

## **Appendix A**

Public Hearing Transcript

Public Hearing Sign-In Sheets

Comments Received and Responses

## FORMAL PUBLIC HEARING

STPP-F 72-1(10)

Belfry-North

A public meeting for the Belfry-North project was held January 26, 2005 at the Belfry School beginning at 7:00 p.m. The meeting was tape recorded and transcribed below.

## Transcription

Bruce Barrett:	<p>Good evening ladies and gentlemen. I'm Bruce Barrett. I'm the Billings District Administrator for the Montana Department of Transportation. I'd like to introduce some of the folks that are with us tonight. We have quite a crew. We have been out doing different projects today. We have folks from Helena and out of Billings, so we have all appeared tonight to entertain you. Out of MDT in Helena, Jeff Olson is the Bridge Engineer; Dave Leitheiser, our Hydraulics Engineer; Art Jacobsen is our Environmental Services person; Mike DalSoglio is the Consultant Design Engineer on this project; Tony Partlow is from Consultant Design; and Jim Nelson is with Bridge. Traveling with me out of Billings is Gary Neville, our Engineering Services Engineer; Brent McCann, our District Right-of-Way Supervisor; Tom Koski, our Construction Technician, is with us tonight; Marlene Pritz is a Right-of-Way Agent. With David Evans and Associates, David Evans is the Consultant we retained through the Environmental Document and also developed this project. Debra-Perkins Smith, Steve Long, Larry Olson, Craig Rousal, Sandra Dowling, she is the official photographer, and Dan Nebel, with Terracon is here. Carl James is with us from the Federal Highway Administration; Harvey Nyberg and Jim Darling from Fish, Wildlife and Parks; and Al Brown, the County Commissioner, will get some time to share with us this evening; and with BLM is Tom Carol. I think I got everybody. If I missed someone, we think we outnumber you maybe.</p> <p>Our purpose this evening, after all the meetings we've held out here, all the discussion we have had, all the impacts we have evaluated, all the information you provided us, we have come to terms with what we have called "preferred alternatives" and Deb and Steve will be talking to those. This is not a public meeting as such tonight. This is a formal public hearing, and this formal public hearing is part of the Natural Environmental Policy Act, and this is the last official meeting on this project to finish the Environmental Document. There is a 30-day public comment period. Normally we like to release the document, the Draft EA, which is not available, and then we like to have it on the street for 10 days or so, and then we do the public</p>
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	<p>hearing, and then there is the balance of that time for comments. We have a recording system tonight. We are not taking comments. We are taking testimony. So any of you that would have comments, we will have a mic that we will give you. All you will have to do is state your name, where you live, and the comments you may have on the things that we present. We also have some comment sheets you can fill out and mail into us within the 30-day period. February 28<sup>th</sup> is the last day we will accept comments on this. You can write us a letter. You can call us. So there are a variety of ways that you can submit comments that will be put into this document, but I think that the real important thing is that this is a formal public hearing under the NEPA process and February 28<sup>th</sup> is the last day for public comment, and comments that you will provide at this time will actually be testimony for these documents.</p> <p>With that, I will turn it over to Deb.</p>
Debra Perkins-Smith	<p>Thanks Bruce! And my name is Debra Perkins-Smith and I'm a consultant from David Evans and Associates; and we are doing environmental compliance on the project. I notice some people came in late. We have a couple of seats here if you want to sit down here, and also there are some seats over at the table. Maybe Doug can put up some seats in the back.</p> <p>I am going to step back and review a little bit of history on the project, so that if you haven't been to a meeting before, you will know how we got to where we are tonight. About two years ago, we started the environmental assessment process for this project. We started with public meetings. We had meetings both here in Belfry and had several meetings up in Bridger as well to talk more about what happens at the north end of the project, up at US 310. We had three public meetings here in Belfry and three as well up in Bridger. The purpose of this project is to improve safety on MT 72 between Belfry and US 310. So that is the purpose of this roadway project, to improve safety. In several of those meetings, say the second and third meeting, we came up with a whole list of alternatives, which are shown on that sheet down there, multiple alternatives in Belfry and up to US 310 and the along the entire corridor in between. A lot of those were screened out to a fewer number of alternatives that Steve is going to explain later on, and those are the ones that we are going to discuss tonight. We evaluated those and, as Bruce was saying, based on that evaluation, Montana Department of Transportation and Federal Highways have selected a preferred alternative for the corridor; and we will go over that tonight. Also, as Bruce had mentioned, this is a public hearing so we will be taking testimony afterwards. Unlike the last public meetings, what we are going to ask tonight is; would you hold your questions to the end so that we can</p>

	<p>get them as testimony? After Steve is through, we'll take as many questions as you want.</p> <p>The other thing is that you can also come up and talk to us individually if you don't like to give testimony. Come talk to us individually and we will record those comments. As Bruce had mentioned, on this form you can actually write something and send it back to us. We have extra ones of these and I believe, Commissioner Brown, that we are going to leave some of these at the county offices in Red Lodge as well as at Bridger?</p>
Commissioner Brown	Bridger, and we will try to leave some at Harrisons.
Debra Perkins-Smith:	<p>Okay! So if you want to get hold of more, they will be at those locations. In addition, on the front page of this on the very bottom line, if you are real computer savvy and you use the internet, there is a website, Montana Department of Transportation's website. You can look at the Environmental Document of this project on this website, and you can also do your comments on-line that way, rather than having to write them out. So if you would like to do it that way, you have that option as well.</p> <p>The purpose of tonight's meeting is to go through these alternatives and share with you the information on the evaluation and also MDT and FHWA's preferred alternatives. What we would like is some feedback from you in terms of if you have any additional concerns or anything we should know about and get your input on those alternatives before a final decision is made by MDT and FHWA. We anticipate that decision will be in March, so fairly soon.</p> <p>With that, I am going to turn it over to Steve who is going to go through the alternatives.</p>
Steve Long:	<p>It is nice to see so many familiar faces that we have been working on the project for the last couple of years with me, with you individually, and we have met with you in workshops and groups, and we have been introduced to you at our public meetings.</p> <p>I'm going to step back just a little bit to tell how we got to this and expand on what Deb said. In our first set of public meetings, we came here and we asked you, "What are the problems along this corridor? What needs to be fixed? What can we do to fix them?" In the second set of public meetings, we then brought back some ideas from what we had heard, and we put those up on the wall, and we got your feedback. The last public meetings that we had, we</p>

displayed those and we started to tell you a little bit about how we were going to evaluate some of these alternatives, and we wanted your feedback on if this evaluation criteria that we are using is applicable and appropriate. So we do appreciate everybody's input throughout the process a lot. It got it to what we call the "preferred alternative," and what I am going to present tonight.

Two elements to deciding on what and where a roadway goes, the first off is the alignment. Where does it fit? How are we going to put it. The second element is how wide is it – how many lanes does it need to be? I have kind of broken my presentation up into these two parts. First we are going to talk about where the alignment is going, and we are going to talk about how we evaluated it. Then we are going to talk about how wide the alternative is and what bounds that and talk about how we evaluated that element of it.

So to start out, I wanted to start in the Belfry area, and we are going to work our way north. Our second public meeting, we needed to brainstorm together to come up with eight or nine alternatives of how to get through or around Belfry. The primary purpose of this project was safety, and I would have to say the number one issue related to safety was moving the highway away from the school. That is what we heard the strongest. So we developed a whole set of alternatives. You can look at them later. There are eight or nine alternatives to get around Belfry, and we have consolidated that down through our next set of public meetings. Which are good? Which ones do you want to see move forward? Which ones are the most practical? We ended up with three alternatives.

The first alternative is the "no-build," do nothing. Keep the highway right where it is.

The second alternative is what we call the railroad alternative. The railroad alternative is called the railroad alternative because it comes in on the old railroad alignment, and you can stand out and look down the field and you can see the power poles. That is pretty much where that alignment would be. As the highway continues currently, it would just instead of turn and go in front of the school, it would just be projected straight north through that power line and then curve and then match in just a little bit north of Dutch Lane.

The third alternative that we looked at was the Broadway alternative, and the Broadway alternative had some advantages and some disadvantages that we heard from you. It kind of moved it away from

the school. It kept the traffic from moving right in front of the school and gave a little bit of a buffer there, so we found that there was definitely warranted a further look because it kind of did meet our purpose and did improve the safety.

So these are the three alternatives in the Belfry area that we advanced. From all those that we have looked at, these are the three that we advanced, and we really sharpened our pencils and took a good look at the impacts both to your community, directly related to the Belfry area, and then also what it does to farmlands and all of our other environmental analysis, costs, how much right-of-way is required, stream impacts, water quality, wetlands, literally dozens and dozens of different impacts, and then we compared these. We don't necessarily weigh these impacts. We don't say one is necessarily more important than another, but we do know that the purpose of the project is to improve safety, so that one weighted fairly heavily. What we ended up with, with working with MDT and FHWA, is the preferred alternative alignment, which was the railroad alternative. That was primarily because it best served the purpose and need of moving the alignment away from the school completely. It also kept the higher speed traffic out of town, and I believe that there was a lot of public consensus at our last meeting that that was really what you all wanted. So that is how we ended up there. Again, there is a lot of other environmental data that will support that decision, but those are the primary reasons.

The second area that we are going to look at is everything in the middle of the alignment, all the way from Belfry up to the 310 intersection is basically what we are calling the rural alignment. We spent a lot of time trying to brainstorm great ideas on different places we could put the highway and worked with a lot of you. We really focused in on this area here, those bad curves at Lynn's corner. That seemed to be really the prevailing interest along this corridor of improving safety. Nobody else really came up with any other substantial areas that really needed large improvement through there as far as alignment goes. There was a lot of discussion about typical section that we will be talking about later, but as far as where the highway is, pretty much that was the hot spot.

So we came up with three alternatives here. We had a "no-build" alternative – do nothing, keep the curves where they are, not a very popular alternative. The second was to make a straight shot from here to here, and then the third alternative is something in between. Part of our goal is to save the prime farmland, so we did want to minimize the impact if we could along there. In keeping with safety,

that means that we have to meet new design criteria. All the criteria that this road was originally built to are long since gone. The safety standards are a lot higher. That was probably a legacy project that just got built on and built on for the last hundred years actually. New design standards regulate how tight we can make these curves. What we ended up with here as a preferred alternative is something kind of that middle one where we are not taking a straight shot and trying to save some of the prime farmland, and so we kept the curve in there. We kept two curves in there. They all meet design speed, and you probably will have a hard time even noticing them when you are driving them, they are so gentle, but that is what we ended up with. The rest of the alignment pretty much stays about where the highway is now. What that means is that we have to construct a new highway; and we have to worry about how we are going to do that, where traffic is going to be. So when I say it is on the existing alignment, it is in the proximity of the existing alignment. We had to thread the needle between some properties, we have to respect the irrigation operations that are out there, and we have to make sure that while we build a new bridge that traffic can be using the old bridge. So for the most part, the majority of this alignment is built just slightly to the east of the existing alignment, just so we can kind of keep operations on the old road during a lot of the construction, and we can construct a lot of the new bridges while the old bridges are still in service.

The last segment we are going to talk about is the 310 intersection, and we actually had two special work groups besides the public meetings to really focus in on this area. At the second public meeting, we started sharing that there might be some ideas of kind of abandoning the existing alignment and maybe making a more direct connection. We would get away from some of these houses that are up there and some of the businesses, and it might allow for a safer intersection. The big concern we hear about the 310 intersection was that off ramp, that southbound off ramp. People actually drive down it at about 70 miles an hour comfortably and come flying through somebody's neighborhood, basically right off their driveway. We heard that as probably the biggest and highest safety concern.

The other element of safety was that people thought that sometimes it was confusing. People were actually driving up the on ramp in the wrong direction, even though it was signed. It is a very dangerous area, very tight curve at the end, fairly high accident rates at that location, and then severe accident rates. These alternatives would eliminate some of that. At the same time we said, "What can we do at the existing location to really improve that?" Number one was to get rid of that ramp. Let's bring the roadway in and "T" it in a little

bit better than it does today. Here is the existing. It is a real tight buttonhook there. Here is the proposed. It is a lot gentler. You are going to have a lot more sight distance. You are not going to have to look over your shoulder so hard. The skew angle of that is a lot, lot less.

