

Sincerely yours,

Ronald W. Carmichael
Division Engineer, WFLHD

Roadway Aesthetic Treatments

Photo Album Workbook



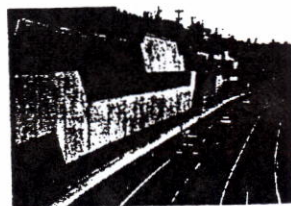
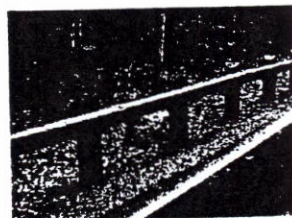
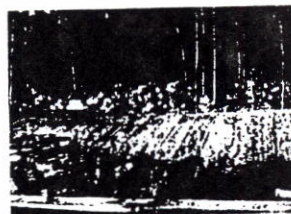
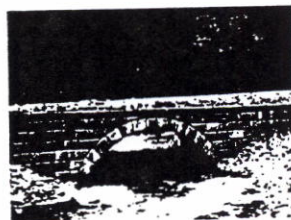
■ Includes innovative aesthetic treatment examples that have been applied nationwide on approximately 200 U.S. transportation projects

■ Includes color photographs and brief project and aesthetic treatment descriptions along with typical details and construction costs

■ Beneficial to public and private transportation organizations

■ For more information, comments, or to make a submittal, contact: Rich Barrows P.E.
Project Team Leader
WFLHD Technology Development Team
610 East 5th Street
Vancouver, WA 98661

Roadway Aesthetic Treatments 2001 Photo Album Workbook



U.S. Department of Transportation
Federal Highway Administration



ENVIRONMENTAL ASSESSMENT and "NATIONWIDE" PROGRAMMATIC Section 4(f) EVALUATION

for

Middle Fork Flathead River - SE Essex
BR 1-2 (85) 180; ^{MDOT} Control No. 1763
Flathead County, Montana

* "Free-flowing" is defined by section 18(b) of the Act as "existing or flowing in natural condition without impoundment, diversion, straightening, riprapping, or other modification of the waterway" (16 U.S.C. 1287(b)).

Proposed Bridge

FS

GLAC PK.
3.08 AC. Park for R/W

↑ No Impact
Analysis
For Rip Rap Walls
(omitted from both EAs)

Flathead River

MDT CN 1763 - (see map) Middle Fork Essex Bridge
Federal aid project no. BR 1-2(85) 180.

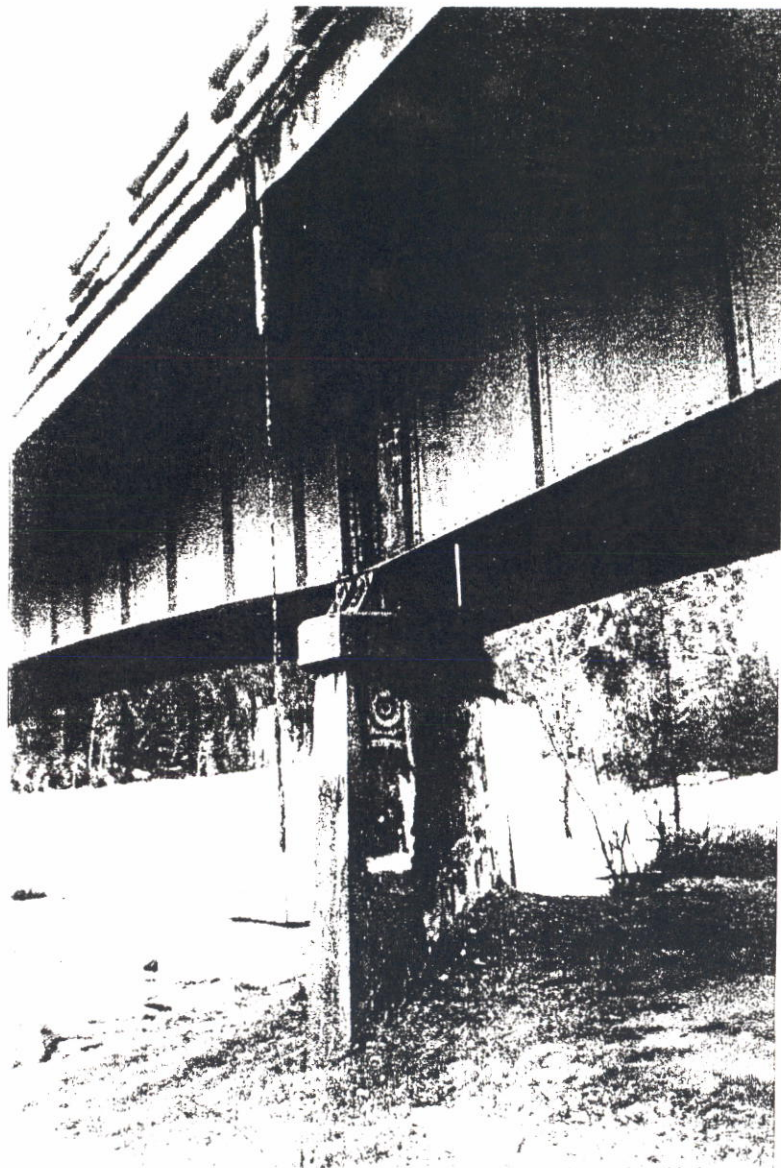
NOTICE: This bridge construction includes two giant riprap walls 460 ft. long X 100 ft. high (barely mentioned in EA pgs. 39,21) for which impacts are not adequately assessed in MDT's EA (riprap is explicitly precluded under 36 CFR 297 on Wild & Scenic Rivers). The CCP has conferred with a DNRC Hydrologist on this matter. Riprap walls of this magnitude must have a substantial base constructed below OHW or else the river will undercut it causing collapse of the wall and substantial persisting sedimentation impact. In other words, the riprap walls cannot simply be "laid on the land/beach" as implied in MDT's EA & designs. Please consider this an additional sedimentation adverse impact in your consultation process.

Protect Park Resources

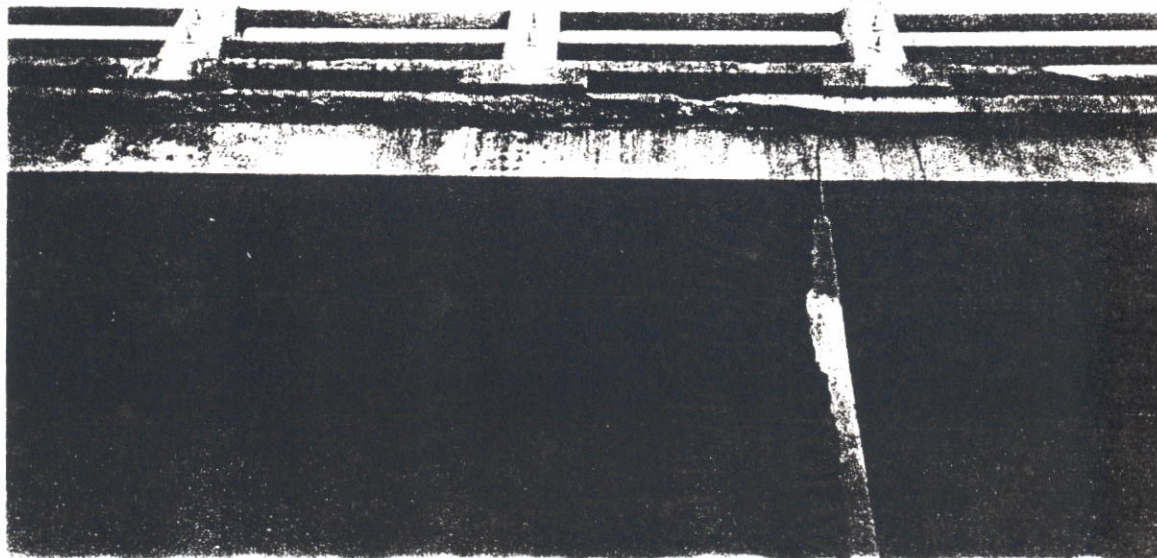
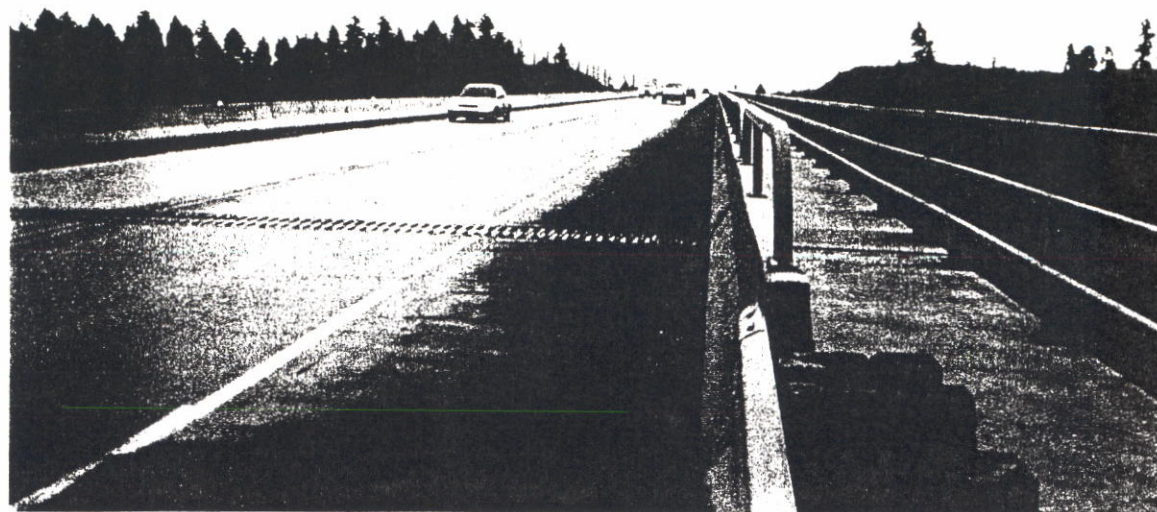
THE COALITION

P. O. Box 422, Hungry Horse, MT 59919
PROMOTING COMPLIANCE WITH ENVIRONMENTAL LAW

To: MDT & FHWA, 4-1-01 New Hwy to bridge E-K disj 11



spring '01 Southfork
deterioration ↗



Support Earthquake Resistant 44 ft.+ wide Bridge
[Same as Hwy 35 E. of Kalispell]
with 45 mph speedlimit at South Fork W. Hungry Horse

RECEIVED

APR 11 2001

FHWA
MONTANA DIVISION



DOT FHWA
DRAWER 10056
HELENA, MT 59626-0056

Attn: CN 1763 -and- CN 1290

Public Vote on Flathead River Bridge Construction

YES

NO

Recreational Wild & Scenic River Corridor

Support Emergency Construction of 44 ft. wide 2-lane Earthquake Resistant Bridge (+pedestrian lane) at South Fork of Flathead River, west approach Hungry Horse. This narrow bridge @ west entrance to Glacier Park is rated "Eligible for Replacement" with low sufficiency of 43.

Support Construction this summer of 44 ft. wide 2-lane Earthquake Resistant Bridge (+ped. lane) at Middle Fork of Flathead River near Essex & Walton entrance to Glacier Park. This bridge is "Eligible for Rehabilitation".

Support 45 mph at bridge west entrance to Hungry Horse, instead of 70 mph design proposed by MDT.

Support push-button stop light in Hungry Horse so people can cross US 2 traffic. Spec. not enforced in unincorporated Canyon Towns.

Name Print & Sign KAREN FEATHER/JERRY DESANTO
Address BOX 9, CORAM, MT 59913

[Handwritten signature]

Paul Fossler March 30, 2001 Comment Letter to Environmental Services

On April 3, 2001, MDT Environmental Services received a letter from **Paul Fossler** of Coram, MT with a comment on the Revised Environmental Assessment and Nationwide Programmatic Section 4(f) Evaluations. Mr. Fossler's comments are shown in ***bold and italic text*** and followed by MDT's response.

Dear sir,

Tell me this is not true - plans to replace that new bridge at Essex. We build bridges now to last only thirty years?

And I thought we were smarter than the Romans.

*Just another angry tax payer
Paul Fossler*

Please review MDT's responses to similar comments below.

Paul Fossler March 30, 2001 Comment Letter to Loran Frazier

On March 30, 2001, **Paul Fossler** of Coram, MT sent a letter to Loran Frazier, Administrator of MDT's Missoula District with similar comments to his April 3, 2001 to MDT Environmental Services. Mr. Fossler's comments are shown in ***bold and italic text*** and followed by MDT's response.

Dear sir,

I just got wind through the last issue of the Hungry Horse News that there are plans to replace the river bridge at Essex. How can this be true, are bridges now built to last only thirty years?

I don't get angry often, this is just one of those times. I had to say my piece.

*Yours truly,
Paul Fossler*

MDT proposed this project in response to the deteriorating condition of the existing the bridge, concerns over the present structure's design, and the need to provide a more earthquake resistant structure. The existing bridge's deck was also constructed with an "experimental" form of lightweight concrete. This material has not performed as expected and now needs extensive and expensive repairs. **Part II. Purpose and Need** in the Revised EA describes in detail the reasons why this bridge replacement is necessary.

The present structure was designed for a useful life of 50 years. The bridge has already been in service for over 35 years or for about 70% of its projected lifespan.

3/30/01

RECEIVED
APR 03 2001
ENVIRONMENTAL

P.O. Box 130203
CORAM, MONTANA
59913-0203

MDOT ENVIRO. SERV.

