



Malcolm D. Long, Director

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12/29/2022

Lucia Olivera
Division Administrator
Federal Highway Administration
585 Shepard Way
Helena, MT 59601-9785

Subject: December 2022 Ronan-North Reevaluated Final Supplemental Environmental Impact Statement
Project No. NH 5-2(172)47; Control No. 1744019

Dear Ms. Olivera:

The Montana Department of Transportation (MDT) Environmental Services Bureau has reviewed the subject project, current regulatory requirements, current conditions at the project site, and previously approved documents (list below). Based on this analysis, MDT concludes that the requirements of the National and Montana Environmental Policy Acts (NEPA and MEPA) can be met for the subject project through a reevaluated FSEIS as described at 23 Code of Federal Regulations (CFR) 771.129(b), rather than a Supplemental Environmental Impact Statement (SEIS), as described at 23 CFR 771.130.

- *1996 U.S. Highway 93-Evaro to Polson-Missoula and Lake Counties, Montana: Final Environmental Impact Statement (1996 FEIS)*
- *2008 Final Supplemental Environmental Impact Statement (FSEIS)/Record of Decision (ROD) for the US 93 Ninepipe/Ronan Improvement Project (2008 FSEIS)*
- *2016 Ronan-Urban Reevaluated Final Supplemental Environmental Impact Statement and Final Section 4(f) Evaluation (for the Ronan-Urban segment only) (2016 Reevaluation)*
- *March 1, 2022 Ronan-North Reevaluated Final Supplemental Environmental Impact Statement (March 2022 Reevaluation)*

The purpose of, and need for, the subject project has not changed since approval of the 2008 FSEIS. As described on Pages 2-1 and 2-3 in the 2008 FSEIS, the purpose of the project is to improve the level of service, mobility, traffic flow, system linkage, and safety of the transportation system. The project is needed because US 93 is important to local, regional, and nationwide transportation. The traffic volume is high, has been steadily increasing, and is projected to continue to increase.

This letter, “November 2022 Reevaluation,” is intended to request Federal Highway Administration (FHWA) concurrence that the following design changes proposed for the subject project would not result in significant changes that would require preparation of an SEIS. This Reevaluation focuses on changes to the design, the potential for new impacts, and new project-related issues that have arisen since the March 2022 Reevaluation.

The March 2022 Reevaluation (NH 5-2(172)47; UPN 1744019) assessed two design changes and four environmental updates (March 2022 Reevaluation – Attachment 2 contains depictions of changes):

- Design Change 1 – Stormwater Runoff Treatment and Detention
- Design Change 2 – Changes to Spring Creek Road and Local Accesses
- Environmental Update 1 – Biological Resource Report (BRR) Addendum
- Environmental Update 2 – Additional Wetland Delineation
- Environmental Update 3 – Recreational Resources
- Environmental Update 4 – Wildlife Fencing

Since then, there have been revisions to *Design Change 2 – Changes to Spring Creek Road and Local Access*. Those changes are the subject of this review and are described in the following section, **Description of Changed Conditions**.

DESCRIPTION OF CHANGED CONDITIONS

As described in the March 2022 Reevaluation, *Design Change 2 – Changes to Spring Creek Road and Local Access* would relocate the Spring Creek Road east approach at its current intersection with US 93 (Reference Point [RP] 48.2). Spring Creek Road is a county road that provides local residential and farm access. Due to traffic and vehicle crash concerns, Design Change 2 proposed closing the east approach (Spring Creek Road). Local access traffic would be directed to a signalized intersection at US 93/Old US 93 (RP 47.8), which would provide safer turning movements on and off US 93. The existing Spring Creek Road entrance to US 93 would be closed with a new private access off of US 93.

During development of final design and landowner negotiations, it was determined that the western portion of the affected landowner’s existing unpaved/gravel lot would be asphalt-paved to connect with the proposed private approach. Additionally, it was determined that the agricultural field in the southeast quadrant of the US 93/Spring Creek Road intersection would be graded to accommodate the proposed access road to the private farm/residence. See Attachments 1 and 2 of this document for an overview of the vicinity and project area.