So that is where we came up with the blue alternative, and the last time we were here, we were showing that. Since that time, we engineers got all together, and we decided that is a great alternative at the existing, but there were a lot of complications about how we were going to get this road turned in, and it was real close to this intersection, and it just didn't make a safe alternative. In lieu of going back to these, we really decided, "Let's concentrate some more on this one, and let's try to make this a viable alternative." We ended up putting in a, I'll call it a frontage road, I want to use that term very loosely, but it really does collect a lot of the access along there and then moves them to one point right here. So if you live up here, you come down and then come back to this point. It gets you out of all the operations of the intersection. It gets a lot better sight distance. You are not actually going to have to enter on a curve. The other thing we looked at in this alternative was the drainage. We wanted to lower that profile a little bit so the water wouldn't necessarily flood down into the lumber yard, also the geometrics improve the super-elevation of the road, tilt the road a little bit more through that last curve. What we came up with is that it is probably better if we were to put curb and gutter in that section.

So those were a couple of changes that we have had since we last saw you. I'll call them "fine tuning" of our alternatives that we brought to you last time, but they are fairly significant, adding a parallel road like that.

After all was said and done and we did all the evaluation on all three of these, this alternative actually looked to be the best. It took a lot less farmland obviously, had a lot less community impacts, cost quite a bit less money, and we felt that the safety was probably equal or nearly equal to these. So therefore, that is the preferred alternative.

I quickly went through those. This is a lot of detail specifically about how we analyzed it. Red is bad. Green is good. White is kind of neutral, or it might be based on value judgment. What is good for one person might be bad for somebody else. The red and green are pretty much a definitive choice that we have made here. So you can see how it got populated, here is the modified intersection that I just talked about. You see that it has a green and a couple of red, where

the others have a lot of red and a single green, so we went through it. There is also a lot more supporting documentation above and beyond what you are seeing here. This is kind of a summary of the major points out of this evaluation. There are other things that we looked at specifically, but these are the highlights here, and you can come up and take a look at these when we are done if you want to know more. But basically, that is how we got to where the roadway is going.

The second element is how wide is the roadway? This is the alignment right now. P-72 is on an NHS non-national highway system, which means it goes by a different set of standards than a highway that uses the highway standard. One of the biggest differences of that is the shoulders. There are some subtle other differences, and we heard loud and clear when we were here at our second and our third meetings that a four-foot shoulder to meet that standard is just not enough in this area. We need more room. We need more room because of bringing agricultural equipment down. Four feet is not enough room for incident management if somebody breaks down. It is just not enough room. So we went through an evaluation on a rural corridor about, "What if we were to go with a different standard and width, what does it gain?" Well, whenever you widen an envelope like that, whenever you widen a roadway, you are going to have a lot more environmental impacts. You are going to have more wetland takes. You are going to have more right-of-way required, because you are widening it out. The other is that it is going to cost more money. Pavement is pretty expensive. If I take four feet out of that whole thing, it is four feet on each side that you are talking about an extra eight feet of pavement. What we ended up with was a compromise. We decided that we will grade the roadway out if the slopes would be adequate for a shoulder. We are only going to pave four feet of shoulder. The other will just be a flat slope. The next four feet would just be a flat slope that somebody could still pull over on, you can still move your agriculture equipment over, but it is benched out, it doesn't drop off right away. So that is where we ended up, having to compromise in the middle, and it does meet all the safety concerns. Just the fact that we don't have to pave that saved about one to two million dollars for the project, so that was a good compromise.

The next typical section that we looked at is what are we doing in town? What are we doing in Belfry? What are we doing at the 310 intersection? I talked a little bit about curb and gutter. Well, still this is a highway, and even though we are going to sign the posted speed limit down as you are coming through Belfry and you are heading up to 310 and we are going to step down the speed, we still didn't want

	<p>to create a very narrow section there. We need some recoverable area, we need to make it safe, and we want to keep it a little bit wider. So what we did is we put in a shoulder, and it is getting more and more common to do that, to put in curb and gutter and it allows a little sight distance. So it is not the way you might think of curb and gutter where you just have a travel lane and then curb and gutter and then a sidewalk. It is a travel lane, and we have allowed some room for parking on the east side as you are coming into Belfry. The other side, we just have a widened shoulder. It is about eight feet wide. It gives a buffer area. It just makes it safer. It gives more area so that you can see the sight distances there, and that is the typical section, for the most part, that we ended up with in town, also including sidewalk on that. We have recommended to take that curb and gutter section, at least on the west side, all the way past the old railroad maintenance building. Is everyone familiar with that, a big building just outside the town here? We decided to take that just past that to make it safer so that people aren't plowing in there. The curb and gutter section does allow for a bit of a barrier there, and we are going to take that sidewalk just past the edge of town right now, and the specifics, I believe, are called out in your handout.</p> <p>The Broadway alternative that we looked at was the same except it had parking on both sides. So as we turned into town, that was going to be improved. So that is pretty much how we got to the preferred alternative. Obviously, the typical section for the railroad is the preferred alternative because that is the alignment typical section. So with that, I think we have covered this. Deb, is there anything else you can think of?</p>
<p>Debra Perkins-Smith:</p>	<p>No! I think maybe there is one other thing that you should mention, Steve, that invites our attention, that people might not be aware of, and how about the 308 intersection, what we are showing on Vaill Avenue. That might be something that people might want to comment on later.</p>
<p>Steve Long:</p>	<p>That is a good point. The last time we were here, we did mention it, and I don't know if it got heard loud enough. Our preferred alternative right now, as the P-72 continues and goes up the railroad corridor instead of turning down Vaill, our recommended alternative right now shuts Vaill off there. So as you are coming down 308 right now, you would not be able to continue like you can today in the town and in front of the school. You would have to turn there, so this connection would no longer exist. The road option still exists in there, but if you wanted to get into town, you go up to Broadway, turn and then come back to the residential area that the highway currently bisects.</p>
<p>Bruce Barrett:</p>	<p>As a point of information, all the old road that is left in place remains the maintenance responsibility of the State of Montana, so Vaill</p>

	<p>Avenue and around by the school is still a road that we are going to have to maintain. We will be plowing the snow. We will be taking care of it. We would probably offer it to the county, but they probably won't want to take it. We are required by law to maintain everything that we were maintaining as of July 1, 1976. So any road that is left in town after we are done with this project will be our maintenance responsibility.</p> <p>I would like to say just one thing about the typical section. I think one of the discussions we had out here, you were pointing to some roads through Fromberg to what we call a 40-foot width. It is two 12-foot driving lanes and two eight-foot shoulders, and we suggested that's what we build through here. The compromise that we came up with essentially builds the subgrade for a future 40-foot width. We are actually going to put gravel and paving on 34 foot and taper it down so the slopes are very gentle and you can get all kinds of equipment out there. In the future, as traffic increases and development increases, it is pretty obvious that the cost of going in and adding some gravel and some additional pavement to get a 40-foot width is considerably cheaper than constructing a new road. So that is how we came to terms with the compromise alternative. The subgrade and the right-of-way is designed for a 40-foot road, the surfacing will be 34 as far as the gravel and the paving, and then there will be real gentle slopes so there will be a lot of room to get off to the side of the road; and in the future, it literally lends itself to expansion to a 40-foot road just like that through Fromberg. So, I think, that is what we heard and that is how we got there.</p>
Steve Long:	Bruce, that is a part of something else. I just wanted to make sure that everybody realized also that with the preferred alternative, that the existing 72 goes away. This road would no longer exist through here.
Bruce Barrett:	And in addition to that, because we don't want the responsibility of the old bridge, we are probably going to want to remove the old bridge across the river. As we get into more detailed design on this project after the completion of the document, we will be working with the landowners anywhere there are parts of old highway left. If they currently own the land on both sides of the highway, we will work with them to try to get that back to them through right-of-way negotiations and how they want to deal with the old road in terms of reclaiming it. So there is a very good chance that the old highway going out of town to the river, we can reclaim to the same agricultural use that is on both sides of it. So the new right-of-way will be there, but they will gain the field back where the present one is. Then the intent is, of course, that we will have a new bridge across the river on the new alignment, and we will want to get rid of the old bridge just because of liability purposes. Some day it would fall into the river,

	and we would just as soon not have to worry about that.
Steve Long:	With that we are going to open it up to your testimony, and a few ground rules for that are you have to talk to the mic, you have to say your name and your address, if you would. This becomes public record when it gets transcribed. Also, if you could speak really loud for us so everybody can hear you, I would really appreciate it.
Debra Perkins-Smith:	The mic that Gary has here doesn't amplify anything. It is just so that we can get it on the recorder, so you still need to speak up so everyone can hear you, and if you don't speak up, I might repeat your questions just so that everyone else could hear. With that, we will open it up. Sandra, would you mind writing it down so people can see later tonight what some of the comments were? With that, We will open it up to questions or comments.
Commissioner Brown:	My name is Albert Brown. My address is Box 177, Bridger, Montana. My question is with the railroad alignment through Belfry. You are going to straighten that out. What is going to be the speed limit and what are you going to do to deal with that speed? Are you going to put up a light to help with caution for the traffic?
Bruce Barrett:	I'm sorry, I was talking back there when I should have been listening, but I assume you are asking about the speed limit on the new highway, the new alignment?
Commissioner Brown:	Right!
Bruce Barrett:	Is Belfry an incorporated community or unincorporated? I'm going to have to look at the statutes. There may be some statutory things we can do to restrict the speed coming in. At the very least, the road would fall to the statutory 70 miles an hour, and I just don't think we are going to do that out here. We would probably either want to get a recommendation out of our traffic section to what we could put in, pending the results of a traffic investigation and speed zone study right after the project is completed to actually set it. I think we have some latitude that the commission gave us to temporarily set some speed limits. If we can't go to the statutes and find a solution to the problem, I believe we have some administrative solutions that we can implement pending a study, and then whatever the study is, and then, of course, we worked with you on other studies, so you are familiar with how that process goes, but then what would come out of that would go back before the commission. Once they adopt it, that is what we would post. But I don't think it is anybody's intent to have 70 miles-per-hour through Belfry.
Debra Perkins-Smith:	Any questions or comments?
Sam Krum:	My concern here is that when you go with the railroad alignment, you are going to make Broadway the main fully entrance and exits on

	Belfry. That means that all of the freight, all of the traffic, all of the cars, and school buses will all come down Broadway. I don't believe Broadway Avenue is that kind of a road. The kids walk that every morning, every night, every noon. Right now they walk down the middle of Broadway because it is better than the sidewalks, but it wasn't mentioned in the environmental assessment at all.
Debra Perkins-Smith:	Could you please state your name for us?
Sam Krum:	I'm Sam Krum, Box 15, from Belfry, Montana.
Debra Perkins-Smith:	Thank you!!  One thing that we should mention, Steve, is that the first block would be improved under the railroad alternative.
Steve Long:	Yes! Just the first block as it turns in. We would get that first block.
Debra Perkins-Smith:	For the sidewalks.
Steve Long:	And part of the rationalization of where the kids are, that might bring it back to the residential area. Pedestrians will change their behavior sometimes, but maybe they won't. So I appreciate your comments.
Sam Krum:	You aren't going to gain anything on the safety of the kids, because you are going to move all of the traffic going to Broadway, and that is the same street the kids all use.
Debra Perkins-Smith:	On the preferred alternative, all the highway traffic, like the people that are going through, they are not stopping in Belfry, they would now be on Railroad Avenue, so they would not be on Broadway or in town, but you are right. The local traffic would use these.
Sam Krum:	That is the only exit and entrance that Belfry will have if you go with Vaill.
Debra Perkins-Smith:	That is right!
Sam Krum:	And it would take, the stores will have all their freight going through, big trucks will go through, the coal truck will go to the school, the Elmer's Coal Business, and all of the kids living out of town will drive that route, and it just isn't a road for that size of traffic, especially the buses and the freight trucks.
Debra Perkins-Smith:	So you are thinking there should be additional access into.
Sam Krum:	No! This means Broadway needs to be redone.
Debra Perkins-Smith:	Oh! Broadway needs to be redone. Thank you! Thank you for clarifying that.

	Any other comments or questions?
Steve Long:	As we go here, keep in mind that you can definitely support an alternative. Tell us if you really like something too.
Bruce Bunten	I'm Bruce Bunten, and I live at 2131 Highway 72. If my recollection is correct, my next door neighbor, who is Jim South, has a lot of one acre in size. If you put that access gathering road across the front of his place, then you put him out of business, because he won't have sufficient acreage for a well and a septic system drain field, and I didn't see that in your environmental impact.
Debra Perkins-Smith:	That is good information to know. They are concerned that there isn't enough room there to allow for a septic system on the access road for these people.  Would you state your name again?
Sam Krum:	Sam Krum, Box 15, Belfry, Montana. I am the certified operator for the water and sewer district. This railroad alignment will come within 80 feet of our well and the DEQ says there is supposed to be a clearance of 100 feet, but I don't see it in the Environmental Assessment anywhere. It hasn't been mentioned.
Debra Perkins-Smith:	So you have a well right there?
Steve Long:	Is that a private well or a city well?
Sam Krum:	It is the city well.
Debra Perkins-Smith:	Is it near your property? Is that what you are saying? Where was the location again? Just so I can write it down.
Sam Krum:	Straight east of the old depot. That is a small well compared to our big one. West of the depot, not east.
	It is on the west property.
Debra Perkins-Smith:	Thank you!
Jim Turner:	I am Jim Turner and I own the Horse Trader Café on the corner of 72 and 308. I guess I have some concerns about how I am going to get my customers in at that intersection, whether there is going to be a light at it, what are you going to do with that? If that road is abandoned, if Vaill is abandoned, that is next to my property and I don't know how you are going to clean it if it is blocked off there. I'd like to have it if you want to give it away.
Debra Perkins-Smith:	Any other comments or questions?

