



Finding of No Significant Impact

Battlefield Rest Area & Battlefield Interchange

IM 90-9(97)511

NH 37-1(26)0

Control Number F012

Control Number 4977

Big Horn County, Montana

November 2007



FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT

For

Project Number: IM 90-9(97)511
Project Name: Battlefield Rest Area
Control Number F012

and

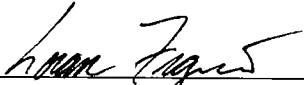
Project Number: NH 37-1(26)0
Project Name: Battlefield Interchange
Control Number 4977

In

Big Horn County, Montana

The Montana Department of Transportation (MDT) and the US Department of Transportation Federal Highway Administration (FHWA) have determined that the Preferred Alternative, as described in the attached Environmental Assessment (EA) dated August 2007, will have no significant impact on the human environment. This Finding of No Significant Impact (FONSI) is based on the August 2007 EA and information obtained during the public and agency review process. After independent evaluation of the EA, MDT and FHWA conclude that the EA adequately and accurately discusses the needs, environmental issues and environmental impacts of the proposed project and appropriate mitigation measures. The EA provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. MDT and FHWA take full responsibility for the accuracy, scope, and content of the August 2007 EA.

For purposes of compliance with the Montana Environmental Policy Act (MEPA) (ARM 17.4.609(3)(j) and ARM 18.2.239(3)(j)), this FONSI and conclusion that an EIS is not required should be considered part of the EA.



Montana Department of Transportation

11/15/07
Date



Federal Highway Administration

11/26/2007
Date

Project Abstract and Location

This proposed project is located approximately 1 1/2 miles south of Crow Agency in Big Horn County Montana on the Crow Indian Reservation. The purpose of the project is to develop a new rest area along I-90 near the Battlefield Interchange and address interchange and roadway deficiencies by improving the I-90 and US 212 interchange.

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Publicity for Public Hearing—Advertisement and Press Release
Distribution List for Environmental Assessment

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Public Hearing Transcript from Crow Agency, MT (September 19, 2007)
Public Hearing Transcript from Hardin, MT (September 20, 2007)
Public Hearing Sign-In Sheets
Comments Received During the Public Comment Period
MDT Comment Response Matrix

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Copy of Environmental Assessment

1.0 COORDINATION PROCESS

The proposed action has been coordinated with appropriate federal, state, and local agencies to comply with the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA). The Notice of Availability for the Battlefield Rest Area and Interchange Environmental Assessment (EA) was first publicized on August 30, 2007 in several area newspapers and broadcast media. Information was also provided on the public hearing for the project.

1.1 Press Release and Advertising

A press release was distributed to the following locations on August 30 and September 7, 2007:

KTVQ-TV	KFBB	KULR
KBLG	KHMT-TV	KULR-8
KRKX	KMHK	Billings Gazette
KRZN	KMZK	Billings Outpost
KYYA	KURL	Billings Times
KBUL	KRZN 2	Big Horn County News
KCTR	KSVI-TV	Big Sky Briefs.Net

Additionally, the full news release was placed on MDT's website and the Public Hearing information was placed on the State of Montana's E-calendar. Display ads were placed in the Billings Gazette on September 2 and 16, 2007 and placed in the Big Horn County News on September 6 and 13, 2007. Copies of the advertising notice and press release are contained in **Appendix A**. The public comment period began on August 31, 2007 and ended on October 1, 2007.

1.2 Availability of the Environmental Assessment

The public review period for this EA was August 31, 2007 through October 1, 2007. Copies of the EA were sent to the following viewing locations on August 15, 2007:

- MDT Billings Office at 424 Morey St, Billings
- Crow Agency Tribal Headquarters Office at Baacheeitché Avenue, Crow Agency
- Little Bighorn Battlefield Visitor Center at Exit 510 Off I-90 Hwy 212
- Big Horn County Public Library at 419 N Custer Ave, Hardin
- Montana State Library at 1515 East 6th Avenue, Helena
- MDT Headquarters at 2701 Prospect Avenue, Helena

Copies of the EA were also available upon request by calling MDT, and the EA was available on the MDT Website (www.mdt.mt.gov/pubinvolve/eis_ea.shtml). State and federal agencies and local entities were provided with a copy of the EA. The distribution list is included in **Appendix A**. A complete version of the EA is included in **Appendix C**.

1.3 Public Hearing and Comments

Two public hearings for the EA were held. The first public hearing was held on September 19, 2007 at the Crow Tribe Multi-Purpose Facility at the I-90 and US 212 interchange, just south of Crow Agency, Montana. The second was held on September 20, 2007 at the Big Horn County Courthouse in Hardin, Montana. Both events were held from 6:30 to 8:30 pm and included an open house, presentation with question and answer period, and the formal public hearing. The public hearings were attended by ten people. Four community members offered comments at the public hearings. Due to the limited number of commenters and comments, the actual hearing portions of the gatherings were short. Copies of the sign-in sheets, transcripts of the public hearing portions, and the MDT comment response matrix are contained in **Appendix B**.