The 2008 FSEIS evaluated a study area that included the roadway and approximate 100-foot right-of-way (ROW) on each side. Portions of the study area were evaluated slightly beyond the ROW (i.e., 100-150 feet from roadway). The March 2022 Reevaluation considered the 2008 FSEIS study area and evaluated additional areas outside the study area due to the proposed design changes. For *Design Change 2 – Changes to Spring Creek Road and Local Access*, the additional study area included the proposed private access road and 100-foot ROW on each side, and the approach to the private farm/residence.

A small portion of an agricultural field in the southeast quadrant of the US 93/Spring Creek Road intersection (i.e., approximately 0.75 acres), as well as the private unpaved lot (i.e., approximately 0.32 acres), have not been evaluated in previously approved documents, and therefore, are the focus of this Reevaluation.

PAST, PRESENT, AND REASONABLY FORESEEABLE FUTURE ACTIONS

To evaluate potential cumulative effects, research was conducted to identify other known or programmed projects in the vicinity of the study area.

- UPN 8008000, US 93 N-Post Creek Hill (PN INH 5-2(159)37, RP 36.8-40.0) – Reconstruction is expected to occur in 2025 or later. MDT has not identified any cumulative impacts, as the projects are six miles apart and in separate drainages.
- The Confederated Salish and Kootenai Tribe (CSKT) Transportation Project for Mission Valley Guardrail installed new guardrail and improved existing guardrail at six locations within the Mission Valley. This project was completed in 2020. Cumulative impacts are not expected, because the activities for this project were localized; would not impact any cultural, biological, or private property; and were immediately adjacent to a roadway facility.
- UPN 9460000, Round Butte Road Path, Ronan TA – West of RP 47.0 is an MDT Transportation Alternatives (TA) project in Ronan. Design and construction of Americans with Disabilities Act (ADA) compliant sidewalk at the Ronan Middle School along Round Butte Road westward to the existing path west of the railroad tracks in Ronan. Sidewalk will be located on the north side of Round Butte Road. ROW would be obtained from Ronan Middle School and from one privately owned parcel. Construction is planned for 2022. The east terminus of the TA project will connect with existing sidewalks at the south project transition limits of the subject project. MDT would include special provisions for any tree removal that would require the work to be completed in compliance with the Migratory Bird Treaty Act. No cultural or other biological concerns are anticipated with the project. The project has potential beneficial impacts by improving pedestrian network connectivity and safety between the two projects.

Coordination with the City of Ronan, Lake County, and CSKT has occurred and is on-going. MDT concludes that no significant transportation changes have occurred or will occur in the near future that would significantly change conditions on the ground or already identified cumulative and indirect impacts.

REEVALUATION

The following resource categories were previously examined in the 2008 FSEIS, 2016 Reevaluation, and March 2022 Reevaluation and have been reevaluated in the context of the subject project as currently proposed. Where applicable, new and updated information is provided. **Table 1** provides an overview of the resource categories and whether a change in impact or mitigation has occurred. Resource categories with changed conditions are described in greater detail as follows.

Table 1. Reevaluation of Resource Categories

RESOURCE CATEGORY	CHANGE IN IMPACT? YES/NO	CHANGE IN MITIGATION? YES/NO	DISCUSSION
A. TRAFFIC OPERATIONS & SAFETY	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
B. LAND USE	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
C. PRIME & UNIQUE FARMLAND	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation. Desktop

