



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 1 of 13

Control Number

Date

Part 1 - Project Summary

Project Name

Project Number

Control Number

Part 2 - Environmental Classification

2.a. Status of Categorical Exclusion (CE): Draft Final Re-Evaluation Date

2.b. Applicable laws and funding mechanisms:

- NEPA - FHWA (23 CFR 771.117)
- NEPA - Other (Other Federal Agency and CFR Citation)
- MEPA - MDT (ARM 18.2.261)
- MEPA- Other (Other State Agency and ARM Citation)

(If additional NEPA and/or MEPA rules are triggered, cite applicable rules and discuss additional requirements in Part 7 below.)

2.c. Classification of FHWA NEPA CE: N/A Listed CE(c) Listed CE(d) Not listed CE

CE(d) Number and Title:

(13) Actions described in paragraphs (c)(26), (c)(27), and (c)(28) of this section that do not meet the constraints in paragraph (e) of this section. The criterion from (e) that is not met by this project is:
 (1) An acquisition of more than a minor amount of right-of-way or that would result in any residential or non-residential displacements. Also the project requires the use of properties protected by Section 4(f) of the Department of Transportation Act (49 USC 303).
 (2) An action that needs a bridge permit from the U.S. Coast Guard, or an action that does not meet the terms and conditions of a U.S. Army Corps of Engineers nationwide or general permit under section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act of 1899; and
 (3) A finding of "adverse effect" to historic properties under the National Historic Preservation Act, the use of a resource protected under 23 U.S.C. 138 or 49 U.S.C. 303 (section 4(f)) except for actions resulting in de minimis impacts, or a finding of "may affect, likely to adversely affect" threatened or endangered species or critical habitat under the Endangered Species Act.

2.d. Is FHWA concurrence on the CE being requested. Yes No

Part 3 - Project Information

3.a. Project Description (i.e., reconstruct, rural/urban, bridge replacement, rehab, new through lane). Include milestone document reference.

As stated in the October 25, 2019, Scope of Work (SOW) report, the proposed project would replace the existing bridge over the Flathead River on Montana Primary Highway 82 at reference post (RP) 5.58. The Highway 82 Flathead River Bridge, locally known as Sportsman's Bridge, provides access across the Flathead River between the communities of Bigfork and Somers in Flathead County. The existing structure is structurally deficient and functionally obsolete based on deck condition, deck width and ADT requirements. The structure also ranks high for seismic retrofit because it is a fracture critical two-girder system.

The project would include a southern shift in the roadway and bridge alignment, as determined through risk assessment and public input. The southern shift of the bridge alignment would impact the Sportsman's Bridge Fishing Access Site (FAS) located on the east bank of the Flathead River. As part of this project, MDT would reconstruct the FAS site at the same location. The public access to the FAS would also be relocated with the project. Presently, users access the FAS from Highway 82. The project would reconfigure access to the FAS from Hanging Rock Drive. Turn lanes would be added at the intersection of Hanging Rock Drive and Highway 82 to improve safety for left- and right-hand turns off the highway at the intersection.

Flathead County and FWP have requested that a multi-use path be included with the project as part of the Flathead County's master trail plan. A 10' wide path will be provided along the north side of the bridge and will taper into the roadway shoulder beyond the guardrail runs at each end of the bridge.



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 2 of 13

Control Number

Date

Yes No Horizontal alignment shift?

Describe

Yes No Vertical alignment shift?

Describe

Yes No Does the project result in capacity expansion of a roadway by addition of one or more through lanes?

If the project results in capacity expansion of a roadway by addition of one or more through lanes, FHWA signature is required.

3.b. Project Location Description (include beginning and ending RPs; Section, Township, Range, County, town/nearest town).

3.c. Have the local officials (city and/or county) been consulted on the project? Explain below.

3.d. Are relevant local planning documents available?

Yes No N/A

If yes, see below, select one of the following:

A copy of the plan is on file. The proposed project is consistent with the plan.

A copy of the plan is on file. The proposed project is not consistent with the plan. Additional documentation is attached.

3.e. Right-of-Way

Yes No Will acquisition of right-of-way be required?

Yes No Will construction permits or temporary easements be required?

**Part 4 - Municipal Separate Storm Sewer System (MS4) Issues
(See Storm Water Management Plan and Environmental Manual Chapter 46)**

Yes No TBD Is the project within a regulated MS4 Area?