In addition to providing verbal testimony, the public was encouraged to submit written comments by mail or by email through the MDT website. MDT received three written comments from a community member and from representatives of Big Horn County. Copies of those comments are contained in **Appendix B** and transcribed in the MDT comment response matrix.

Two of the comments indicated support for the Preferred Alternative. One comment identified issues with existing traffic that would be addressed by the Preferred Alternative. One comment stated the need for facilities at the current rest area location. There were also two comments requesting interpretive and other information be placed at the new rest area.

1.4 Availability of the Finding of No Significant Impact

The Finding of No Significant Impact (FONSI) and clarifications to the EA can be viewed at the MDT Website (www.mdt.mt.gov/pubinvolve/eis_ea.shtml). State, federal, and local entities will be notified by letter that this FONSI has been signed.

2.0 CLARIFICATIONS TO THE EA

This section identifies clarifications to the EA (August 2007) based on comments received and the availability of new information. Page numbers refer to the EA (August 2007) which is provided in **Appendix C**.

- Page 28, Table 2-2, Site #6 Title: “Right-of-Way Agency” is replaced by “Crow Agency”.
- Page 40, Last Bullet: Delete reference to Figure 1-4.
- Page 41, Section 3.1.2 Threatened, Endangered, and Species of Concern, 1st Bullet: The Bald Eagle was delisted from the Endangered Species Act on June 28, 2007. However, the Bald Eagle is a state sensitive species protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. MDT will comply with the statutes and regulations of these Acts.
- Page 73, Section 4.3, Identification of Issues by Agencies: Based on comments received from the National Park Service and Montana Historical Society, MDT has agreed to conduct a metal detector survey of the project area prior to construction.

APPENDIX A:

Publicity for Public Hearing—Advertisement and Press Release
Distribution List for Environmental Assessment

Advertisement



PUBLIC HEARINGS

Battlefield Interchange and Rest Area Environmental Assessment

The Environmental Assessment (EA) that examines the proposed construction of the Battlefield Rest Area at I-90 Battlefield Interchange and the reconstruction of the Battlefield Interchange (I-90/US-212 Junction) is available for public review and comment.

Review the EA at:

- Crow Agency Tribal Headquarters, Baacheeitcha Avenue, Crow Agency
- Little Bighorn Battlefield Visitor Center, Exit 510 off I-90/Hwy 212, Crow Agency
- Big Horn County Public Library, 419 N. Custer Avenue, Hardin
- Montana Department of Transportation, 424 Morey Street, Billings
- Montana State Library, 1515 East 6th Avenue, Helena
- MDT Headquarters, 2701 Prospect Avenue, Helena
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml
- Call MDT Environmental Services at (406) 444-7228 for a copy of the EA

Comment period: August 31- October 1, 2007

- Present oral or written comments at the public hearing
- Submit written comments to Dan Smith, MDT, PO Box 201001, 2701 Prospect Ave., Helena, MT 59620-1001
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

For more information:

- Dan Smith, MDT, (406) 444-7228
- Bruce Barrett, MDT, (406) 252-4138

MDT attempts to provide accommodations for any known disability that may interfere with a person's participation in any service, program or activity of our department. For reasonable accommodations to participate in this meeting, call Mike Dalsoglio at (406) 444-6250 at least two days before the meeting. For the hearing impaired: TTY (406) 444-7696, (800) 335-7592, or Montana Relay at 711. Alternative accessible formats of pertinent information provided on request.

Public Hearing: 6:30 p.m. Wednesday, September 19, 2007
Crow Tribe Multi-Purpose Facility, (adjacent to the rodeo grounds)
Exit 510 off I-90/Hwy 212, Crow Agency

Public Hearing: 6:30 p.m. Thursday, September 20, 2007
121 West Third Street, Room 301, Hardin

Press Release**August 30, 2007****FOR IMMEDIATE RELEASE**

For more information:

Bruce Barrett, MDT Billings District Administrator, (406) 657-0210 Dan Smith, PE, MDT Environmental Services Bureau Chief, (406) 444-7228 Alan Woodmansey, PE, FHWA Operations Engineer, (406) 449-5302 ext. 233 Paul Grant, MDT Public Involvement Coordinator, (406) 444-9415

Notice of Availability: Battlefield Interchange and Rest Area Environmental Assessment - Big Horn County

(Big Horn County) - Beginning August 31, an Environmental Assessment (EA) of the proposed Battlefield Interchange and Rest Area projects will be available for review and comment.

