



September 1, 2016

Honorable Blair Anderson, Under Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Subject: Docket No. DOT-OST-2016-0053  
Establishment of Interim National Multimodal Freight Network.

The Montana Department of Transportation (MDT) takes this opportunity to strongly recommend changes to the proposal issued in this docket so that USDOT's national multimodal freight network will include vitally important transportation routes within Montana that were omitted in the pending proposal. In this docket USDOT has published a Federal Register notice, 81 Federal Register 36381 et seq. (June 6, 2016), that sets forth an Interim (draft) National Multimodal Freight Network (NMFN) and requested comments on how that network should be modified in the final NMFN that USDOT will designate in this docket.

As a member of the American Association of State Highway and Transportation Officials (AASHTO), we have invested extensive staff time in the development of the AASHTO comments filed in the docket and provide our broad support for these comments. MDT adamantly supports an increase in the highway mileage included in the NMFN and respectfully requests the inclusion of the Montana routes named in this letter.

In addition to supporting the comments from AASHTO, MDT and our rural western state partners (Wyoming, Idaho, North Dakota and South Dakota) filed joint comments in the docket. The joint comments reiterated the need for adding significant highway miles to the NMFN. Without additional miles, large areas of significant importance to agricultural, energy and natural resource industries will be without critical connectivity, including access to the Interstate System.

The joint filing we made with our coalition partners and the AASHTO filing set forth important information and analysis as to why USDOT must greatly expand the NMFN compared to the Interim NMFN. In this filing MDT will briefly reiterate some of those points but, primarily, set forth specific proposals for additions to the NMFN from Montana.

**Mileage of highway designations should be substantially increased**

The final designated network should include significantly more highway mileage than 65,000 highway miles, an amount USDOT indicated it was considering. The proposed mileage fails to provide for a sufficiently connected and resilient system and does not capture a great deal of freight moving by highway. This does not mean the portion of the non-highway modes included in the final NMFN should be reduced. Highway mileage designations should be increased, based on suggestions from the States and others.

### USDOT has authority to add significant mileage to the Interim NMFN

USDOT has the authority to add considerable mileage to the Interim NMFN before designating it, whether the additional mileage is requested by states or others. More specifically, as to language in 49 USC 70103(c) that some may argue limits additions to the Interim NMFN by States, MDT disagrees and believes the language allows considerable flexibility for states to add mileage. USDOT can and should recognize that any such restrictions apply only to the NMFN that is "designated" by the Under Secretary pursuant to 49 USC 70103(c). At this stage of the implementation of the FAST Act, the NMFN has not been "designated" by USDOT. The Interim NMFN is "established" under 49 USC 70103(b) and consists virtually entirely of elements specified by Congress in 49 USC 70103(b)(2)(A)-(F). So, the public is now, in this docket, commenting for the first time on how it would change that established Interim NMFN before USDOT designates it. Therefore, MDT believes that USDOT can greatly add highway (or other) miles at this stage of the process and USDOT should find that any percentage limitation on miles states can propose to add under 49 USC 70103(c)(4) does not apply until after the system is "designated" by USDOT after receiving comment on the Interim NMFN.

Moreover, since USDOT has not yet designated the NMFN, it makes no sense to apply to the Interim ("established") NMFN the language in 49 USC 70103(c)(4)(C), that a State may propose additions of not more than 20 percent of the amount of mileage "designated" by USDOT. At this stage of the process there is no indication that the public is limited in what it can propose. And USDOT advised during the August 17 webinar on this docket that there is no mileage cap on the NMFN. So, USDOT should not construe the statute so as to single out states as being limited in what they can propose to add to the Interim NMFN. Further, mileage caps may well result in adding not corridors but partial segments of corridors especially in a large land area based state like Montana, resulting in a disconnected system. A mileage limit would have the effect of putting a terminus on a corridor before it completes a needed connection.