Gary Jacobson:	Gary Jacobson, P.O. Box 201, Bridger, Montana. I am still kind of confused on now there are three ways of getting onto the Belfry highway. How are you changing that here?
Steve Long;	Maybe we can talk about it after we break up. For the most part, just so everybody understands, think of it like a frontage road that takes everybody back to a safe intersection right here. There would be no access from here to here along the alignment that you would parallel. The alignment comes in here. Does that make sense?
Gary Jacobson:	So people coming in three different directions now, how are they going to "Y" that like this.
Steve Long:	You are going to have to show me an example. I don't understand. You mean this little "Y" right here?
Gary Jacobson:	Yes! Say you are coming from Bridger to take the Belfry road. Say you are coming from Lovell, Wyoming, to make that turn. Is it still going to have the three different angles like there is now.
Steve Long:	Oh, I see! The lanes that come through here?
Gary Jacobson:	Right!
Steve Long:	You will have a lane that is developed on 310 here that then will turn. It won't be a ramp like it is today, but it will be a 20 mile an hour or so curve that you can slow down and make that turn. You will be coming out of here and you will have a left-turn lane and then you will also have a right-turn lane, so it will have three different lanes.
Debra Perkins-Smith:	Any other comments and questions?
Ed Webb:	My name is Ed Webb, Box 45, here in Belfry. We have that scale right up here at Broadway. I was just concerned. Is it going to be restricted for access in and out of that, seeing as how Broadway would be the only access into town, because we go both ways. We go through the yard there and then also out in the street. We are just concerned that we are going to be restricted so nobody can enter that at Broadway.
Steve Long:	Would you come up and point that out up here for a minute quick, just so I am real clear on it.
Ed Webb:	The concern here is that we have the scale right here. If you make this the main entrance here, are we going to be restricted for any traffic coming out of there?
Steve Long:	Not as currently designed.
Ed Webb:	There is no curb there, right!
Steve Long:	There is for the first block.
Ed Webb:	For the first block, the scale is right there, so you have to make a turn. But the scale is on the south of the old depot.

Debra Perkins-Smith:	<p>Any other comments or questions?</p> <p>If that is it, we will be around for a time if you want to talk to us individually. As I mentioned before, you can make comments on the yellow sheet. You can do something via the web site and you can do that by February 28<sup>th</sup>, you can make comment, and what we will do is add another newsletter. I hope they all got a newsletter and after this meeting, you will get our newsletter that talks about some of the comments that we got, via mail or whatever. So you will get that information back through our newsletter.</p> <p>Bruce, do you want to say anything else.</p>
Bruce Barrett:	<p>I just want to say that every one of these projects that we undertake that are new, are difficult to say the least. They are challenging, they are complex and everybody along them is impacted, and working with all of you has been a pleasure. You have my profound appreciation for taking time out of your schedule to come and join us and help share your concerns about this road, and I feel when we actually get around to building it – it is still scheduled for late 2006 to go to contract, although realistically it is probably going to be hopefully in early 2007 – we build a road that is good for everyone, including safety and will serve you for many years to come. I think that in one of our meetings we talked that on the average around the state, once we build a new highway, it is 58 years before we get back, so it is real nice to do it right the first time and we are trying to do that and we couldn't have done that without you, so thank you very much.</p>

End of transcription.

SIGN-IN SHEET

PUBLIC HEARING  
January 26, 2005

	Name	Address
1	Randal Bergsaly	RR1 Box 1111
2	Rogene Hergenrider	Bridger mt 59014
3	Joan Peterson	Rt.1 Box 1070 Bridger, mt. 59014
4 5	Bob & Keafisher	RR1 Box 1079A Bridger MT 59014
6	Ann Roswell	Box 54 Belfry MT. 59008
7	Steve Carrington	113 Carbon Ave Belfry, mt 59008
8	Bruce Duntz	P.O. Box 427 BRIDGER, MT 59014
9	Shane Hergenrider	RR1 Box 1113 Bridger MT 59014
10	Mary Herden	Belfry
11 12	Roger Walden + wife	Bridger
13	Karl Graham	Bridger

## SIGN-IN SHEET

PUBLIC HEARING  
January 26, 2005

Name	Address
14 Harvey Nyberg MFWP	2300 Lake Elmo Dr Billings, MT 59105
15 Ellen 16 Harold Hergenrider	Belfry, mt-
17 Curt Peters	Rt. 1 Bridger, MT.
18 Tony PATELOW MDT	2701 PROSPECT AVE HELENA, MT 59601
19 Gordon Aisenbrey	Route 1 Box 1139A Bridger Mont.
20 Tom CARROLL	BLM BILLINGS FIELD OFFICE PO. BOX 36800 BLGS. MT 59107
21 22 Cliff + Rhonda Steiger	R.R. 1 BOX 1114 Bridger, MT 59014
23 Evelyn Kerschull	Box 383, Bridger, MT 59014
24 25 Allen & Karen Hergenrider	Rt 1, Box 1127 Bridge MT 59014
26 Robert Brown	P.O. Box 27 Belfry, MT 59008

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PUBLIC HEARING  
January 26, 2005

Name	Address
27 Jim Darling	MFWP 2300 LAKE ELMO DR BILLINGS, MT 59105
28 Dan Nebel	Terracon 2110 Overland Ave. suite 124 Billings, MT
29 ALBERT BROWN	P.O. Box 177 BRIDGEER, Mont.
30 D. Webb	P.O. Box 45 Belfry, MT 401 VAH 1/1
31 32 Gordon + Annette Carlson	Hc 44 Box 7 Belfry MT 59008
33 Don Saylor	Belfry MT.
34 Carol Nott	RR 1 Box 1071 Bridger, MT 59014
35 Harvey Nott	SAME
36 Din Dutton	PO B 181 Belfry, MT 59008
37 Ron Kellewig	Box 422 Bridger,

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PUBLIC HEARING  
January 26, 2005

Name	Address
38 39 Bill and Columbia Meirhardt	1231 No 31st Billings, MT 59101
40 41 Cynthia McBride + Martin Krum	POB 148 Belfry
42 Tom Koski McDirk of Transportation	Billings District Construction P.O. Box 26437 Billings, MT 59103
43 CARL JAMES	FHWA, Helena, MT
44 Oscar Gard	Box 97 Belfry
45 Elmer Webb	Box 37 Belfry,
46 Sam Krum	Box 15 Belfry, MT
47 Christine Meest	R.R. I Box 1110 Bridger, Mt.
48 Bruce Siesel	R R 1 Box 1110 Bridger Mont
49 James J. Hooker	Rt 1 Box 1085 Bridger MT.

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PUBLIC HEARING  
January 26, 2005

	Name	Address
50	CT PIERSON	PO # 124 BRIDGER Mt.
51	Gary Jacobson	Box 201 Bridger, mt 59014
52	Mark Giesick	SAND CREEK CANAL CO.
53	Jim Turner	BOX 146 BELFRY 59008
54 55	Dean & Dena Spaulding	Box 51 BELFRY 59008
56	Dorel M. Howell	Box 1115 Bridger, mt.

SIGN-IN SHEET

PUBLIC HEARING  
January 26, 2005

Name	Address
57 <del>JMT</del> Carol Turner	PO Box 146 Belfry, MT 59008

## *EA Comment Summary*

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
1	Eddie Bateson	USDOJ - Bureau of Land Management	2/22/2005	Letter	<p>[Letter addressed to Tom Martin at MDT]</p> <p>Dear Mr. Martin: This is in response to your request for written comments or concurrence by February 28, 2005, on the Environmental Assessment for the Montana Department of Transportation's Belfry-North Project for the reconstruction of Montana Highway 72. We concur with the Railroad Alignment Alternative (Preferred) of the aforementioned EA with no additional comments.</p> <p>We appreciate the hard work that has gone into this important project, and particularly the efforts of David Evans and Associates, Inc. and the Montana Department of Transportation.</p> <p>Again, we look forward to working with the Montana Department of Fish, Wildlife, and Parks, and in consultation with the Montana Department of Transportation, on achieving the goal of improved public fishing access to the Clarks Fork River.</p> <p>If you have any questions, please contact Tom Carroll, Realty Specialist, at 406-896-5242.</p> <p>Sincerely, Eddie Bateson Acting Field Manager</p>	Comment noted.

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
2	Mark Wilson	USFWS	2/28/2005	Letter	<p>[Letter to Tom Martin at MDT]</p> <p>Dear Mr. Martin: This is in response to a letter from David Evans and Associates, Inc. dated December 23, 2004, requesting that cooperating agencies, including the US Fish and Wildlife Service (Service), provide written comments to you regarding the Environmental Assessment (EA) for the Belfry-North project on Montana Highway 72 in Carbon County (F STPP 72-1(1)10; Control NO. 1016). This project would entail the full reconstruction of 11.1 miles of MT 72 from the intersection of Montana Secondary Highway 308 in the town of Belfry, to the intersection of US Highway 310 near Bridger, Montana. Construction activities would primarily include road widening, curve straightening, bridge and culvert replacement, and roadway realignment. The project would parallel the Clarks Fork of the Yellowstone River and cross the river twice.</p> <p>The Service has corresponded with the Montana Department of Transportation (Department) relative to this project a number of times during project development, dating back to 1986. Most recently we provided our concurrence that this project would not be likely to adversely affect bald eagles, a determination reached by the Department in the biological assessment written for this project. No other federally-listed species would be affected by project related activities.</p> <p>We have reviewed the EA for this project and have no substantive comments to offer. The document appears to adequately address issues and concerns relative to the Service's trust resources.</p> <p>Thank you for the opportunity to review this document. If you have questions regarding this letter, please contact Scott Jackson at (406) 449-5225, extension 201.</p> <p>Sincerely, R. Mark Wilson Field Supervisor</p>	Comment noted.