Dear Sir,

Tell me this is not true -
plans to replace that new
bridge at Essey. We build
bridges now to last only
thirty years?

and I thought we were
smarter than the Romans.

Just another angry
tax payer.

Paul Fessler

RECEIVED

APR 11 2001

ENVIRONMENTAL

3/30/01
P.O. Box 130203
CORA, MONTANA
59913-0203

bel Marshik
Foy
Frazier

LOREN FRAZIER
MONT. DEPT. OF TRANS.

4/10/01
(10)

Dear Sir,

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Yours truly,
Paul Fessler

Sharlon L. Willows' March 28, 2001 Comment Letter

On March 28, 2001, MDT Environmental Services received a fax of a letter from **Sharlon L. Willows**, C.L.A., Coordinator for the Coalition for Canyon Preservation, Inc. Virtually all of the comments in Ms. Willows' letter pertained to another MDT project (Hungry Horse-West, F1-2 (92)141; C.N. A290) which would reconstruct U.S. Highway 2 through Badrock Canyon and replace the existing highway bridge over the South Fork of the Flathead River west of Hungry Horse. Improving the South Fork bridge is outside the scope of this bridge replacement project and its environmental document.

Comments from Ms. Willows' letter pertinent to the proposed bridge replacement near Essex are shown in ***bold and italic text*** and followed by MDT's response.

Instead of replacing the 63 yr. old SF Bridge, MDOT is proposing to tear down a 30-year old bridge at Essex U.S. 2 with a sufficiency rating of 66 (Ap. D-p.4, claiming need for a \$4.1 m. earthquake resistant bridge where there is no earthquake zone.

Both the South Fork bridge and the Middle Fork of the Flathead River bridge near Essex need to be replaced. MDT is moving forward in efforts to develop plans for the proposed U.S. Highway 2 bridge across the South Fork of the Flathead River. MDT's projects are implemented as project development activities are completed and funding becomes available. The Middle Fork bridge replacement has been programmed for construction ahead of the South Fork bridge and related highway reconstruction west of Hungry Horse.

MDT's reasons for replacing this bridge are clearly set forth in the **Part II. Purpose and Need** of the Revised EA. The existing bridge near Essex has several vulnerabilities that make collapse likely during a strong earthquake. These vulnerabilities (the bridge's fracture critical superstructure and the undesirable strap and hangar connections across the girders) are discussed on pages 5 and 6 of the Revised EA.

The project area is located on the northern edge of the Intermountain Seismic Belt that generally extends from northwestern Montana through Yellowstone National Park and into central Idaho and southwestern Utah following the Northern Rocky Mountains. According to the Montana Bureau of Mines and Geology "Earthquake Stats" web page (<http://mbmgsun.mtech.edu/eqstats.htm>), small earthquakes are common in the region, occurring at an average rate of 2-3 earthquakes per day.

Another link on the Bureau's website (http://www.seis.utah.edu/NEHRP_HTM/perseq.htm), shows that damaging earthquakes (magnitude 5.5) occurred in the Flathead region in both 1945 and 1952. Although Montana has not experienced a severe (magnitude greater than 6.0 on the Richter scale) since the 1959 quake at Hebgen Lake (a magnitude 7.5 quake), the risk of these damaging earthquakes is a very real concern for much of western Montana.

Lyle Manley, MDT Legal Services also sent a response to Ms. Willows on April 9, 2001. A copy of Mr. Manley's response follows.

RECEIVED
MAR 28 2001
Sharon L. Willows, C.L.A.
Canyon Coalition Coordinator
Box 422
Hungry Horse, MT 59919-0422

ENVIRONMENTAL

March 28, 2001

Lyle Manley, Legal Div. & Comment on CN 1763

MT DEPT. HIGHWAYS/TRANSPORTATION
2701 PROSPECT AVENUE
HELENA, MT 59620-1001

Re: Request for current Sufficiency Rating documentation for South Fork Flathead River Bridge + Notification: Long stringers of broken cable/concrete hanging off edge of SF Bridge. Right-to-know Request pursuant Mt. Constitution, Art. II, Sec. 9

Dear Lyle,

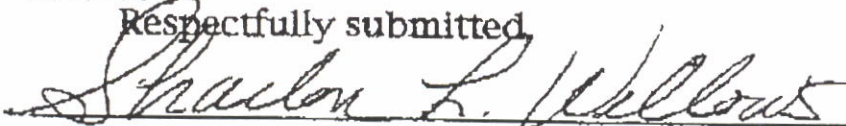
The outdated 1995 FEIS for Project F1-239)138 @ U.S.2 through Bad Rock Canyon contains 6 paragraphs of vague impact assessment for the proposed \$3.8m South Fork Flathead River bridge located adjacent the fault with no mention of earth quake hazard. No sufficiency rating is stated in the EIS documents. Please send a copy of the most current sufficiency rating documents for South Fork Flathead Bridge. Please be notified that today I witnessed new deterioration (several long stringers of broken cable/concrete segments are hanging off the upstream edge of the bridge). Concrete railings are obviously deteriorating.

Why not apply Value Engineering to downscope the bridge to a wide 2-lane with pedestrian path as done in the 90's on Hwy 35 Bridge East of Kalispell? The South Fork is where an earthquake resistant safe bridge is needed. If west Hungry Horse approach were reduced to 45 mph as it should be, a 2-lane bridge is adequate. Why not proceed with safety where it is actually needed? This is a negligence

scenario that CCP intends on submitting to MT Attorney General for review.

Instead of replacing the 63 yr. old SF Bridge, MDOT is proposing to tear down a 30-yr. old bridge at Essex U.S.2 with a sufficiency rating of 66 (Ap. D-p.4) , claiming need for a \$4.1m. earthquake resistant bridge *where there is no earthquake zone.* MDOT has released a 1" thick Revised EA exclusively on the Essex Bridge while the SouthFork Bridge is being promulgated on 6 paragraphs of vague assessment in an old "boilerplate" FEIS for a larger project. *What is MDOT's methodology in determining priorities for bridge construction on the upper Flathead River? Please provide the most current "Structure Inventory & Appraisal Report" including sufficiency rating for the South Fork Flathead River bridge ASAP.*

Respectfully submitted,

 C.I.A. Certified
Legal Assistant Administrative Law, CCP Research.

- ✓ FAX MDT Maintenance, R.Sipe, Kalispell 752-5767
Encl. Analysis of Bad Rock FEIS - Omission of NEPA analysis
for South Fork Bridge, 7/00.

CN 1290

Coalition for Canyon Preservation, Inc.
P.O. Box 422
Hungry Horse, Montana 59919-0422
Dedicated to the Protection of the Flathead Wild & Scenic Rivers System

To: Lyle Manley
MDT Legal
Please send full
copy of South Fork
Bridge designs
ordered by Governor.

Analysis of FHWA-MT-EIS-92-02-F
demonstrating omission of a specific South Fork
Flathead River 4-lane Bridge NEPA evaluation:

several vague general statements about location, no design details whatsoever (EIS admits "no preliminary design work completed for new bridge" p.A14-4), no impact evaluation for relocation the road into South Fork Hill residences whatsoever, no impact evaluation for removal of tree screen whatsoever, no visual impact evaluation whatsoever: [Notice: This NEPA document contains a total of 5 non-redundant single sentences, 4 total partial sentences, and a total of 12 general paragraphs on the controversial 4-lane South Fork River Bridge (including 6 paragraphs impact analysis) !]

"South Fork" Content from 1995 FEIS Index:

- I-1 existing bridge (2 sentences)
- I-7 existing bridge (2 sentences, same)
- II-27 (5 vague words) "bridge in new location"
- III-2 river- no mention bridge
- III-4 River Fig. III-2 Gaging Sta. - no mention bridge
- III-5 proposed bridge location "in FEMA floodprone area" (1 sentence)
- III-8 Fig. III-4 - WSR system map (no mention bridge)
- III-31 History of existing bridge (three paragraphs)
- IV-4,5 Env. Conseq. of 4-lane bridge minor (2 partial sentences)
- IV-6 causing minor change in current pattern (one paragraphs)
- IV-13 one partial sentence
- IV-16 2 small photos existing bridge
- IV-17 encroachments on river/direct impacts (2 vague paragraphs)
- IV-18 indirect impacts (4 short paragraphs)
- IV-58 provide sidewalks btm. bridge & H.Horse (partial sentence)
- IV-71 12 mo. construction season (three sentences)
- V-1 (partial redundant sentence)
- V-4 (one paragraph/no historic significance existing bridge)
- A2-3,4 Bridge construction costs -\$4,020,300. -(4 small paragraphs)
- A4-5 vague small scale schematic showing new centerline over river
- A12-1,2 Finding of no historic significance for existing bridge (7 para.)
- A 14-4 encroachment on river - EIS admits "no preliminary design work completed for new bridge" (one paragraph)
- A 14-7 encroachment on river - (partial sentence redundant)

FHWA, Governor
CC: Jimmy DeHerrera
HERRID USDA FS
DNRC

RECEIVED

APR 11 2001

ENVIRONMENTAL

April 9, 2001

Sharlon Willows
Box 422
Hungry Horse, MT 59919-0422

Subject: BR 1-2(85)180
MF Flathead R.-SE Essex

Dear Ms. Willows:

The following is in response to your letter of March 28, 2001.

A copy of the latest Bridge Inspection Report for the South Fork of the Flathead Bridge was mailed to you on March 30th at your request. The Report indicates the Sufficiency rating for the structure.

As to the proposed bridge near Hungry Horse, across the South Fork of the Flathead River, the four lane preferred alternative as documented in the FEIS provides a Level of Service A-B. The two lane alternative will not satisfy operational needs, as it will only achieve a Level of Service E. This low Level of Service will not meet the purposes of the project.

Both the above mentioned bridge and the one near Essex are located on U.S. 2 (Primary Route P-1). The bridge at Essex (RP 180.3) is located in a Seismic Performance Category 'B' area (borderline 'C'). The bridge over the South Fork of the Flathead (RP 142.2) is located in a Seismic Performance Category 'C' area. The Seismic Category varies from a low of 'A' to a high of 'D' as annotated in the AASHTO Standard Specifications for Highway Bridges. This is the design guide used by the Montana Department of Transportation.

The bridge at Essex is not being replaced "instead of" the structure at the South Fork of the Flathead River. Both projects are needed. Both projects were programmed at different times using different sources of funding. While the South Fork project was programmed earlier, it is

part of a road reconstruction project. These types of projects generally take longer to develop and get to construction than the relatively smaller bridge replacement projects, such as the Essex Bridge.

Sincerely,

Lyle Manley

LYLE MANLEY, Attorney
Legal Services

cc: Bridge Bureau - *Joe Kolman*
Environmental Services

Dwayne and Mary Phippen's March 27, 2001 Comment Letter

On March 27, 2001, **Mrs. Dwayne Phippen** of Cut Bank, MT submitted a letter containing comments to David A. Galt, MDT's Director. The following comments (shown in ***bold and italic*** text) are taken from a list of comments included in Mrs. Phippen's letter.

1. My husband and I normally spend most of the spring, summer, and fall months (May or June through October) at our residence in Essex. We would like to be advised of the date that construction will commence and end in 2001 and 2002. Also, if not too inconvenient, we would like to be advised of the anticipated daily times that construction will be taking place, as well as to what days of the week construction will be in progress. We do understand that weather will be a factor in this determination.

2. In order to prevent some of the disturbances we experienced in 1994, we would request that you instruct the contractor, as a matter of courtesy, to operate any generators or pumps downstream from our residence. Thus, noise from those pieces of machinery will not be so and annoying to us. As aforementioned, during the 1994 bridge rehabilitation attempt, those types of machines were operating, at times, into the late evening hours and those machines were located almost directly below our residence.

3. The evaluation of 3/7/00 states that no bald eagle nests are known to exist within 16 km of the project area (Page 46). I note this information was gathered in 1986; approximately 14 years ago. I question the accuracy of this information as we have seen a bald eagle flying above the river almost every morning during the summer months. Perhaps it would be in your best interests to gather more current information.

4. The Assessment also states that most Grizzly bear sightings have occurred in the late summer and fall (Page 46). As a resident of Essex, I can attest that most of the Grizzly bear sightings that I have experienced in the Parma Addition area have been in June and July and other residents of the Parma Addition to Essex can attest to this fact also.

5. OUR PRIMARY CONCERN is the potential for possible damage to our residence due to pile driving activities associated with the construction of bridge piers and work bridges (Page 69 of the Assessment). In 1994, we experienced some severe vibration during the last attempt to salvage the bridge. Since the new bridge will be located much closer to our residence, we are concerned that the vibrations will be greater and could cause structural damage. This very important issue was mentioned to the District Administrator of MDT's Missoula District at the annual meeting of the Parma Homeowners Association on August 2, 1997. However, that fact was never revealed in paragraph number 1 on Page 84 of the Assessment. In addition, this concern was conveyed to representatives of your agency by my husband at the April 20, 2000 public meeting at the Izaak Walton Inn concerning the proposed bridge replacement. This concern was not addressed in paragraph 1 on Page 85 of the Assessment.

6. Another major concern to us is the permanent increase in the noise level due to the proposed location of the new bridge. It will be located much closer to our residence than the existing bridge. (See Page F-5, Paragraph 2 of the Assessment) It is our residence that is referred to in this paragraph.

7. If any representatives of your agency or the contractor anticipate having to enter upon our property, we respectfully request that permission be obtained from us before doing so.