RESOURCE CATEGORY	CHANGE IN IMPACT? YES/NO	CHANGE IN MITIGATION? YES/NO	DISCUSSION
			review completed for this Reevaluation revealed the soil within the subject project boundaries are classified as farmland of local importance and prime farmland (if irrigated). ¹ Similar to the March 2022 Reevaluation, the amount of farmland converted is not considered “significant” in terms of context and intensity because it would not constitute a substantial decrease in the amount of available farmland in the county. In addition, based on conditions observed from aerial photography and from on-the-ground observations, the majority of the land associated with the design changes is not currently in production or being irrigated. An NRCS-CPA-106 Form, <i>Farmland Conversion Impact Rating for Corridor Type Projects</i> was completed for the 2008 FSEIS. The total corridor assessment points in the 2008 FSEIS were less than the NRCS threshold that requires other alternatives consideration. The proposed design changes do not vary from the 2008 FSEIS conclusion.
D. SOCIAL	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
E. ECONOMICS	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
F. PEDESTRIANS & BICYCLISTS	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
G. AIR QUALITY	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
H. NOISE	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
I. WATER QUALITY	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
J. WETLANDS	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation. Wetland delineations were completed for the 2008 FSEIS, 2016 Reevaluation, and March 2022 Reevaluation. Specifically, the most recent wetland delineation (completed in 2019 for the March 2022 Reevaluation), reconfirmed previously identified wetland boundaries (in Pages 4-83 and 4-84 of the 2008 FSEIS) and identified an additional 1.8 acres of wetlands. With respect to <i>Design Change 2 – Changes to Spring Creek Road and Local Access</i> , wetlands were previously identified

¹ USDA/NRCS. 2022. Web Soil Survey. Retrieved 12 November 2022 from <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>

RESOURCE CATEGORY	CHANGE IN IMPACT? YES/NO	CHANGE IN MITIGATION? YES/NO	DISCUSSION
			along an irrigation canal that runs from the private farm residence at Spring Creek Road, south-southeast along the east side of US 93, to where it turns west to run under US-93 and further south. Details, including figures showing the locations of the delineated wetlands, are provided in the 2016 BRR and 2019 BRR Addendum. As stated in the 2019 BRR, no additional wetland impacts would occur as a result of the terminated Spring Creek Road connection to US 93 and the new private approach. Desktop review completed for this Reevaluation ² did not reveal any additional wetlands beyond those identified in the previous delineations. No additional wetland impacts would occur as a result of grading the agricultural field or paving the private lot.
K. FLOODPLAINS & STREAMS	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
L. FISH & WILDLIFE	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
M. THREATENED & ENDANGERED SPECIES	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
N. CULTURAL RESOURCES	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
O. PARKS & RECREATION	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
P. HAZARDOUS MATERIALS	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation. Desktop review completed for this Reevaluation ³ did not reveal any sites with hazardous materials/waste or petroleum related issues.
Q. VISUAL	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
R. ROW & RELOCATIONS	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.
S. GEOLOGY & SOILS	No	No	No change in impact since the 2008 FSEIS and March 2022 Reevaluation.

² USFWS. 2022. National Wetlands Inventory, Wetland Mapper. Accessed 12 November 2022 from <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>

³ DEQ. 2022. Discover DEQ Interactive Map. Accessed 12 November 2022 from <https://discover-mtdeq.hub.arcgis.com/#InteractiveMaps>

PERMITS

No additional permits or authorizations are anticipated to be added to those identified in the 2008 FSEIS.

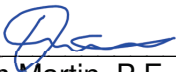
Public and Agency Involvement

The main portion of public and agency involvement occurred during development of the 2008 FSEIS. Additional public and agency involvement occurred during development of the 2016 Reevaluation, including public informational meetings; city, county, and Tribal coordination; and individual landowner discussions. The US 93 corridor has a number of long-term committees developed as part of the 2008 FSEIS that are still active and have coordinated on the subject project and the changes identified herein.

Due to the proposed design changes and the need to keep stakeholders informed on the project status and project splits, MDT held a public meeting in December 2016 where *Design Change 2 – Changes to Spring Creek Road and Local Access* was discussed. At the meeting, one comment supported Design Change 2, while one comment requested different (geometric) solutions be built. Comments were also received requesting advance notification of meetings and additional landowner discussions, which are being addressed during continued design efforts.