Part 5 - Permits and Approvals (Environmental Manual Chapter 29)

Yes	No	TBD	Permit or Approval	Describe
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	US Army Corps of Engineers <input checked="" type="checkbox"/> CWA Sec 404	<input type="checkbox"/> Section 10
			<input type="checkbox"/> Exempt Activity	
			<input type="checkbox"/> Non-Notification Nationwide	
			<input type="checkbox"/> Notification Nationwide Type	
			<input checked="" type="checkbox"/> Individual Permit <i>(If individual permit is required, the PA threshold is exceeded, FHWA must concur with PE finding for federally funded project)</i>	Approximately 1.4 acres of wetlands will be impacted resulting from this project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CW 401 Certification Authority <input checked="" type="checkbox"/> DEQ	<input type="checkbox"/> EPA <input type="checkbox"/> Tribal Govt
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Individual 401 Certification	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tribal Permit for Aquatic Resources <input type="checkbox"/> ALCO	<input type="checkbox"/> ALPO
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stream Protection Act - SPA 124	



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 3 of 13

Control Number

Date

Notes (Provide additional explanation as needed.)

Part 6 - Social, Economic and Environment Considerations

The following sections describe resources that may be present and the potential impacts (direct, indirect, permanent and temporary) that may result from the proposed project. If a resource may be adversely impacted by the project, cumulative impacts, including growth impacts, will need to be identified and discussed. Describe potential mitigation measures that will be employed. Attach additional pages or supplemental information if necessary.

6.1. Access

6.1.a. Permanent Access Control Changes

Yes No Will this action result in the creation or modification of an access control resolution for a particular roadway.

6.1.b. Temporary Access or Changes in Access Control

Yes No Will the following conditions be met: The proposed project will not involve major traffic disruptions because the following provisions will be made for access by local traffic and be posted. Through-traffic dependent businesses would not be adversely affected. Interference to local events such as festivals or parades would be avoided or minimized. The temporary road, detour or ramp closure will not substantially change the environmental consequences of the action. There will not be substantial controversy associated with the use of temporary road, detour, or ramp closure.

6.2 Air Quality (Environmental Manual Chapter 42)

6.2.a. Criteria Pollutants

Yes No Is the project subject to conformity?

The project is not subject to conformity. The project is located in an area that is in attainment of the National Ambient Air Quality Standards (NAAQS) for all regulated criteria pollutants. Therefore, the project is not subject to conformity. No additional analysis or discussion is required.

6.2.b. Is this project exempt from Mobile Source Air Toxins (MSAT'S) analysis?

- Yes. Rationale is documented in the ISA.
- No. The project has low potential for MSAT effects. Rationale is documented in the ISA.
- No. The project has high potential for MSAT effects. MDT will conduct and document an MSAT analysis.

In accordance with MDT Standard Specification 107.11.3, the contractor would be required to adhere to applicable air quality rules and regulations, which may required the use of dust suppression and emission control measures to minimize short-term construction-related impacts.

6.3 Aquatic Resources

Due to the nature and scope of the project, no impacts to aquatic resources are expected. Adequate supporting information is included in Part 3. No detailed analysis is necessary.

6.3.a. Wetlands

Yes No TBD Are wetlands present on or adjacent to the project site?

All practicable means to avoid and minimize impacts will be employed. All unavoidable impacts will be mitigated in accordance with applicable requirements (e.g., US Army Corps, Tribal, and/or EO 11990).

Available Wetland Mitigation Site(s) or mitigation strategy, as needed: (Discussion)

MDT expects to use its existing wetland credits within the Flathead River watershed for the proposed wetland impacts. Wetlands will be re-delineated or verified for permitting purposes.

6.3.b. Streams

Yes No TBD Are stream(s) present on or adjacent to the project site.

All practicable means to avoid and minimize impacts will be employed. All unavoidable impacts will be mitigated in accordance with applicable requirements (e.g., US Army Corps).

Available Stream Site(s) or mitigation strategy, as needed: (Discussion)

The project will cross the Flathead River and the existing bridge will be replaced and the existing bridge piers will be removed



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 4 of 13

Control Number

Date

as discussed in the meeting with USACE and MT FWP on April 22, 2013, and subsequent correspondence from USACE dated September 5, 2013. In that letter, the USACE concurred with MDT's review of available bridge pier removal alternatives and after considering a range of public interest factors including cost, logistics, technology and public safety, that existing piers and other sub-surface features and fills will be removed to an elevation at least three feet below the draft depth of a design vessel at low water. Presently that removal elevation is thought to be approximately 10 feet below the low water elevation of the Flathead River at this location. New bridge piers and an additional approximately 175 feet of the Flathead River will have riprap for slope protection necessary for this project.

6.3.c Other Regulated Aquatic Resources (Irrigation features, lakes, etc.)

Yes No TBD Are other aquatic resources present on or adjacent to the project site.

All practicable means to avoid and minimize impacts will be employed. All unavoidable impacts will be mitigated in accordance with applicable requirements (e.g., US Army Corps).