The Montana Department of Transportation (MDT) has prepared an Environmental Assessment for the proposed Battlefield Interchange and Rest Area projects and will conduct two (2) public hearings on that EA. The public hearings are scheduled as follows:

September 19, 2007
Crow Tribe Multi-Purpose Facility
(adjacent to the rodeo grounds)
Exit 510, off I-90 Hwy 212
Crow Agency

September 20, 2007
Big Horn County Courthouse
121 West Third Street, Room 301
Hardin

Both public hearings will follow the same format and agenda. An open house will be scheduled from 6:30 p.m. to 7:00 p.m., followed by a brief presentation. The public hearing will begin at 7:30 p.m. and end at 8:30 p.m.

The EA encompasses two projects: the Battlefield Interchange project and the Battlefield Rest Area project. The proposed Battlefield Rest Area would be constructed at the I-90 Battlefield Interchange, which is the US-212 Junction. The Battlefield Interchange project would involve reconstructing the I-90/US-212 Interchange by realigning the on and off-ramps and replacing the US-212/I-90 structure to accomplish the following objectives:

- * Create an area in the southwest interchange quadrant large enough for the new rest area
- * Improve intersection geometrics at the on/off-ramps and US-212 intersections to accommodate turning movements and increased traffic volumes
- * Provide a wider I-90/US-212 structure to accommodate a pedestrian walkway and left-turn median

- * Improve the east frontage road intersection by eliminating a substandard curve on the south side and moving frontage road traffic away from a busy business on the north side
- * Improve sight distance on US-212 through the interchange

The Preferred Alternative identified in the EA includes elements that best satisfy the purpose of and need for the project while minimizing impacts to the surrounding built and natural environment

The EA document is available for review at the following locations:

- * MDT Billings Office at 424 Morey St, Billings
- * Crow Agency Tribal Headquarters Office at Baacheeitcha Avenue, Crow Agency
- * Little Bighorn Battlefield Visitor Center at Exit 510 Off I-90 Hwy 212
- * Big Horn County Public Library at 419 N Custer Ave, Hardin
- * Montana State Library at 1515 East 6th Avenue, Helena
- * MDT Headquarters at 2701 Prospect Avenue, Helena
- * MDT Website at www.mdt.mt.gov/pubinvolve/eis_ea.shtml
- * For a copy of the EA, call MDT at (406) 444-7228

Community participation is a very important part of the process, and the public is encouraged to review the EA, attend the public hearing, and provide comments. Oral or written opinions, comments, and concerns may be presented at the public hearing. Alternatively, written comments may be submitted to Dan Smith, PE, MDT Environmental Services, at 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001, or online at http://www.mdt.mt.gov/pubinvolve/eis_ea.shtml. The public review period for the EA will conclude on October 1, 2007. All comments are due by October 1, 2007.

New right-of-way will be required, and MDT staff will continue to keep affected landowners advised prior to potential survey work on their property and regarding property acquisition.

MDT attempts to provide accommodations for any known disability that may interfere with a person's participation in any service, program or activity of our department. If you require reasonable accommodations to participate in this meeting, please call Mike Dalsoglio at (406) 444-6250 at least two days before the meeting. For the hearing impaired, the TTY number is (406) 444-7696 or 1-800-335-7592, or call Montana Relay at 711. Alternative accessible formats of pertinent information will be provided upon request.

-----END-----

Project Name: Battlefield Interchange and Battlefield Rest Area Project ID:
NH 37-1(26)0 and IM 90-9(97)511 Control Number: 4977 and F012 Big Horn
County, Apsaalooke Nation

**Distribution List
Environmental Assessment**

Battlefield Rest Area, IM 90-9(97)511, Control No F012
Battlefield Interchange, NH 37-1(26)0, Control No. 4977

For Public Review (2 copies each)

MDT Billings Office at 424 Morey St, Billings
Crow Agency Tribal Headquarters Office at Baacheeitché Avenue, Crow Agency
Little Bighorn Battlefield Visitor Center at Exit 510 Off I-90 Hwy 212
Big Horn County Public Library at 419 N Custer Ave, Hardin
Montana State Library at 1515 East 6th Avenue, Helena
MDT Headquarters at 2701 Prospect Avenue, Helena

Agencies:

John Pretty On Top
Big Horn County Board of Commissioners
PO Box 908
Hardin, MT 59034

Big Horn County Planning Board
PO Box 908
Hardin, MT 59034

Big Horn County Floodplain Administrator
PO Box 908
Hardin, MT 59034

Craig Taft
Big Horn County Health Department
809 N Custer Ave
Hardin MT 59034

Crow Tribe
c/o Carl Venne
Crow Tribal Council Chairman
PO Box 159
Crow Agency, MT 59022