8. With all of the taxpayer money that has been spent by the Department of Transportation and the federal government in its attempt to rehabilitate the bridge in 1994, and for all of the extensive environmental impact studies conducted regarding this project, it is a travesty that the money was not better spent in locating the bridge downstream from the residences located in the Parma Addition to Essex. However, the reasons for the proposed location of the new bridge are set forth in the Assessment.

9. I find it very disturbing that so much time and taxpayer money has been spent to study the impact on the Bald Eagle, the Northern Rocky Mountain Gray Wolf, the Grizzly Bear, the Bull Trout, and all the other fish species present in the Middle Fork between Ole Creek and Essex Creek, the Canada Lynx, the harlequin duck, the water howellia and the Ute ladies-tresses orchid to determine that there is no long term impact on these species and their habitat. However, in comparison, there was very little money or time spent on the Assessment to determine the permanent impact this new bridge will have on us as the closest residents to the new bridge. Nor does the Assessment take into consideration the permanent devaluation of our property due to the proposed location of the bridge and the increased noise levels. In addition, it does not take into consideration the approximate two-year deprivation of the pleasure and use of our residence during the bridge construction process because of the construction noise and the vibration due to the pile driving process. WE ARE THE ENDANGERED SPECIES HERE IN MONTANA -- The Working, Taxpaying Homosapiens and yet we feel that we have been deprived of the consideration we so rightfully deserve in preserving the current level of comfort and value of our habitat.

We respectfully request a copy of the final written analysis and determinations required under this programmatic Section 4(f) evaluation.

On April 16, 2001, David A. Galt sent a letter to Mrs. Phippen responding to the comments on the Revised EA contained in her March 27, 2001 letter. A copy of Director Galt's response follows.

MDT will provide the Phippens with a copy of the FONSI and Final Coordination document for this project.



Montana Department of Transportation

David A. Galt, Director

Judy Martz, Governor

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

April 16, 2001

Mrs. Mary Phippen
134 - 2nd Ave. SW
Cut Bank, MT 59427

MASTER
FILE
COPY

Dear Mrs. Phippen:

I appreciate your concerns about the upcoming project to replace the bridge in Essex, near your home. I spoke with our bridge engineers and they explained why the proposed project is vital. I hope that by sharing these pressing reasons with you, that it will help convey why we're doing what we're doing, and why we believe it's in your best interests that we continue, even though it will inconvenience you and your neighbors for a time. I've also attached responses to the specific issues you wrote about.

The Essex Bridge was constructed in the 1960s. During the mid 1990s, several bridges of this design failed across the nation. We scrutinized the structure more closely, and discovered that the experimental type of concrete originally used in the deck was not performing as it should have. The bridge type has been identified as a fracture-critical structure. This means failure of one of the girders could bring the whole bridge down.

The project in 1994 was intended to be a deck rehabilitation project. However, during construction we discovered the concrete was very weak and that the entire deck needed replacement. Repair work was performed that would allow the bridge to remain open to traffic until we could program a new project to address this problem.

After the major earthquakes in California, a lot was learned about design and the effects of earthquakes on different designs. We looked at the cost of removing and replacing the Essex bridge deck and retrofitting the bridge to survive a seismic event and remain serviceable. However, because of the bridge pier and beam design, we decided against it - I'm sure you'll agree that it's not a wise use of taxpayer dollars to spend that much money and still leave a bridge in place that's thirty years old, fracture-critical, and highly susceptible to earthquakes.

Because of Montana's climate, unfortunately construction season does coincide with recreation season. I appreciate that this project does create a temporary conflict between recreation activities and needed construction in the Essex area. However, the inconveniences caused are indeed temporary, and the result will be a safe, new bridge that will last a long time.

To allay your concerns about the impacts of construction on the structural integrity of your home, I am offering to pay for a complete architectural evaluation of your home and foundation by a mutually agreed-upon architect. If you would like to take me up on this offer, please contact my office as soon as possible.

Sincerely,

David A. Galt
Director

copies: Dan Larson, Transportation Commissioner
Judy Martz, Governor
Joe Kolman, Bridge Engineer

Loran Frazier, Missoula District Administrator
Mary Phippen at 1715 Wilder Ave, Helena MT 59601
Terry Jager, Environmental

Montana Department of Transportation



Bridge Project: Middle Fork Flathead River - SE Essex
BR 1-2(85) 180
CN 1763

Response to comment 1

After the project is let to contract, we will publish the tentative construction schedule in the local paper. After that, updates to the schedule will be available from our Kalispell Office at (406) 751-2000, the Project Engineer, Gary Kalberg at (406) 751-2040, and the contractor's superintendent, who will be identified within a few weeks of the bid opening. We could post information at the Isaac Walton Inn if everyone thinks it will be helpful.

We will not be able to tell you the daily times of construction until the contract is let, and we know who the contractor is, what equipment he has and how many crews will work.

Response to comment 2

MDT will take your concerns about construction noise under advisement and will try to restrict activities to meet your wishes where we reasonably can. The project's location and work activities will dictate to a large degree what equipment is needed and where it is used. MDT could require (and typically does) that the Contractor's equipment is in good operating condition and is equipped with mufflers. Despite our best efforts, unfortunately, there is still likely to be noise.

I'm told that we did not work on the bridge late into the evening. When traffic was confined to one lane, generators were put in place to power the traffic signals that controlled the flow of traffic. Those were located near your home, and did run all night. During the upcoming project, we can require the contractor to either hardwire the traffic control signals, or locate the generators far enough away from your home so as not to bother you.

Response to comment 3

The *Montana Bald Eagle Management Plan*, referenced on page 46 of the Revised Environmental Assessment (REA), is a document that provides management strategies for the recovery of bald eagle populations in different areas of Montana. Although the *Management Plan* was prepared in 1986, data about bald eagle use of the Middle Fork presented in the REA was compiled after consulting with biologists in 1997. The status of bald eagles in the Essex area, including information on any new nest sites, has been reviewed and updated since that time. To the best of our knowledge, no bald eagle nests exist near this proposed bridge replacement. Our conclusion is further supported by the Environmental Assessment released in December 2000 by the National Park Service (NPS) for their planned improvements at Walton Ranger Station. This NPS document also indicates that no nests are known in the immediate Essex area.

As stated on page 48 of the REA, the status of bald eagles in the project area will be reviewed prior to work beginning on the project. If new nests have been established in the project area, spatial or time restrictions will be established to minimize disturbances to nesting bald eagles.

Response to comment 4

We will add a sentence to the text on page 46 of our REA stating:

"Information provided by seasonal residents of the Parma Subdivision in Essex indicates that grizzly bears are often sighted in June and July."

Response to comment 5

We are unable to determine the cause of the severe vibrations you indicate you experienced during the bridge rehabilitation project in 1994. Our project manager for the work in 1994 and our bridge engineers indicate that the rehabilitation work consisted of removing the top part of the deck with hydrodemolition. This activity would produce little, if any, vibration. The only other work in the project consisted of things like minor jackhammering and drilling holes in concrete. These activities typically don't produce severe vibrations at long distances from the work area. Generators used to power traffic signals at each end of the bridge during the project were likely sources of noise but not vibrations.

Legal remedies are available and claims for damages can be made from MDT and/or the Contractor if vibrations associated with the project's construction causes structural damage to your house.

A new last sentence will be added to the end of the first paragraph on page 84 stating:

"... planned near the northwest end of the proposed bridge. Comments were also heard that noise and vibrations associated with the construction of the new bridge would impact residents of the subdivision."

The first two sentences of the first paragraph on page 85 of the REA will be revised to read:

"Dwayne Phippen, owner of a seasonal home in the Parma Subdivision, expressed concern over noise levels and vibrations during construction. He believes the noise associated with construction activities would be highly disruptive for local residents and that vibrations from pile driving activities could damage structures, particularly since the new bridge would be located closer to homes in the subdivision."

Please note that we acknowledge on page 69 that noise and vibration are potential construction impacts that would be associated with this proposed project.

Response to comment 6

MDT applies the following criteria to new highway projects in judging the potential for noise impacts:

- an increase in the number of through traffic lanes,
- a halving of the horizontal distance between the highway centerline and noise receivers, or
- changing the profile of the road by 20 feet or more..

Significant changes in the horizontal alignment of new highway facilities could indicate the potential for noise impacts to occur at receiver locations along the road. According to MDT's Noise Policy, a significant change in horizontal alignment would occur if the distance between the highway centerline and the noise receiver were halved. We estimate that the nearest residence (apparently your home) is about 243 feet from the centerline of the existing bridge and that it would be about 177 feet from the centerline of the new bridge. This change in the bridge's

location does not represent a significant change in horizontal alignment according to our Noise Policy.

This bridge replacement would not change the number of through traffic lanes, nor require major changes in the elevation of the bridge and its approaches relative to the surrounding terrain or development (the profile of the road).

As indicated on page F-5 of the REA, our noise evaluation suggests that even though the new bridge would be located closer to your home, the noise levels associated with traffic crossing the bridge would not increase by a substantial amount over existing conditions. MDT considers a substantial increase in noise levels to be a 10-decibel (dBA) or more increase over existing levels at receptor locations in the project area. Our evaluation also suggests that the noise levels associated with this proposed project would not exceed the Federal Highway Administration's Noise Abatement Criteria (NAC) for land uses that include picnic and recreation areas, playgrounds, parks, or residences.

Response to comment 7

Our normal practices require workers to ask permission to enter private lands. I understand there was one incident of workers entering your property, before property lines were staked, and I apologize for that. The lines are now staked and it shouldn't happen again. Again, my apologies for the intrusion.

Response to comment 8

We acknowledge your comment. Building the new bridge downstream from the present structure (and the residences in the Parma Addition) is not a viable option due to the adjacent steep terrain and likelihood of significant impacts on previously undisturbed lands in Glacier National Park and the Middle Fork of the Flathead Wild and Scenic River. Crossing the river downstream of the current bridge would likely require a much longer bridge and also that considerably more of U.S. Highway 2 be rebuilt on either side of the new bridge. Both of these factors would increase the costs of this project substantially.

Section 4(f) of the U.S. DEPARTMENT OF TRANSPORTATION ACT restricts the use of land in Glacier National Park and the Wild and Scenic River from being used for highway purposes unless no feasible and prudent alternatives exist. In this instance, other alternatives that avoid or result in fewer impacts on Glacier National Park and the Wild and Scenic River exist and must be considered for this proposed action.

Response to comment 9

The National Environmental Protection Act (NEPA) places requirements on us to evaluate all social, economic, and environmental effects of this proposed project.

NEPA also requires us to offer opportunities for the public to comment on the project, which we have done. We have provided the following:

- two public meetings where you and Mr. Phippen could comment,
- the former Missoula District Administrator, Jim Weaver, drove a 500-mile round trip to Cut Bank from Missoula, to provide you and other landowners who live in Cut Bank another opportunity to comment,
- staff time to meet with you here in Helena, and
- staff time to respond to several letters and phone calls from you.

I believe we have made a good faith effort to listen and respond to your concerns so we can fully understand the project's effects on residents.

MDT spent considerable time and resources studying the potential effects of this project on wildlife, fish, and plants because a myriad of federal laws require us to do this. The project area contains many species that are of high interest to federal wildlife managers and the other agencies. Agencies issuing the necessary environmental permits also have many requirements that ensure MDT's projects safeguard wildlife and fish and their habitats.

As discussed in Part II of our REA, we believe the bridge *must* be replaced for a variety of reasons. Most important is the need to provide a more earthquake resistant bridge to ensure that traffic flows can be maintained on US 2. US 2 is part of the National Highway System, a network of roads essential to Montana's and the nation's economy. As indicated on page 15 of the REA, a disruption in traffic at this location would require motorists to travel an additional 434,000 miles and endure 6,650 more hours of travel on an alternate route for *each day* that this bridge is closed. Without assigning any costs to the hours of travel or for the additional fuel consumed, it is easy to see that the overall cost of a bridge closure is extraordinary. Tourism-dependent communities along US 2 would also experience adverse economic impacts if the road were closed for any extended period. In short, we can't afford not to replace the Middle Fork Bridge at Essex.

Construction of a new bridge will be noisy and cannot be done without the use of heavy equipment. Noise and vibration effects will be temporary, but not all bridge building activities during the construction period will generate the types of impacts you're concerned about. Our noise evaluation suggests that future noise levels from traffic on the highway will not be substantially increased over current levels. There is no indication that significant permanent traffic noise impacts are likely to result from this bridge replacement. Viable alternatives to building the new bridge at the proposed location do not exist.

Our project will be completed as quickly as we're able. However, the construction season is very short in the Essex area. Other agencies will also require us to follow very stringent timing restrictions on when we can undertake activities within the river. These factors, plus any other unanticipated problems encountered during construction, will dictate how soon we can complete the new bridge. We recognize that you and other landowners will spend one summer, possibly two, under less than ideal conditions. That is an unfortunate situation, but we cannot build a bridge without making noise.

We do not agree that the new bridge will necessarily devalue your property, but we had little choice in its new location, regardless. The location of the new bridge resulted from many conflicting concerns including ranging from making the bridge and its approaches safer for drivers, providing a structure to resist earthquake hazard, working through the legal implications of building on new land in Glacier National Park and the Flathead National Forest, and listening to the issues presented by you and your neighbors. We produced what we believe is the optimal solution for all these factors taken together. Like all compromises, though, not every one is totally satisfied with the solution.