### Montana highway designations to include in the NMFN

The Interim NMFN leaves Montana and our bordering rural neighbors with significant connectivity gaps. The proposed NMFN for Montana omits portions of highway that are required to maintain our Country's economic vitality and access to natural resource and agricultural areas. MDT respectfully requests the following highway routes be included in the NMFN (please refer to enclosed map):

Priority	Route Segment	Origin	Terminus	Miles	Significance
1	Theodore Roosevelt Corridor - US 2	North Dakota	Culbertson, MT	22.54	Congressionally Named/International Border/Energy Region
1	Theodore Roosevelt Corridor - Hwy 16	Culbertson, MT	Canada	62.84	Congressionally Named/International Border/Energy Region
1	Camino Real (portion) US 87-12-191-87	Billings, MT	Great Falls, MT	220.94	Congressionally Named/Agriculture Region/International Border
2	Glendive to Fairview - Hwy 16/200	Glendive, MT	Fairview, MT	62.75	Connectivity/LCV on NHS/Energy Region
2	Sidney to Culbertson - Hwy 16	Sidney, MT	Culbertson, MT	37.28	Connectivity/LCV on NHS/Energy Region
2	North Dakota to Fairview - Hwy 200	North Dakota	Fairview, MT	0.49	Connectivity/LCV on NHS/Energy Region
3	Wyoming to Broadus to Crow Agency - US 212	Wyoming	Crow Agency, M	167.07	Connectivity/LCV on NHS/Energy Region
4	North Dakota to Miles City - US 12	North Dakota	Miles City, MT	88.70	Connectivity/Energy Region
5	Wyoming to Laurel - US 310	Wyoming	Laurel, MT	54.15	Connectivity/LCV
6	Canada to Wye - US 93 North	Canada	Wye, MT	186.40	Connectivity/LCV on NHS/Internation Border
6	Idaho to Missoula - US 93 South	Idaho	Missoula, MT	94.84	Connectivity/LCV on NHS
7	Idaho to Belgrade - US 20/US 191	Belgrade, MT	Idaho	97.81	Connectivity/LCV on NHS
<b>Requested Additions to Montana Multimodal Freight Network</b>				<b>1,095.81</b>	

The above requested additions to Montana's multimodal freight network are listed in order of importance.

### Rationale

Priority #1 – Congressionally named high priority corridors: Theodore Roosevelt Corridor (TRC): This route, including portions of US 2 and MT 16, is a congressionally named high priority corridor

and part of the Ports to Plains passageway connecting Mexico, the United States and Canada. The 85.38 length of highway provides important connectivity to the Williston basin energy corridor as well as agricultural regions in Montana and North Dakota. As of 2014, North Dakota is the second largest oil-producing state, behind only Texas in volume. In addition, this route has direct connectivity to Canada at the Port of Raymond.

**Camino Real Corridor:** Montana requests adding 220.94 miles along portions of US 87, US 12, and US 191 (between Billings and Great Falls) to the NMFN. This addition would complete the Camino Real Corridor in Montana. As with the TRC, the Camino Real Corridor is a congressionally named high priority corridor that connects to Canada at the Port of Sweet Grass. It provides access to energy, mining and agricultural regions, including the Powder River basin, which supplies coal for electricity that is used by one of every five homes and businesses in the United States.

**Priority #2 – Connectivity to North Dakota/Bakken oil region:** Montana requests adding 100.52 miles of Highway 16 and Highway 200 between Glendive and the North Dakota border and also north to Culbertson. Together these segments connect the Bakken oil region to the proposed NMFN via Interstates 94 and 90, and Canada via the TRC. These highways provide the shortest route from Williston, North Dakota, to the interstate system.

**Priority #3 – Connectivity between interstate system and southeast Montana/South Dakota:** Montana requests adding 167.07 miles on US 212 from the intersection with I-90 southeast to Belle Fourche in South Dakota. Montana, South Dakota and Wyoming are in agreement that this route is vital due to the rural nature of the large area between Billings, Montana and Rapid City, South Dakota, and the need for connectivity with the interstate system.