Available Other Aquatic Resource Site(s) or mitigation strategy, as needed: (Discussion)

No irrigation facilities are located within project area. Three developed springs exist adjacent to the roadway near RP 6.05, each located on private property. As discussed in the SOW report, two springs exist on the south side of Highway 82, and the third is on the north side.

The first developed spring on the south, and its associated controls vault, is used as a domestic water supply for a residence south of Highway 82, east of Hanging Rock Drive. The spring and controls vault are located within an area of proposed right-of-way acquisition, based on the preliminary project construction limits.

The second developed spring on the south is reported to be in close proximity to the first and serves as a domestic water supply for a residence north of Highway 82. This spring has not been located in the field but is also believed to be within the area of right-of-way acquisition.

The third developed spring is on north of Highway 84 and located in an area of anticipated right of way acquisition. The water from this spring is supplement to the landowner's well. The proposed project design will be developed based on providing replacement water supply wells for the affected owners/users.

Additional Discussion (Explanation)

The contractor will be required to adhere to the terms and conditions of MDT Standard Specification Section 208 for Water Pollution Control and Aquatic Resource Preservation.

6.4 Biological Resources

6.4.a. Threatened and Endangered Species Act

Due to the nature and scope of the project, no impacts to protected resources would be expected. Adequate supporting information is included in Part 3. No detailed analysis is necessary.

Yes No Are there any recorded occurrences of T&E Species and/or critical habitat in the proposed project's vicinity?

Explain (List)

In regard to federally listed threatened and endangered species, the proposed project:

Will have no effect.

May affect.

PA threshold exceeded, FHWA must concur with the CE finding for a federally funded project.

Consultation with the USFWS will be coordinated and documented.

Consultation with the USFWS is completed.

The 2013 Biological Resources Report (BRR) states that the proposed project "may effect" grizzly bear and bull trout and bull trout critical habitat. A project-specific Biological Assessment has not yet been prepared for the project. Once prepared, it will be submitted through the FHWA to the US Fish and Wildlife Service. NEPA/MEPA will be reassessed after formal consultation has occurred.



Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

Control Number 6850000 Date April 21, 2020

Additional information, if needed.

The 2013-BRR list of Threatened and Endangered species the project's vicinity was reviewed and updated by MDT Biologist, Joe Wiegand, on March 27, 2020. In an email to the file (dated March 27, 2020), Mr. Wiegand explains that the red knot and yellow-billed cuckoo were not listed at the time the October 2013 BRR was completed and therefore they're not included in the BRR. The email documented the anticipated project-related assessments:
• No Effect: Canada lynx and red knot – no suitable, occupied habitat.
• Not Likely to Jeopardize the Continued Existence: Wolverine and whitebark pine – no suitable, occupiable habitat.

If there is a finding of "may affect, likely to adversely affect" action may not be processed under paragraphs CE(c)(26), (c)(27), and (c)(28).

6.4.b. Bald and Golden Eagle Protection

Due to the nature and scope of the project, no impacts to protected resources would be expected. Adequate and supporting information is included in Part 3. No detailed analysis is necessary.

Yes No Are there recorded Bald and/or Golden Eagle nests in the proposed project's vicinity?

No additional analysis necessary.

6.4.c. Migratory Bird Treaty Act

Due to the nature and scope of the project, no impacts to protected resources would be expected. Adequate and supporting information is included in Part 3. No detailed analysis is necessary.

Yes No The proposed project may have impacts subject to the conditions of the Migratory Bird Treaty Act (MBTA).

Explain. List. Describe potential for Special Conditions including timing restrictions.

The Migratory Bird Treaty Act Compliance - Structures and - Vegetation Removal Special Provisions will be included in the contract to prevent impacts to migratory birds that may nest on the bridge or in vegetation that will be impacted by this project. Tree and shrub removal, if necessary, and structure removal will be coordinated outside of the nesting season (August 16 to April 30).

Additional Discussion on Biological Resources

[Empty box for additional discussion]

6.5 Economic Impacts (Environmental Manual Chapter 20)

- Due to the nature and scope of the project, no effects on the local economy are expected. No detailed analysis necessary.
Due to the nature and scope of the project, minor or temporary effects on the local economy are expected. A detailed analysis is necessary. The following explanation will justify that the impact is not "significant". (Explain below)
A detailed economic analysis has been conducted and is documented in the file and/or summarized in Section 7. Analysis does not indicate potential for significant adverse impact.

6.6 Environmental Justice (EJ) (Environmental Manual Chapter 24).

Would the proposed project likely create disproportionately high and/or adverse impact on the health or environment of minority and/or low-income populations as described in Executive Order 12898?

- Due to the nature and scope of the project, no disproportionately high and/or adverse EJ impact is expected. No detailed analysis necessary.
Due to the nature and scope of the project, minor effects on EJ populations may occur. A detailed analysis is not necessary. The following explanation will justify that the impact is not "disproportionately high and/or adverse". (Explain below.)
An EJ analysis has been conducted and is documented in the file and/or summarized in Section 7. Analysis does not indicate potential for significant adverse impact.