Copy

DWAYNE & MARY PHIPPEN
134 - 2ND AVE. S.W.
CUT BANK MT 59427
406-873-2505
March 27, 2001

RECEIVED

MAR 28 2001

ENVIRONMENTAL

Dave Galt, Director
Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena MT 59620-1001

RE: Revised EA and Nationwide Section 4(f) Evaluations
Middle Fork Flathead River - SE Essex - BR 1-2(85)180;CN 1763

Dear Mr. Galt:

Pursuant to our conversation yesterday, I am writing to confirm the concerns that I expressed to you regarding the above-referenced project. Please be advised that it is our residence, located on Lot 64, Parma Addition to Essex, that is referred to on Page F-5, second paragraph of the Revised EA and Nationwide Section 4(f) Evaluations referred to above. Therefore, you can understand our concerns regarding the above-referenced project and the effect this project will have on the pleasure and use of our residence during and after completion of construction.

In addition, please be advised that we have already experienced the noise and disruption in the area due to the 1994 attempted rehabilitation project on the bridge. At that time we were deprived of the pleasurable use of our residence due to the noise and vibration caused by the work, as well as the noise caused by the constant operation of the generators and/or water pumps that were placed almost directly below our residence. (The generators and/or water pumps were operating late into the night at times.)

The following is a list of comments, concerns and requests regarding the above-referenced revised evaluations:

1. My husband and I normally spend most of the spring, summer and fall months (May or June through October) at our residence in Essex. We would like to be advised of the date that construction will commence and end in 2001 and 2002. Also, if not too inconvenient, we would like to be advised of the anticipated daily times that construction will be taking place, as well as to what days of the week construction will be in progress. We do understand that weather will be a factor in this determination.

2. In order to prevent some of the disturbances we experienced in 1994, we would request that you instruct the contractor, as a matter of courtesy, to operate any generators or pumps downstream from our residence. Thus, the noise from those pieces

of machinery will not be so and annoying to us. As aforementioned, during the 1994 bridge rehabilitation attempt, those types of machines were operating, at times, into the late evening hours and those machines were located almost directly below our residence.

3. The evaluation of 3/7/00 states that no bald eagle nests are known to exist within 16km of the project area (Page 46). I note this information was gathered in 1986; approximately 14 years ago. I question the accuracy of this information as we have seen a bald eagle flying above the river almost every morning during the summer months. Perhaps it would be in your best interests to gather more current information.

4. The Assessment also states that most Grizzly bear sightings have occurred in the late summer and fall (Page 46). As a resident of Essex, I can attest that most of the Grizzly bear sightings that I have experienced in the Parma Addition area have been in June and July and other residents of the Parma Addition to Essex can attest to this fact also.

5. OUR PRIMARY CONCERN is the potential for possible damage to our residence due to the pile driving activities associated with the construction of bridge piers and work bridges. (Page 69 of the Assessment). In 1994, we experienced some severe vibration during the last attempt to salvage the bridge. Since the new bridge will be located much closer to our residence, we are concerned the vibrations will be greater and could cause some structural damage. This very important issue was mentioned to the District Administrator of MDT's Missoula District at the annual meeting of the Parma Addition Homeowners Association on August 2, 1997. However, that fact was never revealed in paragraph number 1 on Page 84 of the Assessment. In addition, this concern was conveyed to representatives of your agency by my husband at the April 20, 2000, public meeting at the Izaak Walton Inn concerning the proposed bridge replacement. This concern was not addressed in paragraph 1 on Page 85 of the Assessment.

6. Another major concern to us is the permanent increase in the noise level due to the proposed location of the new bridge. It will be located much closer to our residence than the existing bridge. (See Page F-5, Paragraph 2 of the Assessment) It is our residence that is referred to in this paragraph.

7. If any representatives from your agency or the contractor anticipate having to enter upon our property, we respectfully request that permission be obtained from us before doing so.

8. With all of the taxpayer money that it has been spent by the Department of Transportation and the federal government in its attempt to rehabilitate the bridge in 1994, and for all of the extensive environmental impact studies conducted regarding this project, it is a travesty that the money was not better spent in locating the bridge downstream from the residences located in the Parma Addition to Essex. However, the reasons for the proposed location of the new bridge are set forth in the Assessment.

9. I find it very disturbing that so much time and taxpayer money has been spent to study the impact on the Bald Eagle, the Northern Rocky Mountain Gray Wolf, the Grizzly Bear, the Bull Trout and all the other fish species present in the Middle Fork between Ole Creek and Essex Creek, the Canada Lynx, the harlequin duck, the water howellia and the Ute ladies'-tresses orchid to determine that there is no long term impact on these species and their habitat. However, in comparison, there was very little money or time spent on the Assessment to determine the permanent impact this new bridge will have on us as the closest residents to the new bridge. Nor does the Assessment take into consideration the permanent devaluation of our property due to the proposed location of the bridge and the increased noise levels. In addition, it does not take into consideration the approximate two-year deprivation of the pleasure of the use of our residence during the bridge construction process because of the construction noise and the vibration due to the pile driving process. **WE ARE THE ENDANGERED SPECIES HERE IN MONTANA — The Working, Taxpaying Homosapiens** and yet we feel that we have been deprived of the consideration we so rightfully deserve in preserving the current level of comfort and value of our habitat.

We respectfully request a copy of the final written analysis and determinations required under this programmatic Section 4(f) evaluation.

It was a pleasure to meet you, Mr. Galt, and I appreciate the opportunity you provided me to discuss this matter with you. I look forward to receiving a reply to my concerns so that the issues raised can be resolved responsibly and with courtesy.

Very truly yours,

151 Mrs. Dwayne Phippen
Mrs. Dwayne Phippen

cc: Terry L. Yarger, P.E., MDT
Judy Martz, Governor

Changes to the Revised EA and Nationwide Section 4(f) Evaluations

A Finding of No Significant Impact (FONSI), this Summary of Final Coordination, copies of the Notice of Availability for the Revised EA, and a copies of written comments received on the Revised EA during the 30-day review period have been added to constitute the FONSI and Final EA and Nationwide *Section 4(f)* Evaluations.

Additionally, the following changes should be made to the Revised Environmental Assessment and Nationwide *Section 4(f)* Evaluations.

Page 19

The second to the last sentence in the first paragraph under **Riprap at the Bridge End Bents** on page 19 of the Revised EA should be deleted and replaced with the following sentences.

"Construction of the end bents and riprap bank protection for the new bridge and removal of the existing bridge would impact about 60 m (200 linear feet) of the south river bank. Approximately 45 m (150 linear feet) of this total would impact the riverbank below the ordinary high water mark."

Page 21

The first sentence of the paragraph titled **Anticipated Schedule for Letting and Construction** on page 21 should be revised to read:

The proposed Middle Fork bridge replacement near Essex is currently scheduled to be let to contract **on June 28, 2001.**

Page 24

Figure 2c included in the Revised EA (page 24) has been modified to show a more current bridge layout drawing for this project. An older version of the Preliminary Layout Plan for the proposed structure was inadvertently included in the Revised EA. Please note that the layout and configuration of the proposed riprap at each end of the proposed bridge has been modified slightly. Additionally, the approximate location of the ordinary highwater mark has been added to the **Figure 2c.**

Page 44

The last two sentences of the paragraph at the top of page 44 should be deleted and the new paragraphs below should be added to this section of the Revised EA:

After MDT advised the USFS-Flathead National Forest of its decision to issue a Revised Environmental Assessment and Nationwide Programmatic *Section 4(f)* Evaluations for this project, the USFS indicated its desire to also "revisit" the Wild and Scenic River Section 7 Evaluation initially written for this project. MDT provided the USFS with information that helped clarify potential effects on the Middle Fork channel, the location of the proposed gabion retaining wall, and the placement of riprap and road fill material needed to construct a new section of access road to a dispersed recreation site along the Middle Fork. A revised Section 7

Evaluation for the proposed bridge replacement project was prepared by the USFS during March 2001 and was signed by the USFS Regional Forester's office on April 16, 2001.

The revised Section 7 Evaluation concluded that the proposed bridge replacement would not have a direct and adverse effect on the values for which the Middle Fork of the Flathead River was designated a Wild and Scenic River. The Section 7 Evaluation acknowledged short-term impacts would occur due to the project's construction but concluded there would be no long-term significant adverse effect on the outstandingly remarkable values that caused the Middle Fork to be classified as a Recreational River.

Page 46

A sentence should be added to the text on page 46 of the Revised Environmental Assessment stating:

"Information provided by seasonal residents of the Parma Subdivision in Essex indicates that grizzly bears are often sighted in June and July."

Page 53

The last two sentences of the first full paragraph on page 53 should be deleted and replaced with the following text.

Page 59

The first paragraph under Impacts of the Preferred Alternative should be deleted and replaced with the following paragraphs.

Impacts of the Preferred Alternative - MDT's proposed new highway easement across Glacier National Park lands would occupy about 0.028 ha (0.07 acres) of the Walton Ranger Station Historic District. Although the Preferred Alternative would generally shift US 2 away from the historic district, encroaching on the district is unavoidable due to the location of the historic boundary at the east edge of US 2's pavement.

The Preferred Alternative would affect only lands within the historic district already disturbed for construction of the existing highway or the approach to the Ranger Station. The construction limits for US 2 adjacent to the Walton Ranger Station Historic District (the east side of the road) would remain within the currently authorized area for the highway. Due to the alignment shift, MDT's proposed project would cause a minor increase to the length of the road serving as the main approach to the Ranger Station and would rebuild the road's intersection with US 2. The elevation and grades of the new road and the approach to the Ranger Station would be similar to the present conditions. Roadside slopes and drainage ditches adjacent to the historic district would also be rebuilt.

MDT prepared a Determination of Effect for the minor encroachment on the

historic district that concluded this proposed project would have no adverse effect on the Walton Ranger Station Historic District. A letter from the SHPO concurring with this conclusion is attached.

Page 62

The second two sentence of the first full paragraph on page 62 should be deleted and replaced with text that reads:

... proposed project. MDT's proposed new highway easement across Glacier National Park lands would encroach on about 0.028 ha (0.07 acres) of the historic district. Although the Preferred Alternative would shift US 2 away from the historic district, this encroachment is unavoidable due to the location of the historic boundary at the east edge of US 2's pavement. The shift in the location of the new bridge....

Page 67

The first sentence of the last full paragraph on page 67 should be revised to read:

The proposed Middle Fork bridge replacement near Essex is currently scheduled to be let to contract on June 28, 2001.

Page 78

The last two sentences of the last full paragraph on page 78 should be deleted and the following paragraphs should be added to the text in this section of the Revised EA:

After MDT advised the USFS-Flathead National Forest of its decision to issue a Revised Environmental Assessment and Nationwide Programmatic Section 4(f) Evaluations for this project, the USFS indicated its desire to also "revisit" the Wild and Scenic River Section 7 Evaluation initially written for this project. MDT provided the USFS with information that helped clarify potential effects on the Middle Fork channel, the location of the proposed gabion retaining wall, and the placement of riprap and road fill material needed to construct a new section of access road to a dispersed recreation site along the Middle Fork. A revised Section 7 Evaluation for the proposed bridge replacement project was prepared by the USFS during March, 2001 and was signed by the USFS Regional Forester's office on April 16, 2001.

The revised Section 7 Evaluation concluded that the proposed bridge replacement would not have a direct and adverse effect on the values for which the Middle Fork of the Flathead River was designated a Wild and Scenic River. The Section 7 Evaluation acknowledged short-term impacts would occur due to the project's construction but concluded there would be no long-term significant adverse effect on the outstandingly remarkable values that caused the Middle Fork to be classified as a Recreational River.

Page 80

The existing text under 3. Impacts to the Walton Ranger Station Historic District on page 80

should be deleted and replaced with the paragraphs below:

Glacier National Park's Walton Ranger Station Historic District is adjacent to the southeasterly side of this proposed project. According to the NPS, a portion of the boundary of the Walton Ranger Station Historic District lies immediately adjacent to the edge of the existing paved highway. Although the Preferred Alternative would shift US 2 away from the historic district, encroaching on the district is unavoidable due to the location of the historic boundary at the east edge of US 2's pavement.

MDT's proposed new highway easement across Glacier National Park lands would occupy about 0.028 ha (0.07 acres) of the historic district. It should be noted that most of this "encroachment" lies within the area currently authorized by the NPS for US 2. The present centerline of US 2 is located some 23.6 m (77.5 feet) from the nearest building (the ranger residence) in the historic district. The proposed new centerline for US 2 would be located about 35.2 m (115.5 feet) from the ranger's residence.

The Preferred Alternative would affect only lands within the historic district previously disturbed by construction of the existing highway or the approach to the Ranger Station and by the continued maintenance of these transportation facilities. The construction limits for US 2 adjacent to the historic district would remain within the currently authorized area for the highway. Due to the alignment shift, MDT's proposed project would cause a minor increase to the length of the road serving as the main approach to the Ranger Station and would rebuild the road's intersection with US 2. The elevation and grades of the new road and the approach to the Ranger Station would be similar to the present conditions. Roadside slopes and drainage features adjacent to the historic district would also be rebuilt. Access to the Walton area would continue from the existing highway throughout the duration of the proposed bridge construction.

The proposed construction limits would generally extend some 15 m (49 feet) to either side of the existing and proposed centerlines in the area south of the main approach to the Walton Ranger Station (towards Browning and away from the Historic District). MDT's proposed construction limits would encroach slightly on stands of trees along the east (Ranger Station side) and west (river) sides of the highway. A few large conifers trees adjacent to the road at this location would likely be removed.