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
3	Harvey Nyberg	MFWP	2/23/2005	Letter	<p>[Letter addressed to Tom Martin at MDT]</p> <p>Dear Mr. Martin:            [1] We believe that the public needs reasonable and safe accommodation of access for fishing and associated recreation at all bridge crossings. This proposed project involves replacing two bridges crossing the Clarks Fork of the Yellowstone River in areas popular with local anglers.</p> <p>[2] If the Railroad Alignment Alternative is chosen for the Belfry Area, we look forward to working with the US Bureau of Land Management to develop a formal fishing access site on their land. If the Broadway Avenue Alternative is chosen, we would like to work with the Montana Department of Transportation (MDT) to provide a two- or three-car pullout within the transportation right-of-way (ROW). We also favor retaining the old MT 72 ROW on the north side of the Clarks Fork, where a cul de sac may be built adjacent to the old bridge crossing.</p> <p>[3] Within the Rural Corridor, all alternatives (except "No-Build") appear to require a slight realignment of the new bridge in relation to the old. If that realignment results in the old ROW extending outside the new ROW, we request that all ROW be retained. Regardless, we look forward to working with MDT to provide an angler pullout and access to the river within the transportation ROW.</p> <p>[4] At the south end of the project area, the Railroad Alignment Alternative raises some wildlife concerns. Depending on the exact alignment of this alternative, the new highway segment would bisect alfalfa fields heavily used by mule deer from late October through April, or would pass along the base of the bluff where mule deer bed during the day. In either case, the new highway would negatively impact a high-density mule deer area. Increased collisions between vehicles and deer are a virtual certainty, and human safety becomes an issue. With proper speed zones, the Broadway Avenue Alternative is safer for people and will have less impact on wildlife.</p> <p>[5] At the north end of the project area, neither the Ridgeway North Alternative nor the Ridgeway South Alternative is preferred. During initial scoping for this project, it was suggested that minimal changes be made in the existing highway alignment. Both the North and South Alternatives result in highways bisecting agricultural fields used by deer. Either alternative increases the likelihood of vehicle/deer collisions along these fields. Since the current alignment will be maintained as an access road for homes and businesses, vehicle collisions with deer will continue along that access road. Both the North and South Alternatives will result in a cumulative increase in vehicle/deer collisions. Thus, it is preferred that the highway remains in the existing corridor at the north end of the project area. If that is not possible, the South Alternative is preferred over the North Alternative.</p> <p>[6] The EA states that there is no impact to white-tailed prairie dogs (WTPD) because there is no suitable habitat, but there are records for historic WTPD colonies along this section of the highway (see attached</p>	<p>[1] Comment noted.</p> <p>[2] Comment noted. The Railroad Alignment Alternative is the Preferred Alternative in Belfry and this alignment would provide an opportunity for access to the proposed BLM fishing access site. MDT would work with MFWP and BLM to provide an approach to this site. For the Railroad Alignment Alternative, a cul de sac will be built on the north side of the Clarks Fork south bridge if existing right-of-way is sufficient. As stated in the EA, the bridge will be removed unless a new owner adopts the bridge and maintains it in place.</p> <p>[3] During final design, MDT will consult with MFWP on access at the Clarks Fork south bridge.</p> <p>[4] Thank you for your comment. Safety was one of the reasons that the Railroad Alignment Alternative was selected as the preferred alternative over the Broadway Alignment Alternative. Specifically, the Railroad Alignment Alternative better addresses pedestrian and bicycle safety concerns by moving the highway away from the Belfry School and eliminating the sharp curve in front of the school.</p> <p>The Railroad Alignment Alternative, which is the Preferred Alternative, would create a new road through one agricultural field and remove the existing road, thereby creating a new area of combined agricultural fields. Since the existing alignment would be eliminated, the vehicle/deer collisions on that road would be eliminated. Although it is possible that this shift in alignment may result in more wildlife/vehicle conflicts, the preferred alternative would better address the overall safety concerns in town and at the Belfry School than the Broadway Alignment Alternative.</p> <p>[5] Comment noted. The Modified Existing Alignment Alternative is the Preferred Alternative in the rural corridor.</p> <p>[6] Current NRCS data indicates the location of a historic WTPD colony as shown on the map attached to your letter. WTPD were initially documented in the project corridor and project area in 1977 and in 1995. Surveys were conducted in 1997 after the land had been cultivated for farming and no white-tailed prairie dogs were found (MTNHP, 2002). There has been no documentation of WTPD in the project vicinity since 1995 and none were found during site visits by project biologists in 2002.</p>

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
					map). The Montana Natural Heritage Program (MTNHP) may have new information on these WTPD colonies, and should be contacted (nhp.nris.state.mt.us) for the most current data. Even though there may be no active colonies in the area (within 1 mile of the highway), Carbon County contains the only suitable habitat for WTPD in Montana. WTPD were proposed for listing under the ESA, and although US Fish and Wildlife Service (USFWS) found the listing unwarranted, it is currently being sued for this decision. Also, (this applies to all nongame wildlife in the area) the USFWS field inspections were conducted in 2002, while construction is not scheduled to begin until 2006. Additional visits may be necessary to confirm the absence of Species of Concern prior to construction.	[7] The draft report documenting the bat surveys conducted in Carbon County stated that the three bridges surveyed within the project area were found to have no indications of use by bats. This is consistent with the surveys performed in 2002 for this project. Please refer to Section 2.0, Clarifications to EA. Text is updated to note the findings of the bat survey.
					[7] There is also a concern for wildlife that use bridges slated for demolition. MTNHP, in coordination with MDT, surveyed many of the bridges in this area for bats, and these data should be included in the EA. The proposed mitigation for nesting swallows and roosting bats is sufficient, if the timing of demolition is later in the fall (as late as October) to ensure that animals have stopped using the bridges. Chicken-wire fencing is unlikely to keep out bats or swallows. A material that is more flexible and with a much tighter mesh should be used.	Please refer to Section 2.0, Clarifications to the EA. The text referring to chicken wire fencing will be updated to reflect that MDT will use Best Management Practices (BMPs).
					[8] Impacts to wetland habitats have been adequately addressed in the proposed plan, and there should be minimal negative impacts to amphibians, including northern leopard frogs. In the last two sentences of the next-to-last paragraph near the bottom of page 3-65, the statement is made that "An 'in-lieu-(of)' fee program for wetland mitigation is currently under development with MDT and COE. If this program is implemented, it could be a potential mitigation option." Indeed, such a program has been implemented as of April 5, 2004, with Montana Wetlands Legacy as administrator of the program.	[8] Please refer to Section 2.0, Clarifications to EA. The text is updated to reflect that the program has been implemented.
					[9] As proposed in the document, mitigation (i.e. confirming no nest disturbance prior to construction) for bald eagles will be necessary to ensure that no nests are destroyed or nesting birds are disturbed. For mountain plovers, there is no known suitable habitat along Highway 72 between Bridger and Belfry.	[9] Comment noted.
					[10] Regarding reptiles, as long as there is not substantial sagebrush habitat destroyed, then impacts to sagebrush lizards should be minimal. Milk snakes are possible in the area, but are unlikely to be next to the road. If milk snakes are discovered during construction (gravel removal has been known to reveal breeding females and/or hibernacula), they should be moved to an undisturbed area.	[10] Please refer to Section 2.0, Clarifications to EA. The text is added to the mitigation section noting that MDT will work with MFWP through the final design and pre-construction process to determine if special provisions in the construction plans are needed for milk snakes.
					Thank you for the opportunity to comment. If you have any questions, please contact Jim Darling (247-2961) for fisheries information and Ray Mule for wildlife information.	
					Sincerely, Harvey Nyberg Regional Supervisor	

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
4	Robert Morehead, Jr.	DNRC	1/14/2005	Letter	<p>[Letter to MDT]</p> <p>Dear Sir: Recognition of the design requests made by our letter of December 12, 2002 and inclusion of the letter to David Evans and Associates in your Environmental Assessment is greatly appreciated. We anticipate the reception of the final narration, so that we can evaluate the final design as it pertains to our work in monitoring of water rights.</p> <p>The list of proposed irrigation modifications in the Belfry-North Environmental Assessment appears to cover all of our concerns about existing water rights and water conveyance systems. The 3.2.5.5 and 3.2.5.3 mitigation sections describe open communications with the ditch owners about their concerns and this communication has proven to be the best method to avoid problems in design and operation with ditch owners and water users.</p> <p>Thank for the opportunity for us to read your proposal and comment. If we can be of any assistance, please call us.</p> <p>Sincerely, Robert B. Morehead, Jr. Water Resource Specialist</p>	Comments noted.
5	Tom Ellerhoff	MDEQ	2/24/2005	Letter	<p>Dear Mr. Martin:</p> <p>The Department of Environmental Quality (DEQ) reviewed the environmental assessment (EA) for the proposed reconstruction of 17.9 km (11.1 miles) of Montana Highway 72 between Montana Secondary 308 in Belfry, north to its junction with U.S. Highway 310, south of Bridger, MT.</p> <p>After reviewing the EA, the DEQ's only comment is:</p> <p>Since the permitting of this project is probably a year or two away, by then the Army Corps of Engineers might have implemented its stream/river mitigation program. There are quite a few river and stream crossings in the project area and the EA only addressed minimizing hydraulic impacts as mitigation. It did not discuss compensatory mitigation for the river/stream impacts.</p> <p>Thank you for the opportunity to review the draft EA. If you have any questions regarding DEQ's comments please contact Jeff Ryan, Water Protection Bureau (406-444-4626), or me (406-444-5263).</p> <p>Sincerely,</p> <p>[Signed: 2/24/05]</p> <p>Tom Ellerhoff Environmental Program Manager</p>	MDT and FHWA will continue to coordinate with US Army Corps of Engineers (COE) on permitting. A memorandum of agreement between MDT, FHWA and USCOE regarding compensatory mitigation for river/stream impacts has not yet been finalized among these agencies. Compensatory mitigation for river/stream impacts, if applicable, will be discussed with the COE during the permitting application process.

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
6	Commissioner Albert Brown	Carbon County Commissioners Office	1/26/2005	Public Hearing	<p>[1] My name is Albert Brown. My address is Box 177, Bridger, Montana. My question is with the railroad alignment through Belfry. You are going to straighten that out. What is going to be the speed limit and what are you going to do to deal with that speed? Are you going to put up a light to help with caution for the traffic?</p> <p>[2] Right!</p>	<p>PUBLIC HEARING BEGINS HERE WITH QUESTION AND ANSWER PERIOD</p> <hr/> <p>[1] BARRETT: I'm sorry, I was talking back there when I should have been listening, but I assume you are asking about the speed limit on the new highway, the new alignment?</p> <p>[2] BARRETT: Is Belfry an incorporated community or unincorporated? I'm going to have to look at the statutes. There may be some statutory things we can do to restrict the speed coming in. At the very least, the road would fall to the statutory 70 miles an hour, and I just don't think we are going to do that out here. We would probably either want to get a recommendation out of our traffic section to what we could put in, pending the results of a traffic investigation and speed zone study right after the project is completed to actually set it. I think we have some latitude that the commission gave us to temporarily set some speed limits. If we can't go to the statutes and find a solution to the problem, I believe we have some administrative solutions that we can implement pending a study, and then whatever the study is, and then, of course, we worked with you on other studies, so you are familiar with how that process goes, but then what would come out of that would go back before the commission. Once they adopt it, that is what we would post. But I don't think it is anybody's intent to have 70 miles-per-hour through Belfry.</p>

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
7	Sam Krum	Individual	1/26/2005	Public Hearing	<p>[1] My concern here is that when you go with the railroad alignment, you are going to make Broadway the main fully entrance and exits on Belfry. That means that all of the freight, all of the traffic, all of the cars, and school buses will all come down Broadway. I don't believe Broadway Avenue is that kind of a road. The kids walk that every morning, every night, every noon. Right now they walk down the middle of Broadway because it is better than the sidewalks, but it wasn't mentioned in the environmental assessment at all.</p> <p>[2] I'm Sam Krum, Box 15, from Belfry, Montana.</p> <p>[3] You aren't going to gain anything on the safety of the kids, because you are going to move all of the traffic going to Broadway, and that is the same street the kids all use.</p> <p>[4] That is the only exit and entrance that Belfry will have if you go with Vaill.</p> <p>[5] And it would take, the stores will have all their freight going through, big trucks will go through, the coal truck will go to the school, the Elmer's Coal Business, and all of the kids living out of town will drive that route, and it just isn't a road for that size of traffic, especially the buses and the freight trucks.</p> <p>[6] No. This means Broadway needs to be redone.</p> <p>[7] I am the certified operator for the water and sewer district. This railroad alignment will come within 80 feet of our well and the DEQ says there is supposed to be a clearance of 100 feet, but I don't see it in the Environmental Assessment anywhere. It hasn't been mentioned.</p> <p>[8] (nodded, yes)</p> <p>[9] It is the city well.</p> <p>[10] Straight east of the old depot. That is a small well compared to our big one. West of the depot, not east. It is on the west property.</p>	<p>[1] PERKINS-SMITH: Could you please state your name for us?</p> <p>[2] PERKINS-SMITH: Thank you. One thing that we should mention, Steve, is that the first block would be improved under the railroad alternative.</p> <p>LONG: Yes! Just the first block as it turns in. We would get that first block.</p> <p>PERKINS-SMITH: For the sidewalks.</p> <p>LONG: And part of the rationalization of where the kids are, that might bring it back to the residential area. Pedestrians will change their behavior sometimes, but maybe they won't. So I appreciate your comments.</p> <p>[3] PERKINS-SMITH: On the preferred alternative, all the highway traffic, like the people that are going through, they are not stopping in Belfry, they would now be on Railroad Avenue, so they would not be on Broadway or in town, but you are right. The local traffic would use these (streets).</p> <p>[4] PERKINS-SMITH: That is right.</p> <p>[5] PERKINS-SMITH: So you are thinking there should be additional access into.</p> <p>[6] PERKINS-SMITH: Oh! Broadway needs to be redone. Thank you! Thank you for clarifying that.</p> <p>[7] PERKINS-SMITH: So you have a well right there?</p> <p>[8] LONG: Is that a private well or a city well?</p> <p>[9] PERKINS-SMITH: Is it near your property? Is that what you are saying? Where was the location again? Just so I can write it down.</p> <p>[10] PERKINS-SMITH: Thank you.</p> <p>ADDITIONAL - Broadway: To improve the operation of and access to/from MT 72, the first block of Broadway to the east of MT 72 would be improved as part of the Railroad Alignment Alternative, which is the Preferred Alternative. As described in Section 2.0, Clarifications to the EA, after reviewing public comments and subsequent discussions with the County, improvements are proposed for the entire length of Broadway.</p>