6.7 Farmland Protection Policy Act (FPPA) (Environmental Manual Chapter 33)

Due to the nature and scope of the project, no impacts to farmland resources are expected. Adequate supporting information is included in Part 3. No detailed analysis is necessary.

Yes No



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 6 of 13

Control Number

Date

Is the project within existing ROW acquired on or before 8/4/84 or located within an area of existing development?

Yes No Is the project specifically for the purposes of national defense?

6.7.a. Will farmland (as defined in 7 CFR 658.2) be directly or indirectly converted as a result of the project?

No. Project is not subject to FPPA. No additional analysis or discussion required.

Yes. A farmland impact analysis was conducted in accordance with the most current NRCS procedures and is documented in the file. Analysis does not indicate potential for significant adverse impact.

Yes. A farmland impact analysis will be conducted in accordance with the most current NRCS procedures and will be documented in the file. Analysis will not indicate potential for significant adverse impact or else the level of environmental documentation will be re-evaluated.

6.8 Floodplains

All stream crossing would be designed in accordance with Executive Order (EO) 111988 amended and 23 CFR 650 Subpart A and in coordination with the appropriate regulatory agencies. Projects within a designated 100-year floodplain will have a floodplain development permit prior to the start of construction. MDT Hydraulics will secure and document the permit for the permanent facility. In accordance with Standard Specification 107.11.2.H, the contractor is required to secure applicable floodplain permits for temporary facilities.

Due to the nature and scope of the project, no impacts to floodplains are expected. Adequate supporting information is included in Part 3.a above. No detailed analysis is necessary.

Yes No Does a delineated floodplain exist in the project area under FEMA's Floodplain Management Criteria?

Yes No Does the project involve work encroaching on a regulatory floodway such that the water surface at the 100-year flood limit elevation would exceed floodplain management criteria.

Additional Information if needed

New piers would be installed in the regulatory floodway and the old piers would be removed to 10 feet below low water surface. A CLOMR/LOMR for the proposed project is not anticipated because the hydraulic analysis shows a "no rise" condition (June 5, 2012 Preliminary Hydraulics Study for the project). A county floodplain permit from Flathead County is anticipated to be necessary.

6.9. Hazardous Materials and Substances (Environmental Manual Chapter 44.)

Due to the nature and scope of the project, no impacts to hazardous materials and substances are expected. Adequate supporting information is included in Part 3. No detailed analysis is necessary.

Yes No The project occurs in an area where local permitting is required for ground disturbance activities in a Superfund Site.

Yes No Hazardous materials, hazardous substances, and/or petroleum products are currently on and/or adjacent to the proposed project.

A preliminary Site Investigation will be conducted and documented in the file. Appropriate special conditions will be included in the contract.

Describe

Sampling for asbestos and lead would be conducted and if present, MDT would include appropriate special provisions in the project contract.

Additional information if needed

An Initial Site Assessment (ISA) was completed for the project on January 17, 2013.

Should evidence of hazardous materials and/or underground storage tanks be discovered during construction, in accordance with MDT Standard Specifications 107.23 and 107.24, the contractor would be required to immediately stop work in the area until the significance of the site is determined and appropriate measures implemented.

6.10. Historic and Archaeological Resources (Environmental Manual Chapter 30.)

Due to the nature and scope of the project, no impacts to historic and archaeological resources are expected. Adequate supporting information is included in Part 3. No detailed analysis is necessary.

Yes No Are any historic, archaeological or cultural resources on or eligible for listing on the National Register present within the project's Area of Potential Effect?



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 7 of 13

Control Number

Date

Historic Resources					
Smithsonian #	Name	Eligible?	Date of Concurrence in Eligibility	Effect Determination	Date of Effect Determination
24FH0517	Flathead River Bridge	Yes Criteria A & C	8/15/2011	Adverse Effect	Feb 3, 2020
<input type="button" value="Add Row"/>		<input type="button" value="Delete Last Row"/>			

Yes No Is there confirmed potential for adverse effect on cultural/historic resources?

PA threshold exceeded, FHWA must concur with the CE finding for a federally funded project.

If adverse effect, action may not be processed under paragraphs CE(c)(26), (c)(27), and (c)(28). Also, PA threshold exceeded, FHWA must concur with the CE finding for a federally funded project. An MOU is on file describing agreed upon mitigation measures, as necessary. (If there is a "use of a Section 4(f) property, document it in Section 6.16 below.)

Provide additional information below, if needed or reference Section 7. Include specific information related to each resource by Smithsonian Number. Cut and paste from existing reports.