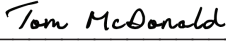
CONCLUSION

Through this Reevaluation, MDT has determined no substantive changes have occurred since the 2008 FSEIS and ROD were signed. The updates described in this Reevaluation would not affect the ability of the Selected Alternative to meet the subject projects' stated purpose as described in the 2008 FSEIS and ROD. Additionally, MDT has determined the impacts of the updates are not individually or cumulatively significant or significantly different from those described in the 2008 FSEIS or ROD. For these reasons, MDT has determined that the updates would have no effect on the ultimate decision documented in the ROD, and that approving this updated NEPA/MEPA evaluation would be consistent with 23 CFR 771.



Tom Martin, P.E.
Environmental Services Bureau Chief

Date December 29, 2022

DocuSigned by:


Confederated Salish and Kootenai Tribes
Tom McDonald
Tribal Council Chairman

Date 1/31/2023

BRIAN D HASSELBACH 

Federal Highway Administration

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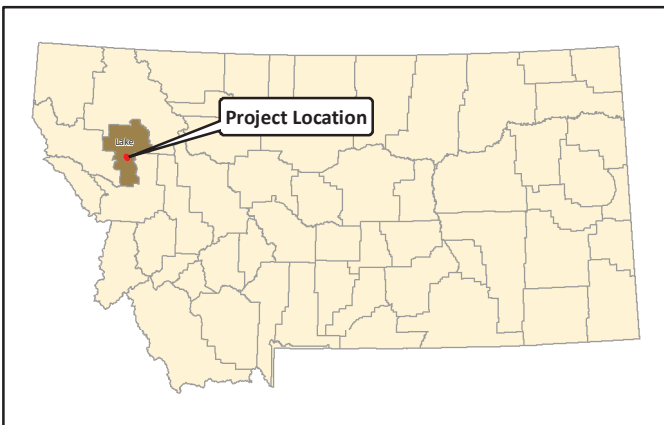
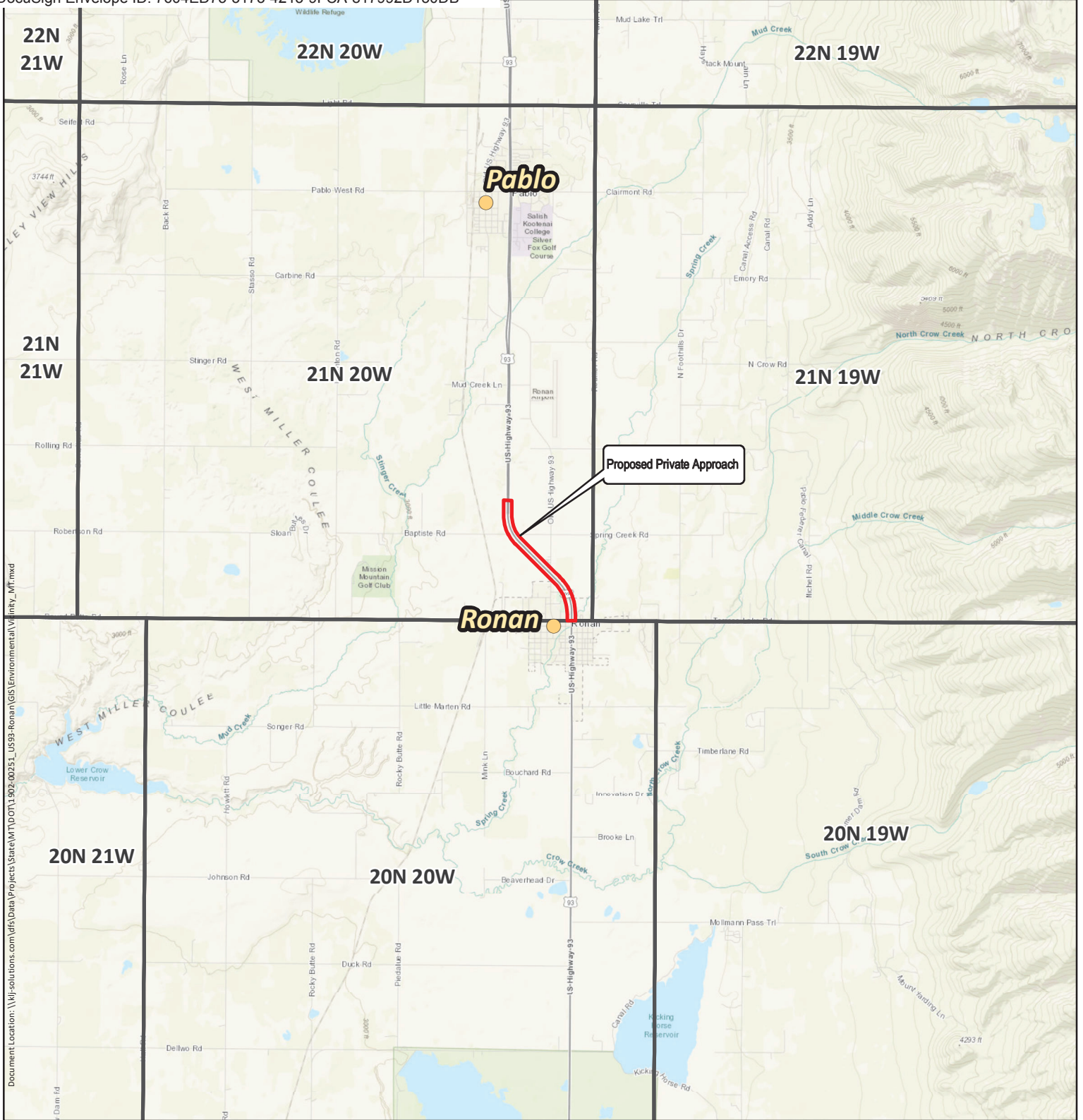
Date February 1, 2023