Kristi Wedel
City of Hardin Economic Development Department
406 North Cheyenne
Hardin MT 59034

Honorable Mayor Ron Adams
City of Hardin Planning Board
406 North Cheyenne
Hardin MT 59034

Little Bighorn Battlefield National Monument
US Department of Interior, National Park Service
PO Box 39
Crow Agency, MT 59022

MaryEllen McWilliams
Frontier Heritage Alliance
1004 Big Goose Road
Sheridan, WY 82801

Mark Baumler/Stan Wilmoth
State Historic Preservation Office
1410 8th Avenue
PO Box 201202
Helena, MT 59620-1202

Tom Ellerhoff
Montana Department of Environmental Quality
PO Box 200901
Helena, MT 59620-0901

Allan Steinle/Kathy Juhas
US Department of the Army
Corps of Engineers Omaha District
10 West 15th Street, Suite 2200
Helena MT 59626

Crow Agency Field Office
US Department of Agriculture, National Resources Conservation Service
Tribal Administration Building
P.O. Box 699
Crow Agency, MT 59022

Mark Wilson
US Fish and Wildlife Service
Mountain-Prairie Region, Montana Field Office
585 Shepard Way
Helena, MT 59601

Richard J. Stefanic
US Department of the Interior
Bureau of Indian Affairs
316 North 26th Street
Billings, MT 59101

US Environmental Protection Agency
Region VIII Montana Office
10 West 15th Street, Suite 3200
Helena MT 59626

Interested Parties:

Custer Battlefield Preservation Committee
c/o Jim Court
18 Heatherwood Lane
Billings, MT 59102

John Doerner
Montana Historical Society
PO Box 201201
Helena MT 59620

Miracle A Trust
Little Big Horn Camp
PO Box 266
Crow Agency, MT 59022

APPENDIX B:

Public Hearing Transcript from Crow Agency, MT (September 19, 2007)

Public Hearing Transcript from Hardin, MT (September 20, 2007)

Public Hearing Sign-In Sheets

Comments Received During the Public Comment Period

MDT Comment Response Matrix

BATTLEFIELD INTERCHANGE
AND REST AREA
ENVIRONMENTAL ASSESSMENT

PUBLIC COMMENT

Taken at the Crow Tribe Multi-Purpose Facility
Crow Agency, Montana

Wednesday, September 19, 2007
7:29 p.m. - 7:31 p.m.

Reported By: Susan Shanstrom, RPR

SHANSTROM REPORTING
Registered Professional Reporters
651 Highland Park Drive
Billings, Montana 59102
406-248-5300

1 - - -

2 P R O C E E D I N G S

3 - - -

4 MR. WERLE: I'll pass the mike to you, and
5 if you say your name and so that our reporter
6 can write it down, and we can actually record
7 that, we will go from there. Any formal
8 public comments?

9 MR. PRETTY WEASEL: Yeah, I'll say
10 something.

11 MR. WERLE: Again, if you would say your
12 name and then just state your comment.

13 MR. PRETTY WEASEL: My name is Larry
14 Pretty Weasel, and I work for the Crow Tribal
15 Transportation Department. This facility is a
16 long time coming, and I'm - I'm glad that -
17 that this thing is going through, but I
18 understand that it might take a little while,
19 too, so - so, but I'm glad that this - the
20 process is going through.

21 MR. WERLE: Great. Thank you. You
22 gentlemen have a comment to make?

23 MR. HILL: I have one comment. My name
24 is Oliver Hill. I'm the assistant director
24 for the Crow Transportation Department,
and I

1 have had some questions and comments from
2 other people, but I was hoping they would come
3 up, but they are not here. So what they were
4 concerned about was that the name of the rest
5 area - they said why "Battlefield."
6 Shouldn't it be kind of a Crow name or
7 something. And I don't know, but they come to
8 the public meeting, but they didn't show up,
9 so I thought I would just bring that up.

10 MR. WERLE: Great. Thank you.

11 Okay. With that, I will take it we will
12 have no other public - official public
13 comments at this time, so we will close our
14 public comment period.

15 (Whereupon, the hearing concluded at 7:31
25 p.m.)

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1 CERTIFICATE OF COURT REPORTER

2 State of Montana)
 ss:
3 County of Yellowstone)

4

5 I, Susan Shanstrom, R.P.R., and Notary Public
6 in and for the State of Montana, residing in
7 Billings, Montana, do hereby certify:

8 That I was duly authorized to and did report
9 the foregoing hearing; that the hearing was taken at
10 the time and place stated on the caption hereto; that
11 the hearing was taken in shorthand by me and
12 subsequently reduced to writing under my direction;
13 that the foregoing is a true and correct transcript
14 of the hearing.