The project's original cultural survey occurred in 2011 and the only identified cultural resource present was the Flathead River Bridge (24FH0517). The proposed project would have an adverse effect on the bridge through its removal. MDT historian Jon Axline, recommended the bridge as eligible for the National Register in a July 27, 2011-letter to SHPO. That letter also stated the bridge removal would be mitigated through the terms and stipulations as specified by MDT's Historic Roads and Bridges Programmatic Agreement (PA). SHPO concurred with the eligibility determination on August 15, 2011. In a much later letter dated February 3, 2020, MDT specifically articulated to SHPO that the proposed project would have an "adverse effect" to the Flathead River Bridge. SHPO responded in a letter dated Feb. 7, 2020, and agreed with the Adverse Effect determination to the bridge.

The PA states that MDT would work with the National Park Service (NPS) to determine the appropriate level of documentation needed for the bridge and whether that documentation needed to be submitted to the NPS to meet Historic American Engineering Record (HAER) standards. MDT submitted a request letter to the NPS on Feb. 3, 2020, NPS responded in a letter received by MDT on Feb. 26, 2020, that MDT did not need to submit documentation to HAER standards for the bridge.

The bridge is not suitable for adoption or reuse because this bridge has a fracture critical two-girder system.

An updated cultural survey was completed for MDT in 2019-2020 by Mitzi Rossillon, Consulting Archaeologist, LLC. No additional resources were found (report dated Jan. 28, 2020).

MDT notified both the Blackfeet Nation Tribe and the CSKT about the findings of the cultural resources survey (letters dated Dec. 5, 2019). No follow-up correspondence was received from either party.

MDT, through FHWA, submitted an e106 notification to ACHP on March 4, 2020. ACHP formally responded in a letter dated March 19, 2020, that stated they would not participate in the consultation for the project.

Should evidence of historic or pre-historic sites be discovered during construction, in accordance with MDT Standard Specifications 107.11, the contractor would be required to immediately stop work in the area until the significance of the site is determined and appropriate measures implemented.

6.11. Induced Growth Analysis - Impacts to Planned Growth and Land Use ([Induced Growth Guidance](#))

Yes No Is this project exempt from screening due to the nature and scope of the project?

Yes No Does the project have an economic development purpose?

Yes No Does the project substantially improve accessibility?

No Detailed Analysis Necessary - Explain No Improvement to Accessibility



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 8 of 13

Control Number Date

therefore no potential land use changes would be attributable to these types of projects. For this project, the bridge would be placed immediately downstream/south of the current bridge location; this is not considered a change in alignment for induced growth purposes.

Additional information, if needed.

6.12 Noise (Environmental Manual Chapter 43)

Yes No Is this a Type I action as defined in 23 CFR 772?

If yes, PA threshold exceeded, FHWA must concur with the CE finding for a federally funded project.

Compliance with provisions of 23 CFT 772 and MDT's Noise Policy will be ensured and documented in the file. Noise abatement will be examined for reasonableness and feasibility. A final decision of the installation of the abatement measure(s) will be made upon completion of the project's final design and the public involvement process. At any point in the design process, if new or different information is identified that could impact the significance assessment associated with the noise impact, an amended NEPA/MEPA analysis could be required. If significant impacts were identified, an Environmental Impact Statement (EIS) process may need to be initiated or the project design may need to be modified. (Explain below)

MDT completed a noise analysis in May 2012 determined that projected project sound levels did not approach or exceed the relevant FHWA Noise Abatement Criterion (NAC). No traffic noise impacts were identified for the proposed project. In April 2020, MDT updated the noise analysis using updated traffic volumes, the proposed alignment, and included two new receptors (two homes build since 2012). No noise impacts were identified through the updated analysis.

6.13. Public Involvement

Yes No A public involvement plan would be completed in accordance with MDT's Public Involvement Handbook.

The SOW states MDT Level C would be used. MDT maintains a project webpage at: <https://www.mdt.mt.gov/pubinvolve/flathead/>.

Explain
MDT hosted a public meeting for this project in 2011 and presented a project overview and three different bridge alignment alternatives. Another public meeting, expected to be an Open House forum, is planned to occur after the design progresses further (estimated: Spring 2021).

6.14 Recreational Resources

Due to the nature and scope of the project, no impacts to publicly-owned recreation resources are expected. Adequate supporting information is included in Part 3. No detailed analysis is necessary.

Yes No Publicly-owned recreational resources are present on or adjacent to the project site.

Recreational Resources			
Resource Name	Agency with Jurisdiction	Impact?	Description of Impact
Sportsman's Bridge FAS	MT Fish Wildlife and Parks	Yes	The Sportsman's Bridge Fishing Access Site (FAS) is located immediately to the southeast of the new bridge. Both the site and its approach would be impacted by the proposed project.
<input type="button" value="Add Row"/>	<input type="button" value="Delete Last Row"/>		



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 9 of 13

Control Number Date

- Work has been coordinated with the managing agency/agencies. Documentation is available upon request.
- Work will be coordinated and documented with the managing agency/agencies.