**Priority #4 – Connectivity between Montana and the Dakotas:** The 88.70 miles of US 12 between Miles City and the North Dakota border is an essential rural connector for Montana, North Dakota and South Dakota. The route provides for east-west travel in an area important to both energy and agriculture.

**Priority #5 – Connectivity from Wyoming to westbound I-90:** Montana requests adding 54.15 miles of US 310 from Laurel to Wyoming. This segment is the shortest route from northwestern Wyoming (and Yellowstone National Park) to I-90 for westbound freight.

**Priority #6 – North-south connectivity from Idaho to Canada:** Montana requests adding 281.24 miles of US 93 to the NMFN. This north-south route connects western Montana and Idaho with the interstate system (I-90), and intersects with Canada at the Port of Roosville. The highway provides connectivity for areas of economic importance to the state of Montana, including natural resources (both Montana's timber and mining industries are concentrated in this western part of the state) and tourism. The busiest Amtrak station in Montana is located along the corridor in Whitefish, which accounts for 43% of the State's boarding and alighting. In addition, US 93 provides access to Glacier National Park via Highway 2.

**Priority #7 – Connectivity to I-90:** Montana requests adding 97.81 miles from Belgrade to Idaho via US 191 and US 20. This route provides important connectivity from southwestern Montana, Yellowstone National Park and northeastern Idaho to both I-90 and I-15.

### **Montana rail designation to include in the NMFN**

It appears the Interim Montana NMFN is missing a section of class 1 track that runs between Crane, Montana, and Fairview, Montana. This section goes into North Dakota just slightly, and then back west to Snowden, Montana. It is our understanding, based on 49 U.S.C. 70103(b)(2), that the interim NMFN was to include freight rail systems of Class I railroads. This section of approximately

27.46 miles, appears to be missing from the Interim NMFN and must be included in the final designation (please refer to enclosed map).

All of these proposed additions would be fully consistent with the factors set forth in 49 USC 70103(c)(2). It is consistent with the joint submission of our 5 state coalition (a multi-state coalition), which supports NMFN designation of any NHS or National Network route suggested by a State. Such designation furthers the policies set forth in the subparagraphs of 70103(c)(2) regarding access to energy and agricultural and natural resource products and facilities. Consistent with 49 USC 70103(c)(2), these routes also promote connectivity and faster goods movement.

Before closing we also reiterate our disagreement with any suggestion that there are limits on what a state may propose to add to the NMFN, such as a suggested limit of 20 percent of the Interim NMFN in the State based on language in 49 USC 70103(c)(4).

In that regard, we note here that we are submitting these comments pursuant to 49 USC 70103(c)(1), a provision under which a state, like any other entity, can submit recommendations for the NMFN. We do not perceive recommendations submitted pursuant to 49 USC 70103(c)(1) as subject to potentially restrictive conditions set forth for state submissions in 49 USC 70103(c)(4).

We strongly object to any interpretation of 49 USC 70103 by USDOT that imposes greater limitations on what a state government may propose than it imposes on others commenting to this docket. Thus, we emphasize that to the extent necessary to ensure full consideration of our recommendations, these comments should be considered as made independent of 49 USC 70103(c)(4).

To the extent, however, that USDOT considers that 49 USC 70103(c)(4) provides advantages to a state or governs a state's submission to this docket, we advise that in putting forth these recommendations we have considered the requirements of 49 USC 70103(c).

In conclusion, we strongly encourage you to consider adopt our recommendations and additions to the NMFN.

We encourage USDOT officials to work directly with Montana, as well as every state, to make these very important state designations. This will improve the process and provide for an NMFN that best serves this country.

We thank you for the opportunity to provide these comments and thank USDOT for its consideration.