15 I further certify that I am not counsel,
16 attorney, nor relative or employee of any party, nor
17 otherwise interested in the event of this action.

18 IN WITNESS WHEREOF, I have hereunto subscribed
19 my name and affixed my notarial seal this 12th day of
26 October 2007.

21

22

23 SUSAN SHANSTROM, R.P.R., and
 Notary Public, State of Montana
 Residing in Billings, Montana
27 My Commission expires 8-21-08

25

BATTLEFIELD INTERCHANGE
AND REST AREA
ENVIRONMENTAL ASSESSMENT

PUBLIC COMMENT

Taken at the Big Horn County Courthouse
121 West Third Street, Room 301
Hardin, Montana 59034

Thursday, September 20, 2007
7:53 p.m. - 7:56 p.m.

Reported By: Susan Shanstrom, RPR

SHANSTROM REPORTING
Registered Professional Reporters
651 Highland Park Drive
Billings, Montana 59102
406-248-5300

1 - - -

2 P R O C E E D I N G S

3 - - -

4 MR. WERLE: With that, does anyone have a
5 public comment they would like to make for the
6 record?

7 I want to say, you can stay seated. Just
8 start off with your name and state your
9 comment, please.

10 MS. BOWMAN: Virginia Bowman. I have
11 already stated my comment, but I'll state it
12 again. A number of people in this area that
13 are older senior citizens that go back and
14 forth to Billings to the doctor, we have got
15 used to it and need it. I'm not saying that
16 you can't have it someplace else. I don't
17 know about that, but I hate to see that
18 building torn down and not to be able to get
19 in.

20 MR. WERLE: Thank you.

21 Again, please start off by stating your
22 name and then your comment.

23 MR. HUMPHREY: My name is Mark Humphrey.

24 The existing rest area was built in 1973, and
28 the man who was instrumental in getting
that

1 there was lieutenant governor of the state of
2 Montana from Hardin, and it's rarely we get a
3 governor. And we never had a lieutenant
4 governor from Hardin.

5 I would like to see an interpretive
6 display at the new facility constructed
7 mentioning this past lieutenant governor from
8 Hardin, and also an interpretive display - we
9 have a lot of stuff at the Battlefield. We
10 recognize all the cultural stuff, the tribe,
11 and make sure the Battlefield is included the
12 interpretive display, but how about including
13 the 100 centennial of Hardin? And Big Horn
14 County will be 100 years old in 2013, and put
15 something of that nature in there, as well.

16 MR. WERLE: Thank you. Does anyone else
17 have a comment for the public record?

18 Okay. Again, I'll remind you, we still
19 have a public comment period going on through
20 October 1st, and there is still plenty of time
21 to provide any other comments that you may
22 have in writing. Again, feel free to take a
23 few of those forms with you and fill them out,
24 mail them in, or go directly onto the

29 Department's web site, which is also
 listed at

1 the bottom of that form, and the Department
2 will be able to look at your comments and
3 prepare an official response to them.

4 So with that, I want to thank you. I
5 heard some very good questions today, and we
6 really do appreciate the time - we know
7 you're busy - and coming down here to share
8 your thoughts with us, and questions.

9 We're going to be around here for a
10 little longer if you want to talk to us
11 individually afterwards. There are some
12 refreshments at the door. If you would like
13 to grab something on your way out, a cookie or
14 water or something, please feel free.

15 Again, we appreciate your time and
16 thoughts and being here today. So with that,
17 I guess we will conclude our public hearing
18 for today. Thank you.

19 (Whereupon, the hearing concluded at 7:56
30 p.m.)

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1 CERTIFICATE OF COURT REPORTER

2 State of Montana)
 ss:
3 County of Yellowstone)

4

5 I, Susan Shanstrom, R.P.R., and Notary Public
6 in and for the State of Montana, residing in
7 Billings, Montana, do hereby certify:

8 That I was duly authorized to and did report
9 the foregoing hearing; that the hearing was taken at
10 the time and place stated on the caption hereto; that
11 the hearing was taken in shorthand by me and
12 subsequently reduced to writing under my direction;
13 that the foregoing is a true and correct transcript
14 of the hearing.

15 I further certify that I am not counsel,
16 attorney, nor relative or employee of any party, nor
17 otherwise interested in the event of this action.

18 IN WITNESS WHEREOF, I have hereunto subscribed
19 my name and affixed my notarial seal this 12th day of
31 October 2007.