Additional information, if needed:

The proposed bridge would require 1.5 acres from the Sportman's FAS. MDT would purchase replacement property immediately boarding the existing FAS and build a new parking lot and access road. The FAS access road would be constructed from Hanging Rock Road.

MDT proposed and Montana FWP accepted a mitigation strategy for the impacts created to the fishing access from the bridge replacement. MDT would acquire replacement property for the FAS from the adjacent owner (Hanging Rock Homeowner's Association) to maintain the same lineal feet as existing of riverfront along the Flathead River. Additionally, MDT agreed to additional enhancements to the FAS that would contribute to an overall net benefit to the property - additional parking spaces and a new boat launch ramp. See details in Question 6.16 Section 4(f).

If there is a "use" of Section 4(f) property, document it in Section 6.16 below.
If there is a "conversion" of Section 6(f) property, document it in Section 6.17 below.

6.15 Right-of-Way (ROW)

- Yes No Will acquisition of ROW be required?
- Yes No Will construction permits or temporary easement be required?
- Yes No N/A Will ROW acquisition be considered "minor" per the Programmatic Agreement (PA)? *For purposes of the PA, an acquisition is considered more than minor if it will substantially affect the functionality of the property and/or primary structure on the property. If no, action may not be processed under paragraphs CE(c)(26), (c)(27), and (c)(28).*

PA threshold exceeded, FHWA must concur with the CE finding for a federally funded project.

- Yes No N/A Will residential or commercial displacement be required? If yes, action may not be processed under paragraphs CE(c)(26), (c)(27), and (c)(28).
- Yes No N/A Will acquisition of land for hardship or protective purposes, or early acquisition be required?

6.16 Section 4(f) of the US Department of Transportation Act (Environmental Manual Chapter 15.)

- Due to the nature and scope of the project, no impacts to Section 4(f)-protected resources would be expected. Adequate supporting information is included in Part 3.1 above. No detailed analysis is necessary.
- Yes No Are there any parks, recreation areas, wildlife and or waterfowl refuges, or historic sites on or adjacent to the project.

4(f) Resources				
Resource	Use?	Type of Use (Permanent, Temporary, Constructive)	Documentation (De Minimis, Programmatic, Full 4(f))	Date of Completion
Flathead River Bridge	<input type="text" value="Yes"/>	<input type="text" value="Permanent"/>	Programmatic	See Attached
Sportsmans Bridge FAS	<input type="text" value="Yes"/>	<input type="text" value="Permanent"/>	Programmatic	See Attached
<input type="button" value="Add Row"/>	<input type="button" value="Delete Last Row"/>			

- Yes No TBD Will there be a "use" of Section 4(f) protected sites?

If "yes", PA threshold exceeded, FHWA must concur with the CE finding for a federally funded project.

Work has been coordinated with and documented with the managing agency/agencies. Documentation is available on file.

Flathead River Bridge: The proposed project would result in a permanent use of the NRHP-listed Flathead River Bridge (24FH0517) through the removal of the historic structure. MDT documented its Section 4(f) analysis in the attached "Nationwide" Programmatic Section 4(f) Evaluation for Historic Bridges. The bridge is not suitable for adoption or reuse. The



Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation

Control Number 6850000 Date April 21, 2020

programmatic Section 4(f) evaluation sets for the the basis that no feasible and prudent alternatives to the use of the historic bridge exist. All possible planning has occurred to minimize harm from the use.
Additional Information if Needed: Sportsman Bridge FAS: The proposed bridge alignment would require 1.50 acres from the FAS for use as right-of-way. As replacement, MDT would will acquire 1.8 acres in the name of FWP and adjacent to the fishing access. As part of its efforts to minimize harm, MDT would reconstruct the FAS parking area, install a new boat ramp, and construct a new approach during the proposed bridge project. Access to the fishing access would be maintained during construction. In letter dated March 28, 2019, FWP concurred in writing with MDT's proposed mitigation strategy. MDT documented its Section 4(f) analysis in the attached Programmatic Section 4(f) Determination and Approval Under the Nationwide 4(f) Evaluation for the Net Benefit to Section 4(f) property.

6.17 Section 6(f) of the National Land and Water Conservation Act (Environmental Manual Chapter 32) or Similar Deed Restriction.

- Due to the nature and scope of the project, or the location, no impacts to protected resources would be expected. Adequate supporting information is included in Part 3 above. No detailed analysis is necessary.
Have any of the parks, recreation areas, or other properties on or adjacent to the project been acquired (in fee or in easement) and/or improved with funds from the Land and Water Conservation Act of 1965, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, or other public-use money that includes deed restrictions or covenants on the property.
No additional analysis necessary.