Sincerely,

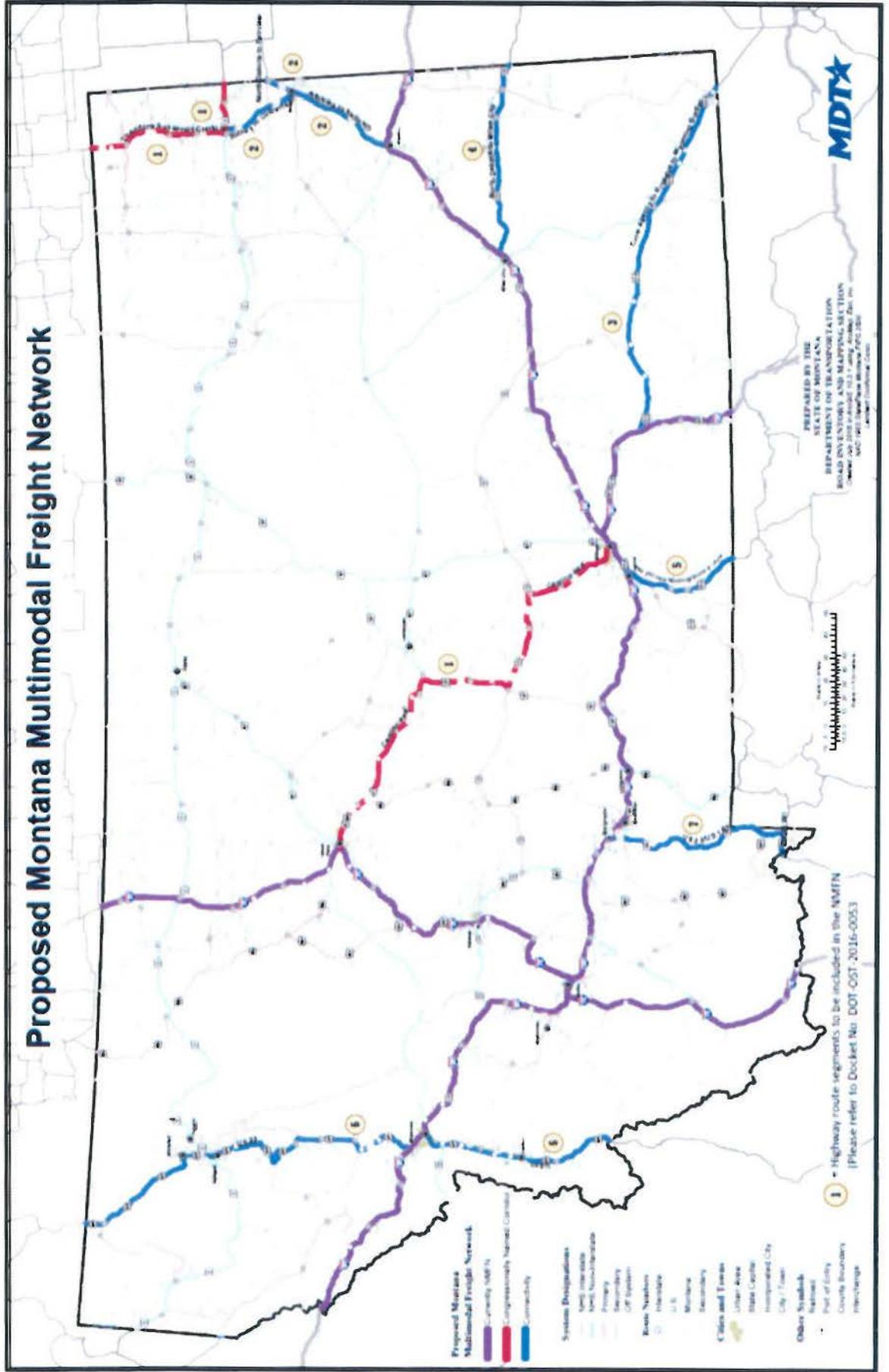


Director Michael Tooley  
Montana Department of Transportation

Enclosures

Cc: Governor Bullock  
Senator Tester  
Senator Daines  
Representative Zinke

# Proposed Montana Multimodal Freight Network



7/1/2016

Yellow = On network  
Blue = Propose adding

# Montana Rail System