21

22

23 SUSAN SHANSTROM, R.P.R., and
 Notary Public, State of Montana
 Residing in Billings, Montana
32 My Commission expires 8-21-08

25

5/13

**BATTLEFIELD REST AREA AND INTERCHANGE
ENVIRONMENTAL ASSESSMENT**

SIGN-IN SHEET

**Public Hearing in Crow Agency
September 19, 2007**

Name (please print) <i>Dexter Falls Down</i>	Name (please print)
Mailing Address <i>P.O. Box 159</i>	Mailing Address
City, State, Zip <i>Crow Agency, MT 39022</i>	City, State, Zip
Phone <i>406-638-3872</i>	Phone
Name (please print) <i>Oliver D. H. H.</i>	Name (please print)
Mailing Address <i>Box 159</i>	Mailing Address
City, State, Zip <i>Crow Agency, MT 39022</i>	City, State, Zip
Phone <i>406-438-3874</i>	Phone
Name (please print) <i>WALEY (DEXTER'S ASSISTANT)</i>	Name (please print)
Mailing Address	Mailing Address
City, State, Zip	City, State, Zip
Phone	Phone
Name (please print)	Name (please print)
Mailing Address	Mailing Address
City, State, Zip	City, State, Zip
Phone	Phone
Name (please print)	Name (please print)
Mailing Address	Mailing Address
City, State, Zip	City, State, Zip
Phone	Phone

(NO OTHER SHEETS)

**BATTLEFIELD REST AREA AND INTERCHANGE
ENVIRONMENTAL ASSESSMENT**

**Public Hearing in Hardin
September 20, 2007**

SIGN-IN SHEET

4/20

Name (please print) Mailing Address City, State, Zip Phone	Name (please print) Mailing Address City, State, Zip Phone	Name (please print) Mailing Address City, State, Zip Phone
Lyle J. Esheleman Big Horn Co. News 309 N. Centre Ave P.O. Box 386 Hardin MT 59034 665-1006	Virginia Bowman 1002 N Mitchell Ave Hardin mt 59034 665-2489	DEXTER Falls Down Hardin mt 59034 665-2489
CARLA COLSTAD 729 2ND ST. So HARDIN, MT 59034 665-1258	TERRY CARPER 729 2ND ST. So HARDIN, MT 59034 665-1258	Mark Humphrey 314 N. Crow Hardin, MT 59034 665-9704
JANE FACHISTO 1002 N Mitchell Ave Hardin mt 59034 665-2489	(NO OTHER SHEETS)	

**PUBLIC HEARING
BATTLEFIELD REST AREA AND INTERCHANGE
ENVIRONMENTAL ASSESSMENT
September 19 and 20, 2007**

RECEIVED

OCT 02 2007

ENVIRONMENTAL

COMMENT SHEET

MASTER FILE
COPY

I have the following comments about the Battlefield Rest Area and Interchange Environmental Assessment:

The trucking industry continues to present traffic entrance ^{problems} to the Crow Northern Cheyenne Hospital on Hospital Road off of I-90 on 212 by parking in/on the (shoulder that isn't there) by the BEC store. If they must stop there, a parking lot for them needs to be provided by the tribe / MDT in agreement. Emergency vehicles are hampered and regular traffic to / from the hospital is compromised. This exchange still presents a major traffic concern as they move off the hill down toward I-90.

Name:	Deb Hair RS IP CU	
Address:	Box 09 Indian Hospital Crow Agency MT	
Phone:	406 638-3474	E-mail: Deborah.Hair@icahs.gov

(above information is optional)

Mail comments **no later than October 1, 2007** to address on other side or provide comments online at http://www.mdt.mt.gov/pubinvolve/eis_ea.shtml

C:\Documents and Settings\brock\Local Settings\Temporary Internet Files\OLKID\Battlefield PH Comment Sheet 091707 (2).doc

Oct-01-07 12:24P

P.02

**MASTER FILE
COPY**

**BOARD OF COMMISSIONERS
BIG HORN COUNTY
P.O. BOX 908
HARDIN, MT 59034**

Fax (406) 665-9706

(406) 665-9700 E-mail to: mhumphrey@co.bighorn.mt.us

October 1, 2007

Dan Smith, PE
MDT Environmental Services
PO Box 201001
Helena, MT 59620-1001

Re: Battlefield Rest Area


Greetings Dan:

This is to advise you that we are in favor of the construction of the Battlefield Rest Area, at the site deemed the preferred alternative, at the junction of I-90 and US 212, at Crow Agency. We have followed the process, for a number of years, as this plan was developed. We are aware that public comment was allowed, and, we support the plan developed by MDT.