The Preferred Alternative would also have positive effects on the historic district. About 0.008 ha (0.02 acres) of the currently authorized area for US 2 lying within the historic district would no longer be needed for highway purposes. This area would be obliterated, graded, and revegetated with native species of plants under a cooperative agreement with the NPS. Additionally, the proposed shift in the location of the new bridge and its easterly approach would move traffic and related noise slightly farther away from the historic district.

MDT prepared a Determination of Effect for the minor encroachment on the historic district that concluded this proposed project would have no adverse effect on the Walton Ranger Station Historic District. A letter from the SHPO concurring with this conclusion is attached.

Page 84

A new last sentence will be added to the end of the first paragraph on page 84 stating:

"... planned near the northwest end of the proposed bridge. **Comments were also heard that noise and vibrations associated with the construction of the new bridge would impact residents of the subdivision.**"

The last sentence of the second paragraph under **3. Public Notice and Availability of the Initial EA** on page 84 should be deleted.

Page 85

The first two sentences of the first paragraph on page 85 of the Revised Environmental Assessment should be revised to read:

"Dwayne Phippen, owner of a seasonal home in the Parma Subdivision, expressed concern over noise levels and vibrations during construction. He believes the noise associated with construction activities would be highly disruptive for local residents and that vibrations from pile driving activities could damage structures, particularly since the new bridge would be located closer to homes in the subdivision."

Page 88

The following persons should be added to the EA mailing list.

Paul Fossler
P.O. Box 130203
Coram, MT 59913-0203

Loren Kreck
P.O. Box 536
Columbia Falls, MT 59912

Oliver G. Coburn
P.O. Box 2917
Columbia Falls, MT 59912

Don Scharfe
Rocky Mountain Outfitters
135 Main Street
Kalispell, MT 59901

Karen Feather and Jerry DeSanto
P.O. Box 9
Coram, MT 59913

Appendix B: Correspondence Pertinent to Project

The September 22, 1999 USFS letter to the Regional Forester (from Cathy Barbouletos) and the September 1999 Wild and Scenic River Section 7 Evaluation presented in the Revised EA should be replaced with the April 19, 2001 transmittal letter from Jimmy J. Deherrera, District Ranger Flathead National Forest and the April 16, 2001 Section 7 Wild and Scenic River Evaluation.

Appendix D: "Nationwide" Programmatic Section 4(f) Evaluations and Supporting Materials

MIDDLE FORK OF THE FLATHEAD WSR 4(F) EVALUATION FORM

Page 1

The last bold statement under Item 5. **Have the officials with jurisdiction over the property agreed in writing with the assessment of impacts and the proposed mitigation?** should be replaced with the following:

"Revised Section 7 Evaluation signed April 16, 2001"

Page 3 - COORDINATION

A new bold statement should be added under 1) **The proposed project has been coordinated with the Federal, state, and/or local officials having jurisdiction over the 4(f) lands.** indicating:

"USFS Regional Forester-Revised Section 7 Evaluation 4/16/01"

Page 4 - COORDINATION

The bold statement under 3) **Coordination with the U.S. Army -Corps of Engineers has been completed, or a Section 404 permit (if applicable) is pending.** should be changed to read:

"MDT has applied for a Section 404 Permit from the Corps."

GLACIER NATIONAL PARK - WALTON AREA 4(F) EVALUATION FORM

Page 1

The "Yes" box should be checked instead of the "No" box.

The bold statement under Item 5. **Have the officials with jurisdiction over the property agreed in writing with the assessment of impacts and the proposed mitigation?** should be replaced with the following:

(NPS-Glacier National Park is a Cooperating Agency for this EA. MDT received a letter concurring with the impact assessment and proposed 4(f) mitigation from the U.S. Department of the Interior Office of the Secretary, Director, Office of Environmental Policy and Compliance on April 6, 2001.)

Page 3 - MINIMIZATION OF HARM

A first bold statement under f) **Other mitigating measures.** should be revised to say:

"The alignment of the proposed project has been designed to minimize encroachment on the Walton Ranger Station Historic District, a property listed on the National Register of Historic Places."

Page 4 - COORDINATION

The last bold statement under 1) **The proposed project has been coordinated with the Federal, state, and/or local officials having jurisdiction over the 4(f) lands.** should be revised to read:

"USDOJ, Office of the Secretary - 4(f) Concurrence issued April 3, 2001"

The bold statement under 3) **Coordination with the U.S. Army -Corps of Engineers has been completed, or a Section 404 permit (if applicable) is pending.** should be changed to read:

"MDT has applied for a Section 404 Permit from the Corps."

WALTON RANGER STATION HISTORIC DISTRICT 4(F) EVALUATION FORM

The Nationwide *Section 4(f)* Evaluation form distributed with the Revised EA was modified to discuss the effects of a recently identified minor encroachment on the historic district. The revised Nationwide *Section 4(f)* Evaluation form for the Walton Ranger Station Historic District is attached to this document.

Attachments

The following items are provided as attachments to this Summary of Final Coordination.

- Notice of Public Availability for Revised EA from Kalispell *Daily Interlake* (March 9, 2001 Edition)
- Newspaper Article About Project from *Whitefish Pilot* (March 29, 2001 Edition)
- Revised **Figure 2c**
- April 3, 2001 Letter from Willie R. Taylor, Director, Office of Environmental Policy and Compliance, U.S. Department of the Interior, Office of Secretary to Terry L. Yarger of MDT
- Essex Bridge Section 7 Evaluation (Wild and Scenic Rivers) signed on April 16, 2001 by Regional Forester
- May 4, 2001 Letter from R. Mark Wilson, Field Supervisor, Montana Field Office, U.S. Fish and Wildlife Service transmitting Biological Opinion to Janice W. Brown, Federal Highway Administration, Montana Division
- Revised Nationwide Section 4(f) Evaluation Form for Walton Ranger Station Historic District with the following attachments:
 - Graphic depicting impacts to the Walton Ranger Station Historic District
 - April 23, 2001 Letter from Jon Axline of MDT to the State Historic Preservation Office (SHPO) with SHPO Stamp of Concurrence dated April 25, 2001
 - April 23, 2001 Letter from Suzanne Lewis, Superintendent of Glacier National Park to the State Historic Preservation Officer

Copy of Notice of Availability for Revised EA from
March 9, 2001 Edition of Kalispell *Daily Interlake*

NOTICE OF PUBLIC AVAILABILITY

**MIDDLE FORK FLATHEAD RIVER-SE ESSEX
REVISED EA and
NATIONWIDE SECTION 4(f) EVALUATIONS**

The Montana Department of Transportation (MDT) recently released a REVISED Environmental Assessment (EA) and Nationwide Section 4(f) Evaluations for the Middle Fork Flathead River-SE Essex project for review and comment. The initial EA, issued in March 2000, has been revised to reflect new and pertinent information and to respond to public and agency comments received after the April 2000 public hearing on the proposed project.

The project proposes to build a new bridge over the Middle Fork of the Flathead River and realign adjacent portions of U.S. Highway 2 near Essex. The proposed bridge replacement project involves lands in both the Flathead National Forest and Glacier National Park and crosses the Middle Fork of the Flathead Wild and Scenic River. The new bridge would be built just upstream from the existing structure. Plans include a new 40-foot-wide road and bridge designed to meet current standards for NHS routes, to provide a safer alignment, and to be more resistant to earthquakes.

Copies of the EA are available for review at several locations including:

Montana State Library, Helena
MDT Environmental Services, Helena
Hungry Horse Ranger Station, Hungry Horse
Glacier National Park Headquarters, West Glacier

To request a copy of the EA, contact MDT's Environmental Services, P.O. Box 201001, Helena, MT 59620-1001 phone (406) 444-7632.

MDT solicits your written comments on the REVISED EA for this proposed project but does not intend to hold another public hearing on the project. Comments must be sent to MDT Environmental Services, 2701 Prospect Avenue, P.O. Box 201001, Helena, MT 59620-1001 by APRIL 7, 2001.

ROBERT PECCIATTA

MDOT revises assessment for proposed Essex bridge

The Montana Department of Transportation has issued a "revised" Environmental Assessment for U.S. Highway 2 bridge replacement across the Middle Fork of the Flathead in Essex.

The MDOT plan is to replace the curved bridge with a straight bridge that will be slightly upstream from the current bridge at an estimated cost of \$4.7 million.

According to MDOT the bridge, which was built in 1968, is in need of replacement because the deck is deteriorating and it is susceptible to earthquakes.

A new, straighter bridge would also increase the sight of view and reduce the number of accidents in that area, MDOT claims.

The plan is to leave the old bridge in place, build a temporary bridge for equipment that would build the new bridge, and then tear down the old bridge once the new one is completed.

This would eliminate the need for a detour, MDOT claims.

The project has attracted its fair share of critics, who take issue with the construction methods which could impact the Middle Fork's Wild and Scenic River Corridor.

Also, guides who raft the river note they will lose an access point while the bridge is being reconstructed.

That is because the staging area will be the access site that is currently at the bridge.

This, in turn, will mean a

loss of revenue for them, they maintain.

The project also requires right-of-way acquisitions in Glacier National Park. This is near the Walton Ranger Station and the U.S. Forest Service lands.

The Forest Service, however, has already signed off on the project.

The state is still taking comments on the revised EA until April 7.

Comments can be sent to MDOT Environmental Services, 2701 Prospect Ave. P.O. Box 201001, Helena, MT 59620-1001.

The EA can be read at park headquarters in West Glacier.

The EA will also be located at the Hungry Horse Ranger Station.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

ER-01/158



APR 03 2001

Mr. Terry L. Yarger, P.E.
Montana Department of Transportation
Environmental Services
2701 Prospect Avenue
Post Office Box 201001
Helena, Montana 59620-1001

RECEIVED

APR 06 2001

ENVIRONMENTAL

Dear Mr. Yarger:

This is in response to your request for the Department of the Interior's comments on the Nationwide Programmatic Section 4(f) Evaluation on the Middle Fork Flathead River - SE Essex BR 1-2 (85) 180 Flathead County, Montana.

As indicated in your revised document, the preferred alternative would not affect access or use in recreational or administrative areas at the Walton developed area. The proposed alignment for US 2 would shift away from the Walton Ranger Station Historic District and would require 3.07 acres of park land to be acquired as easement for bridge construction. We are pleased to note that the 0.54 acres of land within the park that is no longer needed by the proposed project would be graded, revegetated and restored to a natural condition and that any other impacts from construction in this area would be minor and last only the duration of the construction period.

We are also pleased to note that lands within the Wild and Scenic River Corridor of the Middle Fork of the Flathead River would not be substantially changed by this project, and the proposed project would not affect characteristics of this segment of river that make it eligible to meet the classification criteria listed in the Wild and Scenic River Act.

The Department of the Interior has no objection to Section 4(f) approval of the project by the Department of Transportation.

We appreciate the opportunity to provide these comments.

Sincerely,

Willie R. Taylor
Director, Office of Environmental Policy
and Compliance

STATE	PROJECT NUMBER	SHEET NO.
MONTANA	BR 1-2(86)180	B2

NOTES

FINISHED GRADE: Finished grade of bridge at centerline roadway equals the Profile Grade shown on Road Plans.

LIVE LOAD: Standard MS 18 loading.

SPECIFICATIONS: Montana Department of Transportation and the Montana Transportation Commission Standard Specifications for Road and Bridge Construction, 1995 edition, and any amendments thereto, and the Special Provisions govern unless otherwise noted. Design was prepared in accordance with AASHTO Specifications, 1996 edition, and any amendments thereto.

STRUCTURAL STEEL: All structural steel is measured and paid for on the lump sum basis as set forth in the Standard Specifications. Use structural steel meeting the requirements of AASHTO M 270M Grade 345 WT3, except as otherwise specified. Estimated amount of Stainless Steel = 126 kg. Estimated amount of AASHTO M 183M Steel = 1164 kg. Estimated amount of AASHTO M 270M Steel Grade 345WT3 = 481,427 kg.

CURVE DATA

$PI = 434+97.41$
 $\Delta = 20^{\circ} 06' 16''$ Rt.
 $R_c = 400.0$ m
 $L_s = 70.0$ m
 $\theta_s = 5^{\circ} 0' 48''$
 $\Delta_c = 10^{\circ} 4' 40''$
 $T_s = 105.99$ m
 $L_c = 70.36$ m
 $E_s = 6.75$ m
 $S = 0.08$ m/m

- Approximate Current Location of Ordinary High Water Mark Elev. = 1139.2 Meters (3737.5 feet)
- - - - - Approximate New Location of Ordinary High Water Mark With Access Roadway Embankment in Place At Elev. = 1139.2 Meters (3737.5 feet)
- Riprap

STRUCTURE EXCAVATION: Include structure excavation in the unit price bid for Class DD concrete.

TRAFFIC CONTROL PLAN AND SEQUENCE OF OPERATIONS: See Special Provisions.

UTILITIES: For location of utilities, see the appropriate Road Plans sheet.

EXISTING STRUCTURE: Remove the existing structure (see Road Plans sheets and Special Provisions).

DIMENSIONS: All dimensions shown on the General Layout are in meters. All other drawings are dimensioned in millimeters except as noted. Stations and elevations are expressed in meters.