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
						<p>ADDITIONAL - Municipal Well: The existing well is within 20 m (65.5 ft) of the existing gravel Railroad Avenue. For the proposed project's preferred alternative (Railroad Avenue Alignment), the existing well would be approximately 16.8 m (55 ft) from the back of the curb of the paved Railroad Avenue, which would become MT 72. For the Broadway Alternative, the distance would be the same as the existing condition. Wells within 100 feet of a roadway require a deviation from MDEQ. A request for deviation was submitted to MDEQ, and MDEQ approved this deviation with specified conditions. This information has been included in Section 2.0, Clarifications to the EA and a copy of the correspondence with MDEQ is included in Appendix C.</p>
8	Bruce Bunten	Individual	1/26/2005	Public Hearing	<p>[1] I'm Bruce Bunten, and I live at 2131 Highway 72. If my recollection is correct, my next door neighbor, who is Jim South, has a lot of one acre in size. If you put that access gathering road across the front of his place, then you put him out of business, because he won't have sufficient acreage for a well and a septic system drain field, and I didn't see that in your environmental impact.</p>	<p>[1] PERKINS-SMITH: That is good information to know. They are concerned that there isn't enough room there to allow for a septic system on the access road for these people (near the US 310 intersection).</p> <p>ADDITIONAL: For the Modified Existing Alignment Alternative in the EA, the access road would be constructed within an easement which would not reduce the "platted" size of the lot. It would, of course, reduce the usable area of the lot.</p> <p>As described in Section 2.0, Clarifications to the EA, in response to public comment, MDT has revised the proposed design for the US 310/MT 72 intersection. The selected design of the intersection eliminates the previously proposed access road and therefore, there would be no impacts to this property.</p>
9	Jim Turner	Individual	1/26/2005	Public Hearing	<p>[1] I am Jim Turner and I own the Horse Trader Café [1] on the corner of 72 and 308. I guess I have some concerns about how I am going to get my customers in at that intersection, whether there is going to be a light at it, what are you going to do with that? If that road is abandoned, if Vaill is abandoned, that is next to my property and I don't know how you are going to clean it if it is blocked off there. I'd like to have it if you want to give it away.</p>	<p>[1] PERKINS-SMITH: Any other comments or questions?</p> <p>ADDITIONAL: For the Preferred Alternative in the EA, the MT 72 and S-308 intersection would continue to have stop signs. Access to the Horse Trader Café would be via a commercial curb opening generally located on the southerly side of the parcel. Vaill Avenue between Montana Street and Railroad Avenue will be revised to include a sidewalk and a gravel access road to provide access to the property in the NE quadrant of the present Vaill Avenue/Railroad Avenue intersection. Carbon County would maintain this access road and sidewalk. Please refer to the Memorandum of Agreement between MDT and Carbon County in Appendix C.</p>

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
10	Gary Jacobson	Individual	1/26/2005	Public Hearing	<p>[1] Gary Jacobson, P.O. Box 201, Bridger, Montana. I am still kind of confused on now there are three ways of getting onto the Belfry highway. How are you changing that here?</p> <p>[2] So people coming in three different directions now, how are they going to "Y" that like this.</p> <p>[3] Yes! Say you are coming from Bridger to take the Belfry road. Say you are coming from Lovell, Wyoming, to make that turn. Is it still going to have the three different angles like there is now.</p> <p>[4] Right!</p>	<p>[1] LONG: Maybe we can talk about it after we break up. For the most part, just so everybody understands, think of it like a frontage road that takes everybody back to a safe intersection right here. There would be no access from here to here along the alignment that you would parallel. The alignment comes in here. Does that make sense?</p> <p>[2] LONG: You are going to have to show me an example. I don't understand. You mean this little "Y" right here?</p> <p>[3] LONG: Oh, I see! The lanes that come through here?</p> <p>[4] LONG: You will have a lane that is developed on US 310 here that then will turn. It won't be a ramp like it is today, but it will be a 20 mile an hour or so curve that you can slow down and make that turn. You will be coming out of here and you will have a left-turn lane and then you will also have a right-turn lane, so it will have three different lanes.</p> <p>ADDITIONAL: Please refer to Figure 2 in Section 2.0, Clarification to the EA, for a graphic representing both the existing and proposed general configuration of the US 310/MT 72 intersection.</p>
11	Ed Webb	Individual	1/26/2005	Public Hearing	<p>[1] My name is Ed Webb, Box 45, here in Belfry. We have that scale right up here at Broadway. I was just concerned. Is it going to be restricted for access in and out of that, seeing as how Broadway would be the only access into town, because we go both ways. We go through the yard there and then also out in the street. We are just concerned that we are going to be restricted so nobody can enter that at Broadway.</p> <p>[2] The concern here is that we have the scale right here. If you make this the main entrance here, are we going to be restricted for any traffic coming out of there?</p> <p>[3] There is no curb there, right!</p> <p>[4] For the first block, the scale is right there, so you have to make a turn but the scale is on the south of the old depot.</p>	<p>[1] LONG: Would you come up and point that out up here for a minute quick, just so I am real clear on it.</p> <p>[2] LONG: Not as currently designed.</p> <p>[3] LONG: There is for the first block.</p> <p>[4] PERKINS-SMITH: Any other comments or questions?</p> <p>ADDITIONAL: Currently, the scale can be accessed from either Montana Street or Broadway Avenue. If the access from Broadway Avenue to the scale presents safety concerns, then the access to the scale may be restricted so that trucks can access the scale only from Montana Street and exit via a right-turn onto Broadway Avenue. These details will be addressed with the property owner during final design.</p> <p>(End of Question and Answer period)</p>

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
12	Kathleen and Roger Webber	Individuals	1/26/2005	Public Hearing	The Webber Lane connection to MT 72: When the Webbers and Fishers approach MT 72 from the west, the sight distance for seeing traffic on MT 72 is bad in both directions. MT 72 could use a change in grade and alignment in this area.	[After the Q&A period of the Public Hearing, the following individuals approached the project team with Comments 12 - 18]  The profile of the new road will be adjusted to meet current design standards for sight distance. Additionally the intersection of Webber Lane is being redesigned to meet MT 72 at approximately a 90-degree (or right) angle, which will also improve sight distance in both directions as traffic approaches the intersection.
13	Mrs. Krum	Individual	1/26/2005	Public Hearing	Mrs. Krum said that our chart showing that the Toogoods have two mobile homes is incorrect because the Krums actually own that side of Railroad Avenue, not the Toogoods.	Please refer to Section 2.0, Clarifications to EA. The ownership of the two mobile homes has been revised.
14	(not given)		1/26/2005	Public Hearing	Lower speed limit on US 310 between MT 72 and Bridger. Would also like to see a light if needed in the future at MT 72/US 310 Intersection.	Traffic volumes are not expected to be high enough within 20 years to require a traffic signal at the intersection of MT 72/US 310. However, if changing development and traffic growth patterns justify a new signal, the intersection design could accommodate its installation.
15	(not given)		1/26/2005	Public Hearing	Can northbound Wyoming trucks with pups make the turn into MT 72 southbound?	The design vehicle for this project is a WB-20, which is a 75-foot single-trailer combination. The turning movements at the US 310 / MT 72 intersection have been designed for these vehicles. A double-trailer combination of the same length can make a tighter turn than the single-trailer combination, and therefore can be accommodated through the intersection.
16	(not given)	Sand Creek Canal Ditch Company	1/26/2005	Public Hearing	Sand Creek Canal Ditch Company would like to take out sharp turn in box culvert if this section is being redesigned.	During final design of the proposed project, this design detail can be addressed with the ditch company.
17	(not given)		1/26/2005	Public Hearing	Snow reflectors - where are they located - outside the 4-ft shoulder or the 8-ft shoulder? These are for snow plows and agriculture equipment will run over them if they are inside the 8-ft shoulder.	Delineators (snow reflectors) will be located at the outside edge of the 8 foot shoulder.
18	(not given)		1/26/2005	Public Hearing	On April 20th landowners start irrigating and they are concerned about construction disruption to their operations.	As noted in the Construction Mitigation measures in the EA, coordination would occur with ditch owners to minimize impacts to operations and irrigation.
19	Harold and Joan Peterson	Individuals	1/26/2005	Comment Form	We are very pleased and appreciative of the preferred alternative which was presented at the Belfry meeting. This alternative would go along the present road, instead of coming down Ridgeway Road and cutting through the middle of our 48-acre farm. We hope that you will make this preferred alternative your final decision.	Thank you for your comment.
20	William Meinhardt	Individual	1/26/2005	Comment Form	Selecting the Modified Existing Alignment Alternative (Rural) is an excellent choice. It certainly adheres to the 1981 Farmland Protection Act.  [I am a] property owner whose acreage is south of Ridgeway Lane.	Thank you for your comment.

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21	Harvey and Carol Nott	Individuals	2/2/2005	Comment Form	<p>We were glad to learn at the January 26, 2005 public hearing held in Belfry that the Modified Existing Alignment Alternative road is the Preferred Alternative. We believe the existing modified road is the best road for the environment and safety of drivers. We believe, if at all possible, that it is best to leave irrigated farmland as farmland and work with existing conditions.</p> <p>We were very pleased to see the rural typical sections with shoulders would be 4-foot pave shoulders and 4-foot unpaved so that in the future [they] could be paved when higher traffic [volumes] warranted it.</p> <p>Thank you for all your considerations.</p>	Thank you for your comments.

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
22	Bruce Bunten	Individual	2/28/2005	Website	<p>My name is Bruce Bunten. I live at 2131 Highway 72, Bridger, MT and my mailing address is P.O. Box 427, Bridger, MT, 59014.</p> <p>The Belfry - North Environmental Assessment is an impressive document both in quality and quantity. I did not realize so much work was involved with one of these assessments. Well done. My comments follow and are specific to the "Rural Corridor: Modified Existing Alignment Alternative (Preferred Alternative)".</p> <p>(1) Today I have two escape routes that I can use in case of an emergency such as a hazardous material spill at the intersection of HW 72 and HW 310. The Preferred Alternative reduces that number to one. Adding a way to exit the area to the Northern end of the proposed access road would preserve my (and my neighbors) two escape routes.</p> <p>(2) No mention is made as to whether or not the access road will be paved. A gravel access road would generate dust in the area that is not present today. Also, no mention is made as to who will be responsible for maintaining the access road. Who would be the responsible party?</p> <p>(3) A MDU natural gas distribution line for the neighborhood goes across my front yard right under the proposed access road. This line follows an easement on my property that MDU obtained after the HW 72 realignment study done in the early 90's and was set to avoid the highway widening/realignment encroachment on my property proposed at that time.</p> <p>(4) The wells and septic systems in our neighborhood subdivision were placed as required by the Carbon County Planning Office at the time. Space is tight because of the slope of the land and the requirement to place our wells on the Eastern side of our property in order to obtain quality water in the quantity needed to support a household. Wells drilled uphill (one was drilled in my backyard) provide low quantities of water very high in mineral content. Fifty feet makes a big difference in both quantity and quality. I do not believe that you can design a new well/septic system layout for this neighborhood which will give us the same quality and quantity of water that we have today.</p> <p>(5) My next door neighbor (to the South) lives on a lot that is one acre in size. The proposed access road would encroach on his property and pass over his well. As I understand the current regulations, lots of less than one acre cannot contain both a well and a septic system. If my understanding is correct, he could not obtain a permit for a new well.</p> <p>(6) I believe that one of the major problems with the HW 72/310 intersection today is some drivers, headed North on HW72, do not react until they can see the intersection. In a small car, this occurs somewhere in front of my house. This leaves them little time to react. The Preferred Alternative does not eliminate this problem. The view of the intersection will be blocked until the northbound traffic goes by the Kapor Lumber Building. I have heard your assurances that signs and curbs will cause most drivers to become aware that a change is occurring, but I believe providing the drivers sight of the intersection sooner would make the</p>	<p>(1) The Modified Existing Alignment Alternative in the EA includes a reconfigured intersection at US 310. This modified intersection eliminated the southbound slip road from US 310 to MT 72. This is a one-way road and therefore, does not provide a northbound exit today. Therefore, the situation for exiting this area should US 310 and MT 72 intersection become blocked due to a disaster is similar for the existing condition (No-Build Alternative) as in the Preferred Alternative. Also in both cases, Ridgeway Lane remains open as an alternate "escape route".</p> <p>(2) If the intersection design with the access road was implemented, the access road would be paved and the State would be responsible for maintenance of the road. However, an alternative configuration for the intersection has been selected. (See response to part 7 of your comment).</p> <p>[3] Thank you for this information. The natural gas line can remain in its current location under the proposed paved roadway. (See response to part 7 of your comment.)</p> <p>[4] With the exception of Jim South's well, existing wells will remain in their current locations. Existing drain fields may be close to the proposed access road, but would not be in conflict with it, except for the drainfield on the Fish property, which may be impacted. (See response to part 7 of your comment.)</p> <p>[5] It has been confirmed that Jim South's well is within the proposed access roadway. If that intersection design was implemented, the roadway would be located within an easement which does not reduce the official "platted" area of the lot. However, a new well would be required. If an adequate new well could not be drilled on Mr. South's property, a new location would have to be found. A possible location would be directly east of the new highway. However, the design selected for the US 310/MT 72 intersection does not require a new access road and therefore, there would be no impacts to this property. (See response to part 7 of your comment.)</p> <p>[6] The Preferred Alternative in the EA for US 310/MT 72 intersection was designed to improve sight distance and alert drivers of the need to slow down and come to a stop. The horizontal curve improves sight distance. The vertical alignment has been improved to eliminate low points or sags. Curbing and signage has been added to provide a visual reminder that the traveler that they are transitioning from a rural</p>