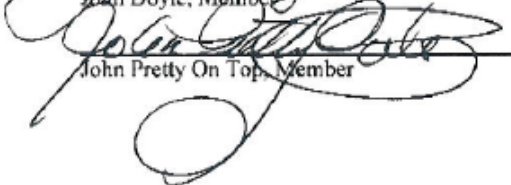
Very truly yours,

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

Chad Fenner, Chairman



John Doyle, Member



John Pretty On Top, Member

Bruner, Heidy

From: Humphrey, Mark
Sent: Monday, October 01, 2007 1:47 PM
To: MDT Comments - Battlefield EA
Cc: 'Briar.Werle@c-b.com'
Subject: Battlefield EA Comment
Attachments: Task Force brochure2.pub

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Many tourists and others come across the Crow and Northern Cheyenne Indian Reservations, not realizing that these are "dry reservations," where possession and sales of alcoholic beverages are prohibited by Tribal Code. The enclosed Big Horn County DUI Task Force brochure has been produced with this in mind – to be made available for free distribution, at the Battlefield Rest Area. Please advise as to considerations regarding this request.

-Mark Humphrey
DUI Task Force Coordinator
Big Horn County
PO Box 908
Hardin, MT 59034
Phone: 406-665-9704
Fax: 406-665-9708

10/1/2007

Oct-01-07 12:24P

Welcome

Welcome to Big Horn County. We are the second largest county in Montana, at approximately 5,023 square miles, larger than the State of Rhode Island. Our population numbers 13,219.

Big Horn County is a land made up of varying jurisdictions. As you drive, you may be passing from one to another. So, please be aware that each has its own unique regulations and law enforcement agencies.

You may want to enjoy fishing the Big Horn, Little Big Horn, and Tongue rivers which wind through this region, yet, please be aware that both the Crow and Northern Cheyenne Indian Reservations are "dry," and alcoholic beverages are prohibited. Chief Plenty Coups State Park, at Pryor, contains much history of the Crow.

Among the primary attractions within Big Horn County are Little Bighorn Battlefield and Big Horn Canyon National Recreation Area. These fall under the jurisdiction of the National Park Service. Regulations are posted, if you're unsure, please check with the Park Rangers.

Hardin is the County Seat. Lodging, dining and shopping are available. The scenic Big Horn, Pryor and Wolf Mountain ranges are nearby. We invite you to enjoy yourself whole-heartedly during your visit to Big Horn County, but, remember to drive safely and report "impaired drivers."

—Mark Humphrey
Big Horn County DUI Task Force Coordinator

Traveler's Advisory

Tribal Code prohibits the possession and sale of Alcoholic beverages on the Crow Indian Reservation.

Many tourists and other people come across the Crow and Northern Cheyenne Indian Reservations not realizing that they are visiting a dry reservation where possession and sales of alcoholic beverages are prohibited by Tribal Code. On behalf of the Tribal jurisdictions, the Big Horn County DUI Task Force advises visitors to be aware of the local ordinances, and respect the cultural values of the region, as established by Tribal Code.



Mark Humphrey photo

Participating Agencies

- Big Horn County Attorney's Office
- Big Horn County Sheriff's Office
- Crime Prevention Council
- Crow DUI Task Force
- Crow Tribal Law Enforcement
- Montana Highway Patrol
- National Park Service
- Northern Cheyenne Police Dept.



Joelle Humphrey Photo

Strategies

The Big Horn County DUI Task Force plans to utilize a variety of approaches to accomplish our goal of reducing the number of motor vehicle crashes in Big Horn County. Among these are Traffic Safety Checkpoints and public awareness campaigns.

The 2007-2008 Big Horn County DUI Task Force plan is available for review at the County Commissioners Office in Room 302, Third Floor, of the Big Horn County Courthouse, 121 West 3rd., in Hardin.

WARNING!
"Impaired drivers" are deemed to constitute hazards on our roadways. Traffic Safety laws will be enforced!

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P. 04

Our Mission:
Insuring Public Safety,
Coordinated Enforcement,
Public Awareness, and
Traffic Safety Operations.

**Big Horn County
DUI Task Force**

Report Impaired Drivers

Emergency
9-1-1
Sheriff/Highway Patrol
406-665-9780
Crow Tribal Law Enforcement
406-638-2631
Northern Cheyenne Police
406-477-6288

Encouraging our Citizens
to drive in good conscience



Big Horn County DUI Task Force
"Restoring Paths to Dwell in"
PO Box 908
121 West 3rd, Room 303
Hardin, MT 59034



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DUI Task Force History

Established June 14, 2007
By the Board of Commissioners
of Big Horn County, Montana,
Resolution 2007-29.
Approved Sept. 25, 2007 by the
Montana Dept. of Transportation.

- Mark Humphrey, Chair*
- Georgette Hogan, Vice Chair*
- Tony Beehler, Member*
- Darren Bixby, Member*
- Edward Eastman, Member*
- Keven Howe, Member*
- Pete Molina, Member*

For More Information

Contact: Mark Humphrey, Coordinator
Big Horn County
DUI Task Force
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Hardin, MT 59034
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Restoring Paths
to dwell in!