DIMENSIONS: Dimensions shown on the bridge plans are horizontal ground distances and not grid distances. Stations shown on plans are grid stations based on State Plane Coordinates (NAD83-1992). The combination factor at this location is 0.99945556.

STREAM DATA

Drift:	Severe
Scour:	Light
Ice:	Light
Drainage Area:	1346.8 sq. km
Base Flood Flow (100 yr.):	961 m ³ /sec
* Base Flood Stage:	1141.44
Base Flood Velocity:	4.57 mps
Low Beam Elevation:	1145.545
O ₂ Stage:	1139.30

Also see Hydraulic Data Summary sheet.
* Base Flood Stage elevation includes backwater



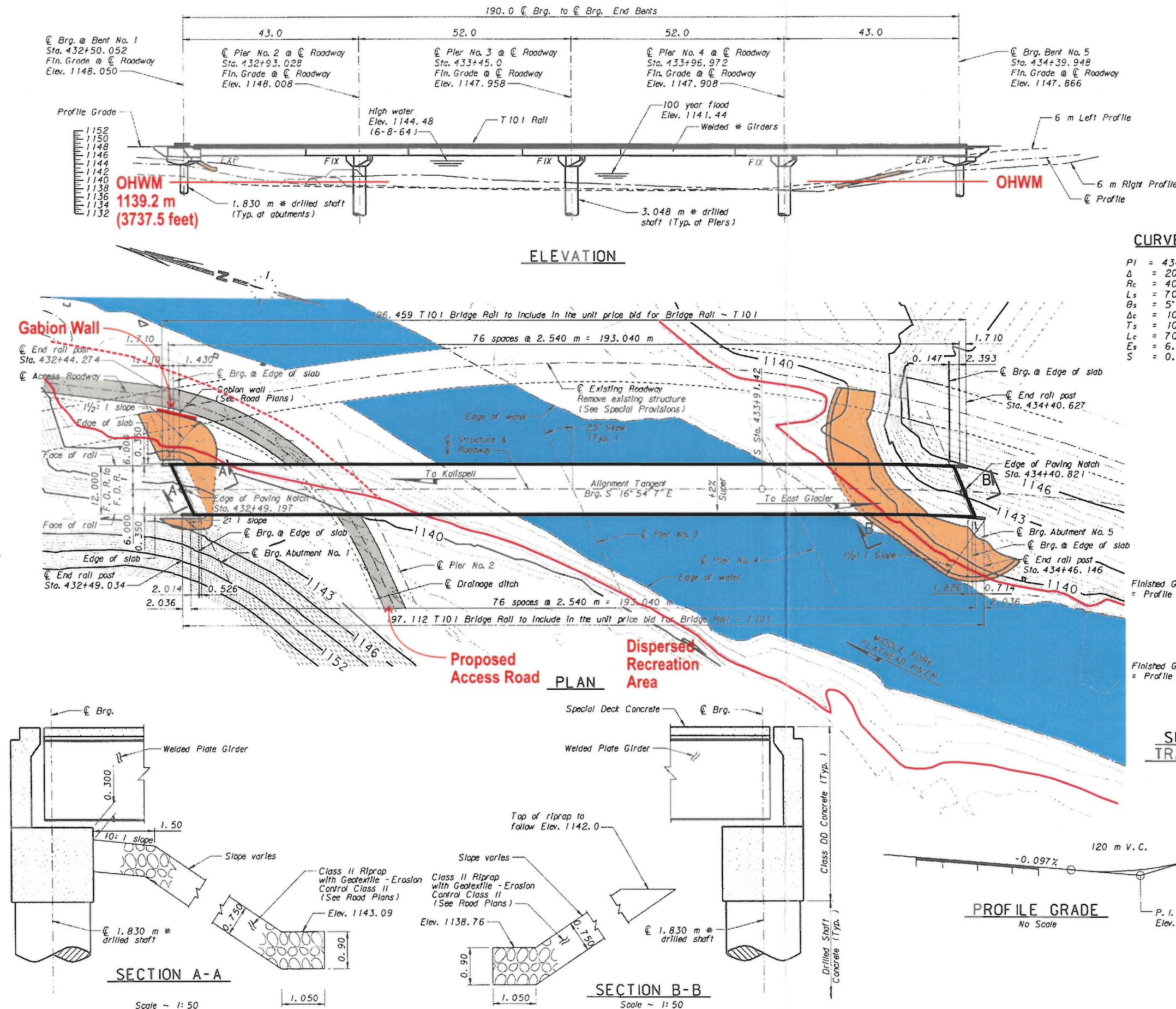
BRIDGE OVER MIDDLE FORK FLATHEAD RIVER

AT STA. 433+45.0

FEDERAL AID PROJECT NO. BR 1-2(86)180

DESIGNED	8-4-98
DRAWN	8-7-98
CHECKED	2-21-00
APPROVED	2-6-01
REVIEWED	
REVISOR	

**Figure 2c
Preliminary Bridge Layout**





United States
Department of
Agriculture

Forest
Service

Hungry Horse and Glacier View
Ranger Districts

8975 Highway 2 East
P.O. Box 190340
Hungry Horse, MT 59919
(406) 387-3800
Fax (406) 387-3889

Mr. Joel Marshik
Environmental Services Manager
Montana Department of Transportation
2701 Prospect Ave
Box 201001
Helena, MT 59620-1001

File Code: 2350-4

Date: April 19, 2001

RECEIVED

APR 20 2001

MASTER FILE
COPY

Dear Mr. Marshik,

Enclosed is a copy of the final Section 7 Determination for the Essex Bridge Project which has been approved by Regional Forester Dale Bosworth.

Sincerely,

/s/ Jimmy J. Deherrera
JIMMY J. DEHERRERA
District Ranger



ESSEX BRIDGE

SECTION 7 EVALUATION

Introduction

The Middle Fork of the Flathead River was designated as a component of the National Wild and Scenic River System on October 12, 1976. That portion of the river in the vicinity of the project area is designated as a Recreational River. The outstandingly remarkable values that caused the river to be classified as a Recreational River are its 1) free-flowing characteristics, 2) accessibility for public use, 3) pleasing environment, 4) unpolluted waters and 5) outstanding features such as scenery and wildlife.

Evaluation

1) Establish Need and Evaluate Consistency with Management Goals and Objectives

The Essex Bridge is located on US Highway 2, a primary route across northern Montana. The highway is a major access route to and from the Flathead Valley and Glacier National Park. The existing bridge was in place at the time the Middle Fork was added to the Wild and Scenic River System and when the Flathead Forest Plan was signed. It was deemed to be compatible with Wild and Scenic River designation (Flathead Wild and Scenic River Proposal, Pg. 35) and with Forest Plan objectives. The southeast abutment of the bridge and several miles of eastbound US 2 are within Glacier National Park. The General Management Plan for the Glacier National Park gives no indication that the bridge is in conflict with Park management objectives.

The Federal Highway Administration (FHA) and the Montana Department of Transportation (MDT) have determined the bridge is structurally unsound and that it does not meet current design standards for bridges located in earthquake prone areas. Based on recent engineering evaluations, MDT has determined the existing structure is both structurally deficient and functionally obsolete. Furthermore, the design is considered to be "fracture critical". The steel girders have the potential to develop cracks caused by fatigue loading, or repeated cycles of loading and unloading. In a fracture critical system, development of fatigue cracking in one location can lead to collapse of the whole superstructure, as the remaining structure alone cannot carry the load. A sudden catastrophic collapse of the bridge would be very likely in the event of an earthquake.

Furthermore, the existing structure does not meet current design standards in terms of width and alignment.

An undeveloped river access and dispersed recreation site is located on the upstream side of the existing bridge on National Forest System land. The existing route into this site is

unsafe in that it enters US Highway 2 at the beginning of the bridge approach without adequate sight distance.

The MDT has proposed to reconstruct the Essex Bridge. The project will:

- Replace a deteriorating bridge with a new structure that will meet current design standards in terms of width and alignment and that will serve the traveling public for approximately 75 years.
- Provide a structure more resistant to earthquakes as appropriate for the bridge's location in an area with significant risk of serious earthquake.
- Improve safety of the access route by constructing a new road into the dispersed recreation site on National Forest System land.
- Reduce the extent of the supporting structures in the river channel by reducing the number of piers from four to three.
- Remove remnants of a pre 1964 bridge downstream from the existing bridge location.

2) Describe the Proposed Activity

The Essex bridge project is located in Section 14, T29N, R16W, MPM, near the community of Essex in Flathead County, Montana. Riverbanks in the project area have been extensively modified by past highway and bridge activities. Riprap exists at the edge of the active channel under the existing bridge and at sites of at least two previous bridges. Additional riprap appears to have been placed in the past to protect highway fill slopes. Much of this riprap is concealed by vegetation that has grown in over the past 30+ years.

The Montana Department of Transportation proposes to remove the existing bridge and replace it with a similar structure. The new bridge will be located slightly up stream from the existing facility. New approaches will be constructed on both sides of the bridge. The existing five span structure will be replaced with a four span structure requiring only three piers in the active channel. Approximately 460 feet of riprap covering 30 feet of slope distance will be placed below the northwest abutment and the access road. Approximately 160 feet of riprap covering 60 feet of slope distance will be placed under the southeast abutment. The riprap to be placed in conjunction with this project will be located in areas where banks have already been riprapped by previous bridge and highway projects. A portion of the riprap current existing in the area will be removed and replaced during the project.

A temporary work bridge will be placed across the river during construction.

The project will create a new 5 meter wide gravel surface road into the dispersed recreation site located at the northwest end of the bridge on National Forest System land. The new road will begin 295 feet north of the new bridge and will parallel the river, crossing under the bridge to reach the dispersed recreation site. Approximately 71 feet of gabion wall will be placed between the highway and the recreation site access road. The gabion wall is not in the river channel. The wall will allow the road to be constructed without affecting the active river channel.

The project will also remove remnants of a pre 1964 bridge located down stream from the existing bridge site.

Disturbed sites will be rehabilitated and revegetated.

It is estimated that the construction of the new bridge would take two years due to the short construction season in the area. Once completed, the bridge would remain in place for the foreseeable future.

3) Describe How the Proposed Activity Will Directly Alter Within-Channel Conditions

The proposed activity will directly alter both the stream banks and the streambed. New abutments will be constructed on both banks of the river. Abutments for the existing bridge will be removed and the site will be restored. Three new piers will be constructed in the streambed as intermediate supports. MDT proposes to drill shafts to construct the piers. The four piers on the existing bridge will be removed. The location of the active channel will not be affected. Channel geometry will change slightly with construction of the new piers and removal of the old ones. There will be a net decrease of one pier in the active channel. Channel slope and form will not be changed by the construction. Riprap associated with the abutments and the recreation site access road will be placed along riverbanks outside the active channel, in the vicinity of existing riprap.

A portion of the riprap currently in place at the project site will be removed and replaced. Riprap associated with this project will not increase surface water elevations in a 100-year flood event. New riprap will be visually apparent until vegetation becomes established softening its appearance. There will be a slight, short-term change in water quality due to construction activities. Use of best management practices will minimize adverse impacts.

Remnants of the pre 1964 bridge, located below the existing structure, will be removed enhancing free flowing status of the river.

Impact Outstandingly Remarkable Values

The free-flowing nature of the river will be enhanced due to the reduction of one pier in the active channel and to the removal of remnants of the pre 1964 bridge below the existing structure. Use of the river may be reduced during periods when construction activities partially obstruct the river channel. Recreation use will return to current levels following construction. Short term impacts to water quality resulting from in channel

activities will be mitigated by following best management practices. Replacement riprap will be apparent for several years following completion of the project. Over time, its appearance will be softened as has happened with the existing riprap on the site as vegetation grows in to obscure it. Given the already heavy summer traffic, little displacement of wildlife is expected during the construction period.

4) Describe How the Proposed Activity Will Directly Alter Riparian and/or Floodplain Conditions.

The proposed activity will not alter floodplain conditions. Riprap associated with the abutments and the recreation site access road will be placed along riverbanks outside the active channel, in the vicinity of existing riprap. Riprap will not increase surface water elevations in a 100-year flood event (page 35, Revised Environmental Assessment and Nationwide Programmatic Section 4(f) Evaluations for Middle Fork Flathead River – SE Essex BR 1-2(85) 180; Control No. 1763, Flathead County, Montana, released by the Federal Highway Administration and Montana Department of Transportation, 3/7/01). Small areas of riparian vegetation will be disturbed as new abutments are constructed and the old ones removed. Old abutment areas will be revegetated prior to completion of the project. There should be no long-term net increase of bare ground in the riparian area except the surface of the new access road. Most of the increase of bare ground attributed to the new access road will be offset by rehabilitation of the old access road. No jurisdictional wetlands will be affected by the project.

Impacts to Outstandingly Remarkable Values

Activities related to riparian areas and flood plains will not affect the free-flowing characteristics of the river, wildlife or recreational access. There may be a short-term reduction in water quality due to construction activities that will be mitigated by following best management practices. There will be a temporary loss of scenic values as vegetation is removed during construction. All disturbed areas will be revegetated following construction. Over time conditions will return to those that exist today.

5) Describe how the Proposed Activity Will Directly Alter Upland Conditions

Construction of new approaches and a new access road to the dispersed recreation site on the northwest end of the bridge will alter upland conditions. Vegetation will be removed. The old route and abutments will be revegetated. Approximately 71 feet of gabion wall 12 feet in height will be installed between the highway approach to the bridge and the new recreation site access road. The gabion wall will be visually apparent for the foreseeable future.