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					<p>design much safer.</p> <p>[7] I believe the modified intersection design shared by MDT and DEA Inc with me and some of my neighbors on 02/23/05 at Ron Kapor's would address my above concerns.</p> <p>Thanks, Bruce Bunten</p>	<p>setting to an urban setting. The current "clear zone" requirements provide a larger area between the edge of the travel lane and the adjoining property, therefore, the site distance will be improved from over existing conditions. The selected alternative for this intersection is similar to the design in the EA but has been moved south of the Kapor building. (See response to part 7 of your comment.)</p> <p>[7] The alternate configuration for the US 310/MT 72 intersection is the selected alternative. As discussed at the 2/23/05 meeting, MT 72 will be realigned through the Bothman property and will also impact a small area on the southeast side of the Kapor property. Access to US 310 from the Kapor property will be eliminated. The existing MT 72 alignment will be maintained as a local access road for the residences on the west side of MT 72 and the businesses on the eastside near the US 310 intersection. The existing MT 72 will have a cul de sac on the north end, so no direct access to US 310. It is unlikely that additional right-of-way will be required from the residences along the local access road.</p>

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
23	Concerned Belfry Area Residents		2/28/2005	Letter	<p>We the undersigned believe the Environmental Assessment of the new Railroad Alignment for Highway 72 has overlooked the community impact being created on Broadway Ave. With Broadway Ave. being the only entrance and exit from the new Highway 72, we believe it will cause some unsafe conditions to the community.</p> <p>[1] Broadway Ave. being a substandard road to begin with will be used by all traffic entering and exiting, including freight and delivery truck, (including heavy over the road trucks), fire trucks, emergency vehicles, school buses and rural students coming and going at the same time each morning and evening and heavy traffic during school activities.</p> <p>[2] Of greater concern may be the safety of pedestrians and bicycle traffic. A fair amount of students and shoppers use Broadway Ave. regularly. Also the school parking lot is on the north side of Broadway Ave. and both school gates are on the south side of Broadway Ave.</p> <p>[3] The school students also walk uptown along Broadway Ave. every noon. It is easier walking up Broadway Ave. than the sidewalk as there is very little traffic and poor sidewalks. Also the school buses drive over the sidewalk on the north side of Broadway Ave.</p> <p>4) We believe the impact to the community and Broadway Ave. should be reassessed and improvements be made. Such as reconstructing Broadway Ave. with curbs, gutters, and sidewalks.</p> <p>Thank you.</p> <p>[See signed petition]</p>	<p>1] For the Railroad Alignment Alternative, which is the Preferred Alternative, the highway traffic would be diverted from Vaill Avenue to Railroad Avenue and therefore, highway traffic would not use Broadway. Local traffic would continue to use Broadway. As commented, school traffic patterns would change. School traffic would now enter Broadway on the west end at Railroad Avenue and travel to the east end of Broadway to the school and school parking areas.</p> <p>[2] Local traffic, including deliveries which currently use Broadway to access the Broadway businesses, would now access Broadway from the west end (Railroad Avenue) instead of the east end (Wisconsin Avenue) in front of the school. Consequently, this traffic destined to Broadway would no longer be routed in front of the school, making it easier and safer for students to cross Wisconsin Street to Broadway.</p> <p>[3] Comments are noted about the conditions of sidewalks in town.</p> <p>[4] Thank you for your comment. The closure of Vaill Avenue, a State maintained route, could result in increased local traffic on Broadway Avenue. MDT will mitigate for the potential traffic impacts by making improvements to Broadway Avenue from the new MT 72 alignment to Wisconsin Street. These improvements would include curb, gutter, and sidewalk on one side of Broadway Avenue and new gravel surfacing and paving of the street. Please refer to the Memorandum of Agreement between MDT and Carbon County in Appendix C.</p>

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24	Randal & Rogene Hergenrider Cliff & Rhonda Steiger	Individuals	2/28/2005	Comment Form	<p>[1] As it is the responsibility of the US Government to impose only the smallest damages to its citizens in times of progress, please reconsider the proposed 160' right-of-way for the "Belfry-North" project.</p> <p>[2] The only advantage to such a large right-of-way is ease of construction (a temporary advantage).</p> <p>[3] Insisting on such a massive amount of land to be transferred into the ownership of the state severely debilitates those who count on the land for their livelihood and only source of income.</p> <p>[4] Changing to a 160' right-of-way results in a loss of roughly 106 acres of prime farmland. We sincerely ask that you would consider no more than a 120' right-of-way. Thank you for your understanding with this matter.</p>	<p>[1] The primary purpose of this project is to improve safety in the project corridor. As discussed on page 2-19 of the Environmental Assessment (EA), although the 9.6-m (32-ft) typical section meets MDT standards, the public suggested the wider shoulders as means to improve safety for highway users including the movement of agricultural equipment. The wider shoulders are also consistent with AASHTO recommendations for the type of highway and volume of traffic on MT 72. The minimum right-of-way for the preferred alternative in the rural corridor is 100 feet. The actual right-of-way is probably closer to 160 ft throughout most of the corridor due to topographic conditions.</p> <p>[2] Right-of-way width needs to accommodate the highway elements including slopes and ditches and allow for access by maintenance equipment after the roadway is constructed. Right-of-way will be established upon final design. It is the practice of MDT to minimize the required right-of-way to the extent possible. Right-of-way will be as close as practicable to 3 m (10 ft) from the project improvement limits.</p> <p>In locations where there is a temporary need for additional area for construction activities or access, MDT would use a temporary construction easement so that owners would retain this property.</p> <p>[3] Right-of-way acquisition for this project will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646 as amended), (42 U.S.C. 4601, et. Seq.) and the Uniform Relocations Act Amendments of 1987 (P.L. 100-17).</p> <p>[4] The impact of the widest alternative to designated important farmlands throughout the project corridor is 125.6 ac as identified in the EA. Wherever practicable, MDT will consider minimizing right-of-way during final design in order to minimize impacts.</p>

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
25	Carlton Fish	Individual	2/27/2005	Comment Form	<p>[1] If not for a friendly neighbor dropping in today, I would not have even known about the proposed highway construction, which will apparently dissect my front yard in half.</p> <p>[2] I feel strongly that there should have been an effort to contact the involved landowners, especially those like myself whose land will be encroached upon.</p> <p>[3] This proposed service road will run over my septic system, as well as ruin my plans to build a garage/shop to the side of my garage.</p> <p>[4] The friendly neighbor that stopped by today did explain another alternative that seemed to make better sense than the current proposed. Please consider the options before you dissect our land and decrease property values.</p>	<p>[1] Less than 0.2 acres of this parcel would be required for the Preferred Alternative as presented in the EA. This land would be a linear strip adjacent to the existing highway right-of-way and would represent approximately 12 percent of the parcel area. However, the selected intersection alternative as described in Section 2.0, Clarifications to the EA would not impact this property.</p> <p>[2] We apologize for the lack of direct contact that you have received during this process. Upon reviewing our records, it was determined that the ownership information for property along the project corridor was compiled in March of 2002 from the County Assessor's office. At that time, there was a different property owner. For this reason, the project information that was distributed to property owners in the corridor throughout this process was sent to the previous owner's PO Box instead of yours. Thank you for bringing this to our attention, the mailing list has been updated with your information.</p> <p>In addition to the mailings, public notices were in three area newspapers (Carbon County News, Laurel Outlook, Billings Gazette) and posted at the Belfry Post Office, Horse Trader Café, Bridger Town Hall and Bridger Café before each meeting to notify residents.</p> <p>[3] The Preferred Alternative in the EA may impact the septic system on this property. However, the selected intersection alternative as described in Section 2.0, Clarifications to the EA would not impact this property.</p> <p>[4] See response to part 7 of Comment #22 from Bruce Bunten.</p>

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26	Ron Kallevig	Thunder Mountain Log Homes	2/28/2005	Comment Form	My concerns are of the proposed location of the north intersection of Highway 72 and 310. I don't think impact is a strong enough word to describe what this will do to my business. The proposed intersection location is going to eliminate my place of business, my job and jobs of my employees. This location, this highly visible location, accounts for 60-70% of my business. I recommend you strongly consider moving the intersection south to the Jack Bothman property. This location would have little impact on my business, Kapor Lumber, and all the residential property to the west side of MT 72 in this area. Also, I think this location would much improve visibility to the south on US 310. Turning this small portion of MT 72 into a private access road will improve safety for school bus stops, for residential access and for semi-trucks to access my business and Kapor Lumber. Also, from my observations, I think you need a larger, more visible sign at this intersection and possibly a flashing yellow light on US 310 and a flashing red light for northbound people on MT 72.	See response to part 7 of Comment #22 from Bruce Bunten. The selected alternative does move the intersection south as suggested. With the improvements to the highway and the intersection, the safety will be improved and therefore, warning signals are not warranted.
27	Ron Kapor	Kapor Lumber	2/28/2005	Comment Form	<p>[1] Regarding intersection (north end of project) connecting with Highway 310, I have concerns with safety and encroachment problems with the current proposal. The service road west of the new highway would cause these problems, replacement of one water well and two septic tanks, encroachment on homes and (not mentioned at meeting with landowners) there is main gas line running under access road.</p> <p>[2] Easement for Kapor Lumber is a problem. Also loss of property for Thunder Mountain Logworks Lease and for him to have to relocate.</p> <p>[3] I also talked to Deb Black, Superintendent of Bridger Schools, (and she said neither she nor the school board has received any information on this project. They have questions about safety of bus route stops for loading and unloading children.</p> <p>[4] I think the alternative route (Bothman property south of Kapor Lumber) has less impact on all concerned. Use old highway as property easement for everyone. I hope Bothman property has merit for your consideration. Hopefully, cost will (be) less.</p>	<p>[1] Thank you for your comments. The Modified Existing Alignment Alternative (Preferred Alternative) in the EA would impact one well and one septic system. See response to comments #22 part 3, #25 part 3, and #30 part 1. Some right-of-way and/or easements would be required from the residences west of MT 72 near the intersection with US 310, but no relocations would be required. However, the selected intersection alternative as described in Section 2.0, Clarifications to the EA would not affect these properties.</p> <p>[2] The Preferred Alternative in the EA would require the relocation of Thunder Mountain Logworks. However, the selected intersection alternative as described in Section 2.0, Clarifications to the EA would not affect the Thunder Mountain Logworks operations.</p> <p>[3] See response to comment #29 from Deb Black.</p> <p>[4] See response to part 7 of Comment #22 from Bruce Bunten and Section 2.0, Clarifications to the EA. This suggested alternate US 310/MT 72 intersection location on the Bothman property is the selected alternative.</p>