**BIG HORN COUNTY
DUI TASK FORCE**

MDT Comment Response Matrix

MDT COMMENT RESPONSE MATRIX

No.	How Comment Received?	Name	Affiliation	Comment	Response
1	Public Hearing	Larry Pretty Weasel	Crow Tribe Transportation Dept	This facility is a long time coming, and I'm glad that this thing is going through, but I understand that it might take a little while, too, but I'm glad that this process is going through.	Comment acknowledged.
2	Public Hearing	Oliver Hill	Crow Tribe Transportation Dept	I have had some questions and comments from other people, but I was hoping they would come up, but they are not here. So what they were concerned about was that the name of the rest area - they said why "Battlefield." Shouldn't it be kind of a Crow name or something? And I don't know, but they come to the public meeting, but they didn't show up, so I thought I would just bring that up.	The name "Battlefield" is a project name that MDT uses to distinguish the project and is simply based on the proximity of the project to the Little Bighorn National Monument. At this time, it is not anticipated that the rest area will have a formal name with a plaque or signage. A formal naming of the rest area would require action by the Montana Legislature or by the Transportation Commission.
3	Public Hearing	Virginia Bowman	Individual	I have already stated my comment, but I'll state it again. A number of people in this area that are older senior citizens that go back and forth to Billings to the doctor, we have got used to it and need it. I'm not saying that you can't have it someplace else. I don't know about that, but I hate to see that building torn down and not to be able to get in.	MDT has agreed to leave the existing rest area parking lot in place. The existing buildings will be removed and replaced with latrine-style toilets. It is expected that the latrine-style toilets would be one-room vault facilities, open to either gender. It is expected that the facilities would not include sinks or running water. The facilities will comply with the Americans with Disabilities Act. Similar facilities exist on the east-bound lane of Interstate 90 on Bozeman pass and on both the north- and south-bound lanes of Interstate 15 south of Wolf Creek
4	Public Hearing	Mark Humphrey	Big Horn	The existing rest area was built in 1973,	Once constructed, there will be

MDT COMMENT RESPONSE MATRIX

No.	How Comment Received?	Name	Affiliation	Comment	Response
			County	and the man who was instrumental in getting that there was lieutenant governor of the state of Montana from Hardin, and it's rarely we get a governor. And we never had a lieutenant governor from Hardin. I would like to see an interpretive display at the new facility constructed mentioning this past lieutenant governor from Hardin, and also an interpretive display -- we have a lot of stuff at the Battlefield. We recognize all the cultural stuff, the tribe, and make sure the Battlefield is included the interpretive display, but how about including the 100 centennial of Hardin? And Big Horn County will be 100 years old in 2013, and put something of that nature in there, as well.	opportunities for the placement of interpretive information at the new rest area and at the modified existing rest area. (Please see response to Comment 3, above.)
5	Mail	Deb Hardes	Individual	The trucking industry continues to present traffic entrance problems to the Crow Northern Cheyenne Hospital on Hospital Road off of I-90 on 212 by parking in/on the shoulder that isn't there by the BEC store. If they must stop there, a parking lot for them needs to be provided by the Tribe and MDT in agreement. Emergency vehicles are hampered and regular traffic to and from the hospital is compromised. This exchange still presents a major traffic concern as they move off the hill down towards I-90.	The Preferred Alternative in the Environmental Assessment is expected to alleviate these traffic issues by providing parking spaces for approximately 58 trucks and 110 passenger vehicles at the new rest area. (Please see Section 2.4.2 of the Environmental Assessment for additional information.)
6	Mail	John Doyle and John Pretty On Top	Big Horn County Commissioners	This is to advise you that we are in favor of the construction of the Battlefield Rest Area at the site deemed the preferred alternative, at the junction of I-90 and US	Comment acknowledged.

MDT COMMENT RESPONSE MATRIX

No.	How Comment Received?	Name	Affiliation	Comment	Response
				212, at Crow Agency. We have followed the process, for a number of years, as this plan was developed. We are aware that public comment was allowed, and, we support the plan developed by MDT.	
7	Email	Mark Humphrey	Big Horn County DUI Task Force	Many tourists and other come across the Crow and Northern Cheyenne Indian Reservations, not realizing that these are "dry reservations", where possession and sales of alcoholic beverages are prohibited by Tribal Code. The enclosed Big Horn County DUI Task Force brochure has been produced with this in mind – to be made available for free distribution, at the Battlefield Rest Area. Please advise as to considerations regarding this request.	Once constructed, there may be opportunities for the placement of legal information at the new rest area.

APPENDIX C:

Copy of Environmental Assessment