Copies: Bob Vosen	Missoula District Administrator
Damien Krings	MDT Highways Engineer
Ryan Dahlke	MDT Consultant Design Bureau Chief
Miki Lloyd	MDT Project Design Manager
Vacant	MDT Right-of-Way Bureau Chief
Maureen Walsh	MDT Missoula Right-of-Way
Lisa Hurley	MDT Fiscal Programming Section
Darin Reynolds	MDT Construction Contracting Bureau Chief
Tom Martin	MDT Environmental Services Bureau
Tom Gocksch	MDT Environmental Services Bureau, Section Supervisor

List of Attachments

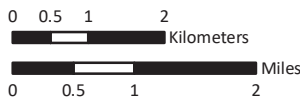
1. Project Vicinity Map
2. Project Area Map

ATTACHMENT 1



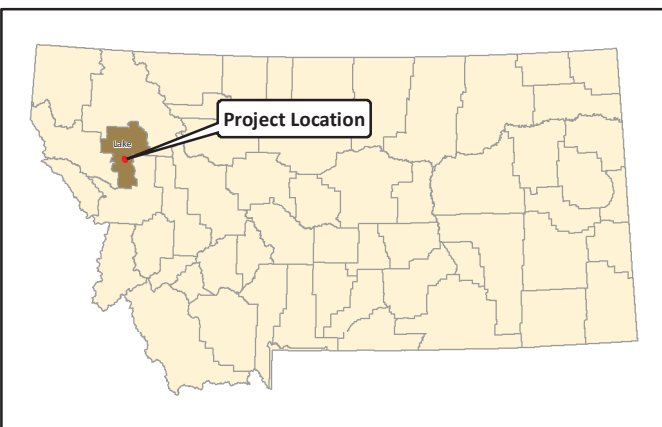
Project Vicinity & Reference Map
2022 Ronan-North Reevaluated FSEIS
NH 5-2(172)47; 1744019
Lake County, MT

 2022 Reevaluation Study Area



KLJ Project Number: 1902-00251
 Date Created: 11/10/2022 | Created By: DWK

ATTACHMENT 2



Project Area Map
2022 Ronan-North Reevaluated FSEIS
NH 5-2(172)47; 1744019
Lake County, MT

 2022 Reevaluation Study Area