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28	Michael Kidwell	Individual	2/28/2005	Comment Form	<p>[1] Regarding Modified Existing Alignment Alternative. We're opposed to the intersection where the state has to build a frontage road through the properties across the highway to the west. The frontage road will affect three septic and drainfield areas and one well on Mr. South's property. We just purchased the two-acre lot last year and we didn't purchase this for anyone to build a road (on). If we have to move (the) septic system west, there wouldn't be room to build.</p> <p>[2] Hope you consider one of the other intersections mentioned at the meeting at Kapor Lumber. Also, moving septic systems may put them too close to our wells.</p>	<p>[1] Thank you for your comments. The Modified Existing Alignment Alternative (Preferred Alternative) in the EA would impact one well and one septic system. See response to comments #25 part 3 and #30 part 1. Your septic system would not likely be impacted by that alternative.</p> <p>[2] See response to part 7 of Comment #22 from Bruce Bunten and Section 2.0, Clarifications to the EA. This suggested alternate US 310/MT 72 intersection location on the Bothman property is the selected alternative.</p>
29	Deb Black	Superintendent, Bridger Schools	2/28/2005	Comment Form	Please call or write and let me know how this change might affect bus routes for our district.	<p>Based on conversations with Betty Sweet, our understanding of the current school bus route is as follows: The school bus goes south on US 310 and veers right at the intersection to go south on MT 72. The bus turns west to stop on Webber Lane and then returns to MT 72 and continues south. The bus then makes three stops along MT 72 near the Graham, Hoskin, and Brown properties before heading east on Golden Lane back to US 310. The bus then heads north and pulls off of US 310 into the Kapor Lumber parking lot to make another stop. The children who live in the neighborhood on the west side of MT 72 near the intersection with US 310 must cross the highway to get to this bus stop at Kapor's. After this stop, the bus continues north on MT 72 to US 310. It is also our understanding that this route changes annually as necessary.</p> <p>The safety of bus stop locations along MT 72 would be improved by the wider shoulders provided by the proposed improvements. Under the Preferred Alternative from the EA, there would be no impacts to this current route except at the Kapor stop.</p> <p>The selected configuration for the US 310/MT 72 intersection is based on recent requests from property owners. Under this new configuration, both Kapor accesses to US 310 would be eliminated. From US 310, the route to access the Kapor property is via the new US 310/MT 72 and then onto old MT 72, which is now a local access road.</p>
30	Jim and Kelley South	Individuals	2/28/2005	Comment Form	<p>[1] On Highway 72 project south of Bridger: My concern in changing the highway is (that) I will lose my water well and it is good water. Also, I will lose 30% of my land and I only have an acre of ground. That puts us in a bind. I don't have all that much room.</p> <p>[2] Please consider the other proposal we talked about at the meeting of 2/23 at Kapor Lumber.</p>	<p>[1] See response to Comment #22 part 5.</p> <p>[2] See response to part 7 of Comment #22 from Bruce Bunten and Section 2.0, Clarifications to the EA. The selected intersection location is as discussed at the 2/23 meeting.</p>

<i>No.</i>	<i>Name</i>	<i>Affiliation</i>	<i>Date</i>	<i>Form</i>	<i>Comment</i>	<i>Response</i>
31	Bill Meinhardt	Individual	1/31/2005	Email	<p>[Email from Gary Neville of MDT to DEA]</p> <p>Bill Meinhardt stopped by to ask me if I remembered the last couple of comments at the meeting (January 26th). Anyway, he said the comment about taking some land from landowners leaving them with less than an acre would prevent them from having a drain field for sewer and a well at the same time, you could have one or the other but not both with less than an acre. If there wasn't something in the regulation about grandfathering the services because it initially had an acre or more, it could be worked around if the right-of-way was taken with an easement and not by fee. So they would not be losing ownership, they would still retain the original area for the acre they need to keep their services on their property. He wanted me to pass this information along, so I am doing that.</p>	Thank you for this comment. Please refer to the response to Comment #8 from the Public Hearing.

Admin/Meetings-Public/Public Hearing/Public Comments

### CONCERNED BELFRY AREA RESIDENTS

We the undersigned believe the Environmental Assessment of the new Railroad Alignment for highway 72 has over looked the community impact being created on Broadway Ave.

With Broadway Ave. being the only entrance and exit from the new highway 72 we believe it will cause some unsafe conditions to the community.

Broadway Ave. being a substandard road to begin with will be used by all traffic entering and exiting, including freight and delivery truck, (including heavy over the road trucks), fire trucks, emergency vehicles, school buses and rural students coming and going at the same time each morning and evening and heavy traffic during school activities.

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We believe the impact to the community and Broadway Ave. should be reassessed and improvements be made. Such as reconstructing Broadway Ave. with curbs, gutters and sidewalks.

THANK YOU

Consultant Des	
Date	3/10/05
Routing	
Bureau Chief	
Consultant Plans Eng	
Design Supervisor	
CTEP Engineer	
	DalSoglio
	David Evans
	Denise
	Bruce Bate
	File

- | NAME                      | ADDRESS  |
|---------------------------|--|
| 1. <i>Tanya Killion</i>   | <i>Belfry 815 Robertson Drive</i>                      |
| 2. <i>John R. Dicks</i>   | <i>Belfry " " "</i>                                    |
| 3. <i>Jouann Peterson</i> | <i>RRI Bot 1136; 315 North Silver Lake<br/>Bridger</i> |
| 4. <i>Misty D. Toland</i> | <i>PO Box 2 Belfry, MT 59008</i>                       |
| 5. <i>Janice M Wilson</i> | <i>PO Bot 124 Belfry MT 59008</i>                      |
| 6. <i>Duane D Ebel</i>    | <i>PO Box 123 Belfry mt 59008</i>                      |
| 7. <i>Jan Carmell</i>     | <i>PO. Bot 168 Belfry mt. 59008</i>                    |
| 8. <i>Jaundra Francis</i> | <i>PO Box 10 Belfry 59008</i>                          |
| 9. <i>[Signature]</i>     | <i>P.O. 106 Belfry 59008</i>                           |
|                           | OVER   |
|                           | <i>Box 1088A Bridger, Mt 59008</i>                     |

CONCERNED BELFRY AREA RESIDENTS

- 10. Mary Studen Box 182 Belfry, MT
- 11. Maury Lee Hennings Box 222 Belfry, MT
- 12. Maury Cihos Box 188 Belfry, MT 59008
- 13. Bob Cihos Jr. 216 Broadway " "
- 14. Ross Raff Box 147 Belfry, MT
- 15. Andrew Lasser PO Box 216 Belfry, MT
- 16. Cheryl Brown HC 46 Box 4A Belfry, MT
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OVER

File  
Comments

REC'D MAR 02 2005

**TO: THE MONTANA DEPARTMENT OF TRANSPORTATION.**

**Enclosed find the comments signed by the area residents  
of Belfry, Mt. 59008 with their concerns about the impact to  
Broadway Ave. with its proposed connection to the new highway 72.**

**Sam Krum  
P.O.Box 15  
Belfry Mt. 59008  
Ph. (406 ) 664-3209**

Consultant Design			
Rev	Info	Date	Initial
		2/25/05	
		Routing	
		Bureau Chief	
		Consultant Plans Eng	
		Design Supervisor	
		CTEP Engineer	
		DalSoglio, MBD	
		David Evans ✓	
		Dewey	
		Bruce Barrett ✓	
		file	

## CONCERNED BELFRY AREA RESIDENTS

We the undersigned believe the Environmental Assessment of the new Railroad Alignment for highway 72 has over looked the community impact being created on Broadway Ave.

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We believe the impact to the community and Broadway Ave. should be reassessed and improvements be made. Such as reconstructing Broadway Ave. with curbs,gutters and sidewalks.

THANK YOU

NAME	ADDRESS
1. Sam Krum	P.O. Box 15 Belfry, Mt. 59008
2. Don Taylor	PO Box 159 Belfry mt. 59008
3. Jane Taylor	PO Box 159 Belfry Mt 59008
4. Edward W. Krum	PO Box 101 Belfry mt 59008
5. Marjorie Krum	PO. BX 15 Belfry, MT - 59008
6. Fawn Turner	P.O. BX 146 BELFRY, MT 59008
7. Ron Harris	P.O. Box 32 Belfry 59008
8. Carol Turner	PO Box 146 Belfry 59008
9. "William Ferguson" Purdie DeWalle	PO Box 10 Belfry 59008
	OVER
	P.O. Box 239 Bearcreek mt 59007

CONCERNED BELFRY AREA RESIDENTS

10. Jean Spaulding Box 51 Belfry Mt
11. Dena Spaulding Bx 51 BELFRY Mt.
12. Dorothy Spaulding Bx 74 Belfry, mt.
13. James H. Peter HC 46 Box 34 Belfry mt.
14. Allan W. Hergenrider Rt 1 Box 1127 Bridge Mt.
15. Karen Hergenrider Rt 1, Box 1127 Bridge, MT
16. Linda M. Peter HC 46 Box 34 Belfry, MT
17. Paul Gard Box 97 Belfry
18. Cynthia McBride POB 148 Belfry
19. Ben Brown HC 46 BOX 13 Belfry
20. Alice Ann Brown HC 46 Box 13 Belfry, MT 59008
21. Michael S. Hys Box 185 BELFRY MT. 59008
22. Kimberly J. Holzer Box 185 Belfry MT 59008
23. Russell H. Toland Box 116 Belfry Montana 59008
24. Judith Bretzel Rte 1, Box 1134 Bridgn, mt. 59014
25. Cluena Toogood Box 105 BELFRY, MT.
26. Evelyn Emerson HC 41 Box 30 Bearcreek, MT 59007
27. Cecil Blackler Box 265 Bearcreek, mt 59007
28. J. M. L. Box 81 Belfry mt 59008
29. W. Keeler Box 33 Belfry mt 59008
30. Vera Straight Box 25 Belfry, mt. 59008

OVER

CONCERNED BELFRY AREA RESIDENTS

- 31. Laura Nottingham PO Box 155 Belfry MT 59008
- 32. Minnie E. W. Reed Ray 13 Belfry MT 59013
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We believe the impact to the community and Broadway Ave. should be reassessed and improvements be made. Such as reconstructing Broadway Ave. with curbs,gutters and sidewalks.

THANK YOU

NAME	ADDRESS
1. Earl Black	Box 50 - Belfry MT
2. Louise Black	Box 50 - Belfry. MT
3. <del>Walter</del> <del>Black</del>	POX 148 Belfry MT.
4. Dale Grebe	Box 14 Belfry MT.
5. Beth Grebe	Box 14 Belfry MT.
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— OVER

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THANK YOU

- | NAME              | ADDRESS                       |
|-------------------|-------------------------------|
| 1. Cody Nicholson | HC 46 Box 40B Belfry          |
| 2. Bayla Heidema  | " " "                         |
| 3. Deb Stringari  | HC 46 Box 42 Belfry           |
| 4. Mike Roberts   | 302 Broadway Belfry           |
| 5. Joan Ruff      | P.O. Box 161 "                |
| 6. Stacy Roberts  | P.O. Box 211 Belfry, mt 39008 |
| 7. Fred Murren    | P.O. 37 Belfry                |
| 8. Brandi Webb    | P.O. Box 124 Belfry           |
| 9.                |                               |

OVER

CONCERNED BELFRY AREA RESIDENTS

We the undersigned believe the Environmental Assessment of the new Railroad Alignment for highway 72 has over looked the community impact being created on Broadway Ave.

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THANK YOU

NAME	ADDRESS
1. <i>Jim Cahal</i>	<i>215 VAILL AVE BELFRY</i>
2. <i>Henry E. Witting</i>	<i>24 State St.</i>
3. <i>Travis Loh-</i>	<i>HC 46 Box 48 Belfry</i>
4. <i>Frank Salo</i>	<i>222 So. Vaill, Belfry</i>
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OVER

## **Appendix B**

Publicity for Public Hearing – Advertisement, Press Release, Newsletter, Postcard  
State, Federal and Local Entities Receiving EA – Distribution List

# PUBLIC HEARING

The Montana Department of Transportation (MDT) invites you to a public hearing to present the Belfry-North MT-72 project alternatives and Environmental Assessment (EA) document. The EA has evaluated the range of alternatives proposed in previous meetings to improve travel in the 11-mile MT-72 corridor between S-308 and US 310. The public hearing will be held:

**Wednesday, January 26, 2005**

**7:00 pm to 9:00 pm**

**Belfry K-12 School**

Multipurpose Room, 200 Wisconsin Street  
Belfry, Montana

MDT and the Federal Highway Administration are requesting public input from citizens throughout the corridor on all the alternatives presented in the EA. Your comments and concerns are a very important part of the process in the selection of the preferred alternative. The EA is available online at [www.mdt.state.mt.us/environmental/eis-ea/](http://www.mdt.state.mt.us/environmental/eis-ea/), or can be reviewed at the following locations:

- **BELFRY** - Belfry K-12 School; Belfry Post Office; or Horse Trader Cafe
- **BRIDGER** - Bridger Town Hall; or MDT Maintenance Facility on US 310
- **RED LODGE** - Carbon County Commissioners Office; or Carbon County Planning Office. Both located at 17 W. Eleventh

Comments on the EA can be sent to Tom S. Martin, P.E., Consultant Design Engineer, MDT, 2701 Prospect Avenue, P.O. Box 201001, Helena, MT 59260-1001. Or, you may contact Mr. Martin at (406) 444-9252 or via e-mail at [www.mdt.state.mt.us/environmental/eis-ea/](http://www.mdt.state.mt.us/environmental/eis-ea/). The deadline for public comments is February 28, 2005.