6.18 Social Impacts (Environmental Manual Chapter 19.)

- Due to the nature and scope of the project, no social impacts would be expected. No detailed analysis is necessary.

6.19 Tribal Lands/Issues (Environmental Manual Chapter 31.)

- Is the project located within a current American Indian Reservation border?
Is the project located outside a current American Indian Reservation border, but in an area of interest to the Tribal government?

Documentation of coordination with the Tribal government is on file for overall project coordination, and any coordination related to aquatic resource permitting, 401 certification, and/or history and cultural resources.

6.20 Vegetation (Environmental Manual Chapter 37)

- Due to the nature and scope of the project and the site, a seeding special provision is not necessary.
A seeding provision will be included in the contract documents to ensure appropriate re-vegetation of disturbed areas.

In accordance with Standard Specification 201, clearing and grubbing activities would occur only with staked construction limits.

To re-establish permanent vegetation and to reduce the spread and establishment of noxious weeds, disturbed areas within MDT right-of-way and easements would be seeded with desirable plant species, as soon as practicable, as recommended and determined feasible by the MDT Reclamation Specialist. The seeding mixture special provision will be included in the contract documentation.

Re-vegetation plan will conform to the requirements of 23 CFR 650 Subpart B. Post construction, the site would be monitored until final stabilization is met.

Additional information as needed. Document any deviations from standard procedures.

A special seeding provision will be required for the revegetation of the Sportsman's Fishing Access Site in consultation with MT FWP



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 11 of 13

Control Number

Date

6.21 Visual Quality/Aesthetics (Environmental Manual Chapter 22)

Yes No Will the project have the potential to impact roadside classification or visual aspects such as aesthetics, light, glare or night sky?

Additional information as needed. Document any deviations from standard procedures.

6.22 Water Quality (In accordance with MDT Standard Specifications 107 and 208, the contractor would be required to adhere to applicable water quality rules, regulations, and permit conditions.)

Due to the nature and scope of the project, no impacts to water quality would be expected. Adequate supporting information is included in Part 3. No detailed analysis is necessary.

6.22.a Groundwater (Domestic and irrigation well impacted by the project will be mitigated with the landowner)

Yes No Are Public Water Supply Wells located on or adjacent to the project?

No additional analysis necessary.

6.22.b Underground Injection Control (UIC) Program Under the Safe Drinking Water Act (SDWA)

Yes No N/A TBD Will the project include stormwater drainage wells such as dry wells, bored wells, and infiltration galleries that are regulated as Class V injection wells by EPA under the NPDES program.

Explain

Only embankment protectors in accordance with MDT Standard Detail Drawings are included on the west end of the proposed bridge to route bridge deck drainage to the toe of the roadway abutment slope. No additional storm water facilities are necessary for this project.

6.22.c Stormwater - Temporary Erosion and Sediment Control

MDT's contractor will be contractually obligated to provide temporary erosion and sediment control in accordance with FHWA rules at 23 CFR 650 Subpart B and applicable stormwater permit requirements at the MPDES and/or NPDES.

6.22.d Stormwater - Permanent Erosion and Sediment Control (PESC) (If the scope of the project includes a rehabilitation or reconstruction, evaluate need for incorporation of PESC and discussed this with Road Design and Hydraulics.)

Due to the nature and scope of the project and the site, a PESC analysis is not necessary.

A PESC analysis is necessary and is being coordinated with personnel on the Design Team.

Explanation of any deviations from MDT's Standard Practices and/or further coordination for incorporation of PESC into the project design.

No deviations to MDT Standard Detail Drawings for embankment protectors are anticipated with this project.

6.22.e Stormwater - Local Requirements (Discuss compliance with local stormwater requirements with Road Design and Hydraulics.)

Due to the nature and scope of the project and the site, local stormwater requirements do not apply.

Local stormwater requirement apply that are being coordinated with personnel on the Design Team.

Explain

The project is outside the jurisdiction of city and urban areas and Flathead County does not have any storm water requirements applicable to this project.

6.23 Wild and Scenic Rivers (Environmental Manual Chapter 35)

Yes No Will the proposed project require work in, across or adjacent to a Wild and Scenic River?

Additional information as needed:

The proposed project is located downstream and outside of the identified segment of the Flathead River that is listed as Wild and Scenic.



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 12 of 13

Control Number

Date

Part 7 - Additional MDT Discussion/Comments

Section 6.15 - MDT would acquire an entire parcel as right of way (therefore, more than 25%). The entire parcel is not developable.