Impacts to Outstandingly Remarkable Values

Activities in upland areas will not affect the free-flowing characteristics of the river. The new gabion wall will allow the access road to be constructed without encroaching on the

active river channel. There will be no impacts to wildlife. Public access will be enhanced by providing a safe route into the dispersed recreation site at the northwest end of the bridge. Construction may cause minor short-term reductions in water quality that will be mitigated by best management practices. The new gabion wall and access road will remain apparent for the foreseeable future. Using fill rock that will match the color of naturally occurring rock will mitigate visual impacts of the gabion wall.

6) Evaluate and Describe How Changes in On-Site Conditions Can/Will Alter Existing Hydrologic or Biologic Processes

Other than the short term effects of construction, there should be no significant changes in either hydrologic or biologic conditions. One bridge is being replaced with another of similar design requiring one less pier in the active channel. Remnants of the pre 1964 bridge piers will be removed. During construction there will undoubtedly be some temporary increase in sediment, but following best management practices will minimize this.

Impacts to Outstandingly Remarkable Values

A net reduction of one pier in the active channel and removal of the remnants of the pre 1964 bridge will enhance free-flowing characteristics of the river. Recreation access, wildlife, scenery and wildlife will not be affected. There may be a slight short-term decrease in water quality during construction that will be mitigated by following best management practices.

7) Estimate the Magnitude and Spatial Extent of Potential Off-Site Changes

There should be no long term off site changes associated with this project. During the construction phase, there may be minor off-site changes in sediment levels (reference Middle Fork Flathead – SE Essex BR 1-2 (85) 180; CN 1763 Biological Assessment Documents compiled by Robert Peccia & Associates, Inc. January 2001).

Impacts to Outstandingly Remarkable Values

There will be no off site impacts to free-flowing status, scenery or wildlife. There will be a short-term displacement of recreationists to other sites when the dispersed site is closed during construction. There may be minor, short-term reductions in off site water quality during construction. Use of best management practices will minimize these effects.

8) Define the Time Scale Over Which Steps 3-7 are Likely to Occur

All of the effects described above related to construction will occur during a 2 year period most likely beginning in 2001. Long-term effects of having the bridge on the site will remain for the foreseeable future.

9) Compare Project Analysis to Management Goals and Objectives

The overall management goal is to preserve and enhance those values, which caused the Middle Fork of the Flathead to be designated as a recreational component of the Wild and Scenic River System. Objectives are to preserve the free flowing status, recreational access, water quality, scenery and wildlife associated with the river

The existing Essex Bridge and historic bank and stream channel modifications predate Wild and Scenic River designation. It is assumed that this structure and historic features were compatible with the intent of a recreational river designation. Adverse affects, therefore, are those that the proposed activity would create in addition to those that exist with the current structure

The proposal will enhance the free flowing status in that the new bridge will require three in stream piers rather than the four that currently exist. In addition, the remnants of piers from the pre 1964 bridge will be removed.

There will be a minor short-term reduction in water quality during construction. Following best management practices will minimize this. There will be no long-term effect on water quality.

There will be no short or long term effects on most wildlife species in the project area. A Biological Evaluation had determined there will be no effect on the endangered peregrine falcon and that the project is not likely to adversely affect the threatened bald eagle, lynx, grizzly bear or gray wolf. This is a heavily traveled major highway. Construction will occur at a time when the area is already receiving heavy use by motorists, river floaters and general recreation users. It is unlikely that construction crews will cause additional significant impacts in the area. After construction, the affects on wildlife will be similar to those that exist today.

Fisheries may be affected, in the short term, by increased sediment from construction activities including drilling and blasting. Work will be timed to minimize effects on migrating species. A Biological Assessment has determined the project may affect, but is not likely to adversely affect the threatened bull trout with the implementation of Coordination and Conservation Measures. There will be no long-term affects on fisheries from the project. The Montana Department of Transportation has submitted the Biological Assessment to the U.S. Fish and Wildlife Service for concurrence.

Scenery will be affected in the short term. Construction activities will detract from scenic attributes. Vegetation will be removed and it will take some time for revegetation efforts to become apparent. It will take several years for vegetation to become reestablished in areas where existing riprap is removed and replaced. The bridge, recreation access road and associated gabion wall will be apparent for the foreseeable future.

Recreational access will be adversely impacted during the construction phase. The dispersed recreation site at the northwest end of the bridge will be unavailable. This will

eliminate public use of a very popular undeveloped river access site. It will affect operation of five commercial river outfitters that use the site intermittently. The construction bridge will partially obstruct the stream channel during the float season requiring river users to navigate under it. This may reduce floating use in the area. Once the project is completed recreational use will return to pre construction levels.

Providing a safe route to the dispersed recreation site will enhance recreational access.

Work on the southeast end of the bridge is within Glacier National park and is adjacent to the Walton Ranger Station and The Walton Historic District. Glacier National Park managers have reviewed the proposal and have determined that it will not affect cultural values in the area and that it is compatible with Park management goals and objectives.

10) Section 7 Determination

It is my determination that the proposed activity will not have a direct and adverse effect on the values for which the Middle Fork of the Flathead was designated a Wild and Scenic River.

The Essex Bridge Reconstruction Project will enhance the free flowing characteristics of the river by eliminating one pier in the active stream channel and by removing remnants of the pre 1964 bridge below the existing structure. There will be no adverse effects on free flowing status.

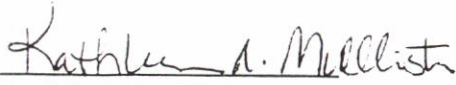
In the long term, the project will not have a significant adverse effect on the outstandingly remarkable values that caused the Middle Fork to be classified as a Recreational River.

Following construction, recreation access will be enhanced by providing a safe route into the dispersed recreation site at the south end of the bridge.

There will be no long-term effects on water quality or wildlife

Existing riprap that is removed and replaced will be visually apparent for several years, reducing scenic quality. Over time vegetation will become reestablished in these areas, returning conditions to those that exist today. The new recreation access road and gabion wall will cause a minor reduction in scenic quality for the foreseeable future, but the overall project will enhance recreational access.

In the long term the generally pleasing environment found today will continue to exist.


DALE N. BOSWORTH
Regional Forester

4-16-01
Date



United States Department of the Interior

FISH AND WILDLIFE SERVICE

MONTANA FIELD OFFICE
100 N. PARK, SUITE 320
HELENA, MONTANA 59601
PHONE (406) 449-5225, FAX (406) 449-5339

M.17 FHWA Sula North & South

May 4, 2001

Janice Weingart Brown, Division Administrator
Federal Highway Administration
Montana Division
2880 Skyway Drive
Helena, Montana 59602

Dear Ms. Brown:

This letter transmits the US Fish and Wildlife Service's (Service) Biological Opinion based on our review of the proposed replacement of the US Highway 2 bridge over the Middle Fork of the Flathead River southeast of Essex in Flathead County, Montana (BR 1-2(85)180; Control No. 1763) and its effects on the threatened Columbia River basin population of bull trout (*Salvelinus confluentus*) in accordance with §7 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

This Biological Opinion is based on information provided in the final Biological Resources Report and Biological Assessment, revised Environmental Assessment, their supplements and addenda, conversations with State and Federal agency personnel and other sources of information. A complete administrative record of this consultation is on file in this office.

Consultation History

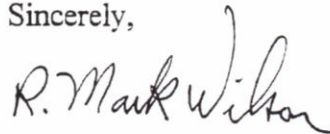
On September 20, 2000, the Service received the Federal Highway Administration's (Administration) request for formal consultation, dated September 19, 2000, along with the final Biological Resources Report for this project and Supplementary Biological Assessments for bull trout and Canada lynx (*Lynx canadensis*). In a letter dated October 3, 2000, the Service responded to the Administration's request and indicated that the regulatory time frame for delivery of the Service's Biological Opinion for this project would be February 2, 2001. The Service requested an extension of the delivery date for the Biological Opinion for this project in a letter to the Administration dated January 26, 2001. The Administration agreed to a 30-day extension in a letter to the Service dated February 2, 2001. The Service received the revised Environmental Assessment for this project on March 13, 2001.

In addition to the determination that the proposed project is likely to adversely affect bull trout, the Biological Resources Report and Supplemental Biological Assessment for this project also concluded that this bridge replacement project would not be likely to adversely affect the endangered gray wolf (*Canis lupus*) or the threatened bald eagle (*Haliaeetus leucocephalus*),

grizzly bear (*Ursus arctos horribilis*), or Canada lynx. The Service concurs with this determination and, therefore, formal consultation is not required for this species. The Service bases its concurrence on information displayed in the revised Environmental Assessment, Biological Resources Report and Supplementary Biological Assessment, and in particular on the conservation and coordination measures that will be implemented as a part of this project to assure that these species are not adversely affected by bridge replacement activities. In particular, the Service emphasizes the importance of adherence to the conservation and coordination measures designed to minimize grizzly bear/human interactions as stated on page 49 of the revised Environmental Assessment. These measures pertain to the safe storage of bear attractants and the education of contractor employees regarding protocol when working in high-use grizzly bear areas. These measures should be followed at all times not only at the construction site, but also by the construction workers should they camp overnight anywhere in that area. The Service strongly encourages the Administration to require that the on-site project manager contact the Hungry Horse Ranger District of the Flathead National Forest (406-387-5243) for additional information and guidance to avoid conflicts with grizzly bears.

Your interest and cooperation, as well as your patience, in meeting our joint responsibilities under the Act are appreciated. If you have questions regarding this consultation, please contact Mr. Scott Jackson, of my staff, at (406)449-5225, ext. 201.

Sincerely,



R. Mark Wilson
Field Supervisor

Enclosure

Copies (w/enclosure) to:

ARD-ES, FWS, Denver, CO
Joel Marshik, MDT, Helena, MT
Todd Tillinger, COE, Helena, MT
✓ Dan Norderud, Robert Peccia & Assoc., POB 5653, 825 Custer Ave., Helena, MT 59604
File 7759; Biological Opinions - 2001

MONTANA DIVISION

**"NATIONWIDE" SECTION 4(f) EVALUATION FOR MINOR IMPACTS
ON
HISTORIC SITES
EXCLUDING HISTORIC BRIDGE REPLACEMENTS**

Project # BR 1-2 (85) 180, (P.M.S. C#1763)Date: April 30, 2001Project Name: Middle Fork Flathead River -
SE of EssexLocation: Walton Ranger Station
Historic District (24FH397)
Glacier National Park
Flathead County, Montana

This proposed project would replace the existing bridge across the Middle Fork of the Flathead River on U.S. Highway 2 approximately 0.4 km (0.25 miles) southeast of Essex. The proposed project would construct a new bridge on an alignment just upstream from the existing structure and build approaches to connect to the existing portions of U.S. Highway 2. The work would take place adjacent to the Walton Ranger Station Historic District (24FH397), a site listed on the NATIONAL REGISTER OF HISTORIC PLACES. FIGURE 9 in Part V of the Environmental Assessment shows the location of 24FH397. The Walton Ranger Station Historic District consists of the ranger station, a residence, garage, woodshed, barn, a gas shed, and a sign cache. Several other structures near the ranger station were determined to be non-contributing elements to the historic district. MDT's proposed new highway easement across Glacier National Park lands would encroach on about 0.028 ha (0.07 acres) of the historic district. Although the new road would be shifted away from the historic district, this encroachment is unavoidable since a portion of the historic district's boundary is adjacent to the east edge of US 2's pavement. The attached figure shows the area of the historic district affected by this proposed project.

NOTE: Any response in a box requires additional information. Consult the "Nationwide" Section 4(f) Evaluation criteria.

- | | <u>YES</u> | <u>NO</u> |
|--|--------------------------|--------------------------|
| 1. Is the 4(f) site adjacent to the existing highway? | <u>X</u> | <input type="checkbox"/> |
| 2. Does the proposed project require the removal or alteration of historic structures, and/or objects? | <input type="checkbox"/> | <u>X</u> |
| 3. Does the proposed project disturb or remove archaeological resources which are important to preserve in-place rather than to recover? | <input type="checkbox"/> | <u>X</u> |
| 4. Is the impact on the 4(f) site considered minor (i.e.: no effect; or no adverse effect)? There will be no adverse effect to 24FH397. | <u>X</u> | <input type="checkbox"/> |
| 5. Has the STATE HISTORIC PRESERVATION OFFICE (SHPO) agreed in writing with the assessment of impacts, and the proposed mitigation? | <u>X</u> | <input type="checkbox"/> |
| 6. Is the proposed action under an <u>Environmental Impact Statement (E.I.S.)</u> ? | <input type="checkbox"/> | <u>X</u> |
| 7. Is the proposed project on a new location? The centerline of the highway has been shifted slightly west away from 24FH397. | <input type="checkbox"/> | <u>X</u> |
| 8. The Scope-of-Work for the proposed project is one of the following: | <u>X</u> | <input type="checkbox"/> |
| a) Improved traffic operation; | | |
| b) Safety improvements; | | |
| c) 3R; | | |
| d) Bridge replacement on essentially the same alignment; or | | |
| e) Addition of lanes. | | |

NOTE: Any response in a box requires additional information. Consult the "Nationwide" Section 4(f) Evaluation criteria.