6.17 Land and Water Conservation Funds: The question is answered "no" and based on correspondence and direction from Montana Fish, Wildlife and Parks (FWP) who administers and oversees LWCF funding for Montana. That correspondence, dated September 2011, states that Dingell-Johnson funds were used to purchase the FAS, but that the encumbrances have been transferred to another site. FWP concluded that no LWCF encumbrances exist for the FAS.

Part 8 - FHWA Comments

Part 9 - FHWA Signature Rationale

Yes No Is FHWA Concurrence on the CE necessary?

Explain why FHWA concurrence is necessary:

Action is not listed in 23 CFR 771.117.

Action is listed in 23 CFR 771.117, no PA threshold is exceeded, but MDT is requesting FHWA concurrence.

Action is listed in 23 CFR 771.117, but a PA threshold is exceeded as documented below. Actions listed in 23 CFR 771.117 that exceed any of the thresholds below may not be approved by MDT. MDT May certify to FHWA that the action qualified for a CE. FHWA concurrence is required for the CE to be valid.

If "yes" is answered for any item below, FHWA concurrence is required.

Abbreviated Signature Triggers from Programmatic Agreement	Yes/No
9.a. RIGHT-OF-WAY. The action involved acquisition of more than a minor amount of ROW.	Yes
9.b. RIGHT-OF-WAY. The action involved acquisition that results in residential or non-residential displacements.	No
9.c. RIGHT-OF-WAY. The action includes acquisition of land for hardship or protective purposes, or each acquisition pursuant to the Federal acquisition project.	No
9.d. CAPACITY. The action results in capacity expansion of a roadway by addition of one or more through lanes.	No
9.e. ACCESS. The action involves the construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions.	No
9.f. ACCESS. The action results in changes in access control that affect traffic patterns.	No
9.g. HISTORIC PROPERTIES. The action results in a determination of adverse effect on historic properties pursuant to Section 106 of the NHPA.	Yes
9.h. SECTION 4(f). The action requires the "use" of properties protected by Section 4(f).	Yes
9.i. SECTION 6(f). The action requires the acquisition of lands under the protection of Section 6 (f) or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property.	No
9.j. CWA SECTION 404. The action requires an Individual CWA Section 404 permit.	Yes
9.k. FLOODPLAIN PERMIT. The action requires work encroaching on a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of water course or lake, pursuant to Executive Order (EO) 11988 and 23 CFR 650 Subpart A.	No



**Montana Department of Transportation
Environmental Services Bureau
Categorical Exclusion (CE) Documentation**

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620
(406) 444-7203

MDT-ENV-020 08/2019

Page 13 of 13

Control Number Date

9.i. WILD AND SCENIC RIVERS. The action requires construction in, across, or adjacent to a river designated as a component of, or proposed for inclusion in, the National System of Wild and Scenic Rivers published by the US Department of the Interior/US Department of Agriculture.	No
9.m. NOISE. The action is defined as a "Type I Project" per 23 CFR 772.5 and MDT's Noise Policy.	Yes
9.n. T&E SPECIES and CRITICAL HABITAT. The action may affect federally listed or candidate endangered species, or proposed or designated critical habitat or projects with impacts subject to the conditions of the Bald and Golden Eagle Protection Act.	Yes
9.o. AIR QUALITY. The action does not conform to the State Implementation Plan (SIP) which is approved or promulgated by the US Environmental Protection Agency (EPA) in air quality non-attainment areas.	No
9.p. STIP. The action is not included in or is inconsistent with the statewide transportation improvement program (STIP), and in applicable urbanized areas, the transportation improvement plan.	No

In accordance with the provisions of 23 CFR 771.117(a), this pending action would not cause any significant environmental impacts. Additionally, this pending action would not involve unusual circumstances as described at 23 CFR 771.117(b) or ARM 18.2.261(2). The proposed project is appropriately fiscally constrained in accordance with 23 CFR 450.104.

Approval Signatures	
NA	NA
Local Agency Approving Authority	Date
<i>Rebecca Ridenour</i>	04/21/2020
MDT Environmental Services Project Development Engineer	Date
<i>Thomas S. Anderson</i>	04/21/2020
MDT Environmental Services Engineering Section Supervisor	Date
Federal Highway Administration	Date

Standard Distribution List Maintenance Distribution List Custom Distribution List

Distribution List: Lisa Hurley, Fiscal Programming Section Supervisor
Rob Stapley, Right-of-Way Bureau Chief

Mark Studt, Engineering Project Manager
Ryan Dahlke, Consultant Design Bureau Chief
Darin Reynolds, P.E., Engineering Construction Contracting Bureau Chief
Tom Martin, P.E., Environmental Services Bureau Chief
Tom Gocksch, P.E. ESB, Engineering Section Supervisor

Dawn Stratton, Fiscal Programming
Montana Legislative Branch Environmental Quality Council