ALTERNATIVES CONSIDERED

- | | <u>YES</u> | <u>NO</u> |
|--|-------------------|--------------------------|
| 1. The "do-nothing" ALTERNATIVE has been evaluated, and is <u>not</u> considered to be feasible and prudent. | <u>X</u> | <input type="checkbox"/> |
| 2. An ALTERNATIVE has been evaluated on the existing alignment which improves the highway without any 4(f) impacts, and is also <u>not</u> considered to be feasible and prudent. | <u>X</u> | <input type="checkbox"/> |

Rehabilitating the existing bridge was initially planned by MDT. However, total replacement of the structure was proposed after further investigations showed the deterioration to be much worse than initially suspected. The bridge is also considered "fracture critical" by engineers and has undesirable strap and hangar connections which could contribute to a catastrophic failure of the structure. The alignment of the present roadway and bridge is also a contributing factor to numerous accidents, particularly during icy road conditions. Rehabilitating the bridge without improving the alignment does not meet the project's purpose and need.

Road widening and bridge replacement on the existing alignment would not cause 4(f) impacts to the historic district but can not be done without affecting the Middle Fork Wild & Scenic River and its associated Management Corridor and lands in the Walton area of Glacier National Park, also 4(f) properties.

- | | | |
|--|----------|--------------------------|
| 3. An ALTERNATIVE on a new location avoiding the 4(f) site has been evaluated, and is <u>not</u> considered to be feasible and prudent. | <u>X</u> | <input type="checkbox"/> |
|--|----------|--------------------------|

The proposed action involves building a new bridge to replace an existing structure across a segment of the Middle Fork of the Flathead River. The new bridge must cross the river at some location in this area since adjoining segments of US Highway 2 exist on both sides of the river. Additionally, the constraints imposed by topography and existing development dictate the bridge be placed in the same area as the present bridge to stay within the previously established transportation corridor. Totally avoiding Glacier National Park lands at Walton would require the establishment of a new route for US Highway 2 outside the boundaries of the park on adjoining lands in the Flathead National Forest. This could not be done without causing significant environmental impacts to lands and resources in the Flathead National Forest or without substantially increasing engineering and construction costs.

As indicated above, the road widening and bridge replacement on the proposed new location would not cause 4(f) impacts to the Walton Ranger Station Historic District. Although the historic district can and would be avoided, building a new bridge and its approaches at any other nearby location can not be done without affecting other potential 4(f) resources like the Middle Fork Wild & Scenic River and its associated Management Corridor and public lands in Glacier National Park and the Flathead National Forest. MDT and FHWA also have a general obligation under Section 4(f) to avoid these public landholdings and/or recreation sites if possible.

MINIMIZATION OF HARM

- | | | |
|--|----------|--------------------------|
| 1. The proposed project includes all possible planning to minimize harm. | <u>X</u> | <input type="checkbox"/> |
| 2. Measures to minimize harm include the following: | | |

The centerline of the new road has been shifted westward in the area of 24FH397 which will minimize impacts on the historic district. The construction limits for the proposed project will remain within the area of Glacier National Park now authorized for U.S. Highway 2. Only lands within the historic district previously disturbed by construction of the existing highway or the

MINIMIZATION OF HARM (continued)

approach to the Ranger Station and by the continued maintenance of these transportation facilities would be affected by the proposed project.

About 0.008 ha (0.02 acres) of the currently authorized area for US 2 lying within the historic district will no longer be needed for highway purposes. This area will be obliterated, graded, and revegetated with native species of plants under a cooperative agreement with the NPS.

MDT and FHWA will provide the NPS with funding equal to the appraised value of the additional Park land needed for US 2 to serve as a contribution towards the purchase of private lands within Glacier National Park. This measure will help preserve park land by allowing the NPS to acquire new land to offset the additional area of the park (including land within the historic district) that will be devoted to highway purposes. MDT has appraised the value of the land required from Glacier National Park for US 2 and the new bridge and determined its value to be \$8,000.00.

Due to the alignment shift, MDT's proposed project would cause a minor increase to the length of the road serving as the main approach to the Ranger Station and would rebuild the road's intersection with US 2.

COORDINATION

1. The proposed project has been **COORDINATED** with the following:

- | | | |
|--|----------|-------------------------------------|
| a) SHPO (August 20, 1997) and (April 25, 2001) | <u>X</u> | <input type="checkbox"/> |
| b) ADVISORY COUNCIL ON HISTORIC PRESERVATION
Since there would be no adverse effect to the Historic District coordination with the Advisory Council on Historic Preservation is unnecessary. | — | <input checked="" type="checkbox"/> |
| c) Property owners (meeting with Parma Addition Homeowners Association) | <u>X</u> | — |
| d) Local/State/Federal agencies
USFS-Flathead National Forest - Cooperating Agency for project
NPS-Glacier National Park - Cooperating Agency for project
U.S. Fish and Wildlife Service - Cooperating Agency for project | <u>X</u> | <input type="checkbox"/> |

2. One of the preceding had the following comment(s) regarding this proposed project, and/or the mitigation:

The Montana SHPO concurred that several buildings at the Walton Ranger Station outside the prescribed boundaries of the historic district were not contributing elements to the historic district. SHPO also concurred on April 25, 2001 that there would be no adverse effect to 24FH397 since the road will be shifted away from the site. The NPS (Glacier National Park Superintendent) indicated in correspondence to the SHPO on April 23, 2001 that this proposed project would not have a measureable adverse effect on the historic district or its setting.

The Parma Homeowners requested that a community well house be avoided.

A revised Section 7 Evaluation for the proposed bridge replacement project was signed by the USFS Regional Forester's office on April 16, 2001. The revised Section 7 Evaluation concluded that the proposed bridge replacement would not have a direct and adverse effect on the values for which the Middle Fork of the Flathead River was designated a Wild and Scenic River. The Section 7 Evaluation also concluded there would be no long-term significant adverse effect on the outstandingly remarkable values that caused the Middle Fork to be classified as a Recreational River.

SUMMARY

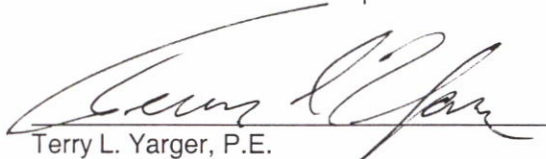
The "Do Nothing" alternative ignores the basic transportation needs for providing an earthquake-resistant bridge, improving facilities for pedestrians and bicyclists, and increasing overall traffic safety at this location. The existing bridge has a Sufficiency Rating of 66 (see Part II in the EA) and extensive maintenance or

replacement is needed if the structure is to remain in service much longer. MDT's efforts to rehabilitate the existing bridge have been unsuccessful. Building a new bridge slightly upstream from the present structure was the only viable alternative identified by MDT for the Middle Fork crossing near Essex due to limitations caused by steep terrain and adjacent land uses. Constructing a bridge at another location would cause extraordinary environmental impacts and substantially increase engineering and construction costs. Part III of the attached Environmental Assessment describes the alternatives considered and viable alternatives for this proposed action.

The proposed action meets all criteria regarding the required **Alternatives, Coordination, and Measures to Minimize Harm**. All possible planning to minimize harm to the Walton Ranger Station Historic District has been undertaken and will be incorporated in this proposed project. This proposed project therefore complies with the December 23, 1986 Final Nationwide *Section 4(f)* Evaluation by the U.S. DEPARTMENT OF TRANSPORTATION's Federal Highway Administration.

APPROVAL

This document is submitted pursuant to **49 U.S.C. 303** and in accordance with the provisions of **16 U.S.C. 470f**.



Terry L. Yarger, P.E.
Engineering Bureau Chief
MDT Environmental Services

Date: 5-8-01

Approved: 
Federal Highway Administration

Date: 5-9-01

Approximate Scale

0 50 feet
0 20 meters



Area Presently Authorized
by NPS for U.S.2

Area of Encroachment
on Historic District
0.028 Hectares (0.07 Acres)

--- New Right-of-Way
Easement Line

Historic District
Boundary
(Approximate)

Ranger
Station

Woodshed

Garage

Ranger
Residence

Proposed
Construction
Limits

Existing Bridge
and Highway

New Highway
and Bridge

Proposed Construction
Limits

MIDDLE FORK FLATHEAD RIVER

SC 434+61.42

SC 435+31.77

Impacts on the Walton
Ranger Station Historic
District (24 FH 397)

1001076406

1001
MDT

Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001David A. Galt, Director
Linda Martz, Governor

RECEIVED

APR 27 2001

ENVIRONMENTAL

April 23, 2001

CONCUR
MONTANA SHPO

FILE 25 Apr 2001 SIGNED

MASTER FILE
COPYDr. Mark Baumler
State Historic Preservation Office
1410 8th Avenue
P.O. Box 201202
Helena, MT 59620-1202Subject: BR 1-2(84)180
Middle Fork Flathead River - SE Essex
Control No. 1763

BY: _____

The MDT intends to construct a new bridge and approaches on U.S. Highway 2 in Flathead County, Montana. The proposed project would be located about 0.25 miles southeast of Essex at Reference Post (Milepost) 180.399 in the NW¼ SW¼ of Section 14, T29N, R16W. The proposed bridge would be located on a new alignment slightly upstream of the existing alignment to eliminate substandard curves. A cultural resource survey of the project area was conducted by Ethnoscience in July, 1997. Only the Walton Ranger Station Historic District (24FH397) was located within the Area of Potential Effect for this project. Your office concurred with our findings on August 20, 1997. This letter constitutes a Determination of Effect on 24FH397 for the above project.

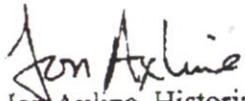
The historic district boundary for 24FH397 abuts onto the paved portion of U.S. Highway 2. The highway is located within an area currently authorized by the National Park Service for the operation and maintenance of U.S. 2. The preliminary plans for the project indicate that the proposed centerline would be shifted 38± away from the existing centerline to correct a substandard approach to the proposed bridge. As a result of this change, 0.19 acres adjacent to the historic district would be restored (see below) and the existing approach road to the site would be increased and the intersection reconstructed. Construction limits would extend 49-feet on either side of the existing and proposed centerline in the area south of the main approach road to the site. Although the roadside slopes and drainage ditches would also be rebuilt, the elevation and grades of the proposed roadway would be very similar to the existing elevation and grades. The proposed new alignment, however, would remain in the currently authorized easement area.

We have determined, and the National Park Service has concurred (attachment), that the proposed project would have **No Adverse Effect** to the Walton Ranger Station Historic District (24FH397). The highway easement currently occupies 0.09 acres of the 1-acre historic site. Because the proposed centerline would be shifted 38± feet away from the historic site, approximately 0.19 acres would be restored to its pre-highway condition. This would include the obliteration of the existing highway bed, graded, and re-vegetated with native species of plants. This, we believe, would enhance the historic district. The

proposed realignment of the roadway would be entirely located within the existing highway easement. Only 0.007 acres of the historic district would be disturbed by the proposed construction. The proposed centerline, moreover, would be shifted 38-feet away from the closest building in the district (the existing centerline is located 77.5-feet from the closest building; the proposed centerline would be located 115.5-feet from the building).

There would be no change in the landform and no significant change in the setting of the historic district. There would be no diminution of the characteristics that make the site eligible for listing on the National Register. All work would be confined to the existing easement area and there would be no significant encroachment on the property. Proposed construction ground disturbance would occur within previously disturbed areas and it would be re-graded and re-vegetated with native plant species. Although the approach road to the ranger station would be lengthened, it would not change the entry pattern to the district. We request your concurrence that this proposed project would have No Adverse Effect to the Walton Ranger Station Historic District (24FH397). Attached also is supporting documentation from the National Park Service regarding this project.

If you have any questions, please contact me at 444-6258.


Jon Axline, Historian
Environmental Services

Attachments

cc: Loran Frazier, P.E., Missoula District Administrator
Joe Kolman, P.E., Bridge Engineer
Joel Marshik, P.E., Environmental Services
Gordon Stockstad, Resources Bureau
Suzanne Lewis, National Park Service



United States Department of the Interior

NATIONAL PARK SERVICE

Glacier National Park
West Glacier, Montana 59936

IN REPLY REFER TO:
H30

APR 23 2001

Mr. Mark Baumler
State Historic Preservation Officer
Post Office Box 201202
Helena, Montana 59620-1202

Reference: Section 106 Compliance, Project Number GLAC-01-062

Dear Mr. Baumler:

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and the Council's regulations, 36 CFR Part 800, we are advising you of the following proposal to issue a Highway Easement Deed for 3.07 acres in Glacier National Park, Montana to the Montana Department of Transportation and Federal Highway Administration.

Project No. GLAC-01-062 -Highway Easement Deed issuance for Bridge Construction,
Middle Fork, Flathead River, U.S. Highway 2, Walton Ranger Station

This project involves the granting of a Highway Easement Deed to the Montana Department of Transportation/Federal Highway Administration. That deed would be issued for the construction and maintenance of a realigned approach of U.S. Highway 2 to the proposed new Middle Fork River Bridge, once compliance has been completed. That easement would include a segment of the Walton Ranger Station Historic District.

Though the realignment would result in an increased amount of park property within the historic district being devoted to a Highway Easement Deed, it would not grant permanent interest in that land. Construction ground disturbance would occur within previously disturbed areas and would be graded and re-vegetated with native plant materials. The new westerly highway approach to the station from the bridge would not change the entry pattern to the ranger station complex, and would not have a measurable effect on the historic district or historic scene.

Should you have any questions or need additional information about this project, please contact Jack Polzin at (406) 888-7943.

Sincerely,

Suzanne Lewis
Superintendent

Enclosures

cc: Mary Riddle, w/enclosures