To arrange special accommodations for disabilities call MDT at (406) 444-9229. For TTY call (406) 444-7696 or (800) 335-7592.



For further information, contact:

Bruce Barrett, (406) 657-0210 or

Gary Neville, (406) 657-0232

Joan Scott, (406) 444-6245

Debra Perkins-Smith, David Evans and Associates, Inc., (720) 946-0969

MDT Project Number: F STPP 72-1(1)10 CN 1016

## **Belfry-North MT 72 Roadway Improvement Project Schedules Public Hearing**

The Montana Department of Transportation has scheduled a public hearing for Wednesday, January 26, 2005 to present alternatives that will improve an 11-mile segment of highway MT 72. The public hearing will be held 7:00 p.m. to 9:00 p.m. at the Belfry K-12 School, 200 Wisconsin Street, Belfry.

MDT proposes to widen and reconstruct MT-72 and several bridges in the corridor between Belfry and Bridger, beginning at the S-308 intersection in Belfry and concluding at the US 310 intersection south of Bridger. The purpose is to improve safety and roadway deficiencies on the highway. Several alternatives were developed and evaluated in an Environmental Assessment (EA) report, which is available for public review at locations listed below.

The alternatives evaluated were for two segments of the corridor:

### ***Belfry Area (S-308 to North Dutch Lane)***

- No Build Alternative
- Railroad Alignment Alternative
- Broadway Avenue Alternative

### ***Rural Corridor (North Dutch Lane to US 310)***

- No Build Alternative
- Modified/Existing Alignment Alternative
- Ridgeway North Alternative
- Ridgeway South Alternative

An element common to all the rural corridor alternatives features improvements to the existing curve at Lynn's Corner.

In addition to these alternatives, two roadway pavement widths were also evaluated: a 9.6 m (32 ft) width, and a wider 12 m (40 ft) width requested by the public. MDT evaluated the differences in impacts by these two widths as they pertain to right-of-way, farmlands, irrigation canals, wetlands, wildlife, historic properties, safety, and businesses along the MT-72 corridor.

The evaluation of impacts is presented in the EA report, along with MDT and FHWA's preferred alternatives for the Belfry area and the rural corridor. MDT and FHWA are requesting public input and comment on all the alternatives. Comments must be received by February 28, 2005. Final selection of the preferred alternative will be made by FHWA after review of the public input.

The EA report will be available for public review at the MDT website, [www.mdt.state.mt.us/environmental/eis-ea/](http://www.mdt.state.mt.us/environmental/eis-ea/), and the following locations in early January 2005:

**Belfry:** Belfry K-12 Schools, Districts 34 and 3, 200 Wisconsin Street; Belfry Post Office, 115 Vaill Avenue; and Horse Trader Café, Junction Hwy S-308 and MT 72.

**Bridger:** Bridger Town Hall, 201 S. B Street; and Montana Department of Transportation Maintenance Facility, US 310 (1 mile south of Bridger).

**Red Lodge:** Carbon County Commissioners, 17 W. Eleventh; and Carbon County Planning Office and Health Department, 17 W. Eleventh.

Comments on the EA can be sent to Tom S. Martin, P.E., Consultant Design Engineer, MDT, 2701 Prospect Avenue, P.O. Box 201001, Helena, MT 59260-1001. Or, you may contact Mr. Martin at (406) 444-9252 or via e-mail at [www.mdt.state.mt.us/environmental/eis-ea/](http://www.mdt.state.mt.us/environmental/eis-ea/). The deadline for public comments is February 28, 2005.



# Project Update

Issue No. 5

Fall 2004

## Environmental Assessment (EA) Report to be Available for Public Review

*Evaluation of MT-72 roadway alternatives are detailed in EA*

The Montana Department of Transportation proposes to widen and reconstruct MT-72 (formerly referred to as P-72) and several bridges in the corridor between Belfry and Bridger to improve safety and roadway deficiencies on the highway.

The following alternatives were evaluated for two segments of the corridor:

### *Belfry Area (S-308 to North Dutch Lane)*

- No Build Alternative
- Railroad Alignment Alternative
- Broadway Avenue Alternative

### *Rural Corridor (North Dutch Lane to US 310)*

- No Build Alternative
- Modified/Existing Alignment (MT-72/ US 310 Intersection) Alternative
- Ridgeway North Alternative
- Ridgeway South Alternative

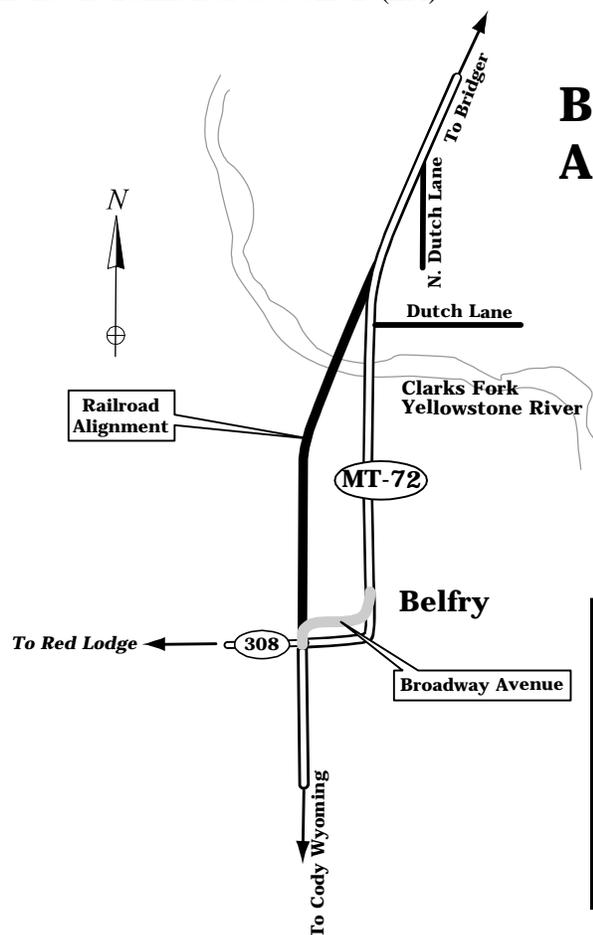
An improvement common to all the rural corridor alternatives features geometric improvements to the existing curve at Lynn's Corner.

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the public. MDT has finished evaluating the differences in impacts by these two widths as they pertain to right-of-way, farmlands, irrigation canals, wetlands, wildlife, historic properties, safety, and businesses along the MT-72 corridor.

This evaluation of impacts is presented in the environmental assessment (EA)

report, along with MDT and FHWA's preferred alternatives for the Belfry area and the rural corridor. A public hearing will be held January 26, 2005 to seek your review and comment on all alternatives, including the preferred alternatives. Final selection of the Preferred Alternative will be made by FHWA after review of the public input.



## Belfry Area Alternatives

**Public Hearing**  
Wed., January 26, 2005  
7:00 to 9:00 pm  
Belfry K-12 School  
Multipurpose Room  
200 Wisconsin Street  
Belfry, MT

# EA Availability

The Environmental Assessment will be available for public review at the following locations in early January:

## BELFRY

**Belfry K-12 Schools, Districts 34 and 3**

200 Wisconsin Street

**Belfry Post Office**

115 Vaill Ave.

**Country House Cafe**

Junction Hwy S-308 and MT 72

## BRIDGER

**Bridger Town Hall**

201 S. B Street

**Montana Department of Transportation**

Maintenance Facility  
US 310 (1 mile south of Bridger)

## RED LODGE

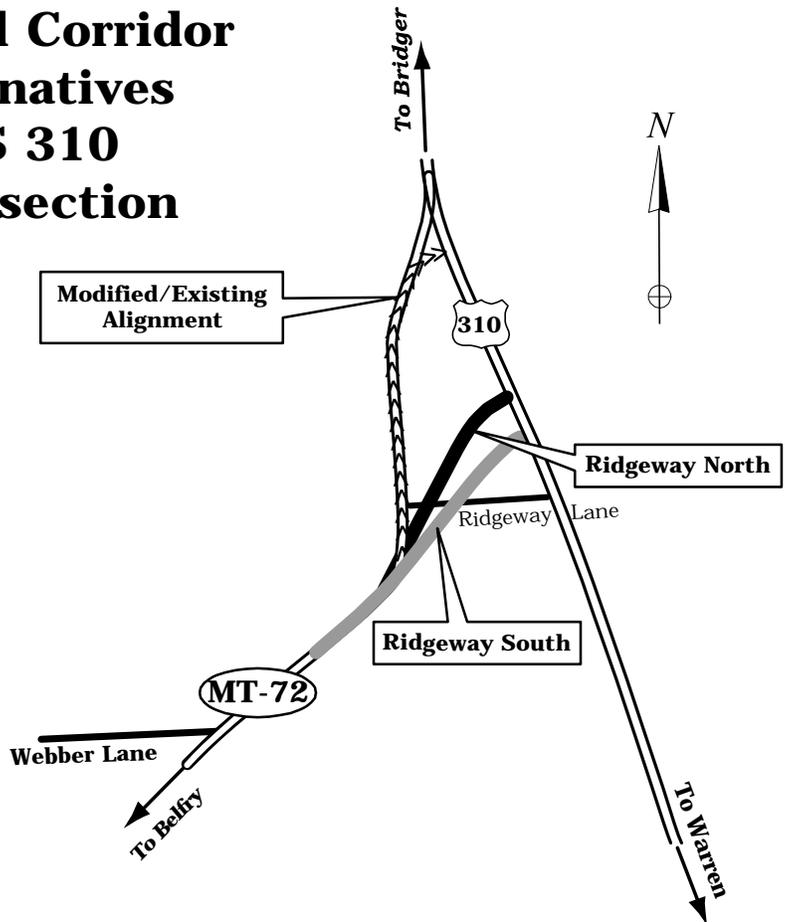
**Carbon County Commissioners**

17 W. Eleventh

**Carbon County Planning Office and Health Department**

17 W. Eleventh

## Rural Corridor Alternatives at US 310 Intersection



Neighbor To Neighbor

Do you want to know how the project will affect your town? A Project Team member would be glad to talk to you. Please call 406-252-4138 or 888-863-8465 and ask for **Bruce Barrett**, MDT Administrator, District 5. **Debra Perkins-Smith** at David Evans and Associates will also help, at 720-946-0969. We will answer your questions and put you on our mailing list.



MDT District 5  
Bruce Barrett, District Administrator  
424 Morey Street, P.O. Box 20437  
Billings, MT 59104-0437

Belfry-North

# MT-72 Roadway Improvements

# PUBLIC HEARING

The Montana Department of Transportation (MDT) will be holding a public hearing on the Belfry-North MT-72 project. MDT and the Federal Highway Administration have evaluated several alternatives, including their proposed preferred alternatives, in the Environmental Assessment (EA) document. A formal public hearing for the Belfry-North project EA will be held on the following date, time, and location:

**Wednesday, January 26, 2005**

**7:00 pm to 9:00 pm**

**Belfry Public School**

Multipurpose Room, 200 Wisconsin Street  
Belfry, Montana

Please prepare for the public hearing by reviewing the EA. Availability of the EA begins January 7, 2005, online at [www.mdt.state.mt.us/environmental/eis-ea/](http://www.mdt.state.mt.us/environmental/eis-ea/) and soon after at the following locations:

- **BELFRY** - Belfry K-12 School; Belfry Post Office; or Horse Trader Cafe
- **BRIDGER** - Bridger Town Hall; or MDT Maintenance Facility on US 310
- **RED LODGE** - Carbon County Commissioners Office; or Carbon County Planning Office. Both located at 17 W. Eleventh

To arrange special accommodations for disabilities call MDT at (406) 444-9229. For TTY call (406) 444-7696 or (800) 335-7592.

SIDE 1



Montana Dept. of Transportation, District 5  
Bruce Barrett, District Administrator  
424 Morey Street, P.O. Box 20437  
Billings, MT 59104-0437

## PUBLIC HEARING

**Wednesday, January 26, 2005**

### *Public Comments Requested*

Comments on the alternatives in the EA can be sent to Tom S. Martin, P.E., Consultant Design Engineer, MDT, 2701 Prospect Avenue, P.O. Box 201001, Helena, MT 59260-1001. Tom Martin's telephone number is (406) 444-9252, or comments can be made directly through a link to [www.mdt.state.mt.us/environmental/eis-ea/](http://www.mdt.state.mt.us/environmental/eis-ea/). The deadline for public comments is February 28, 2005.

SIDE 2

**State, Federal and Local Entities Receiving EA – Distribution List****Federal Agencies****U.S. Army-Corps of Engineers**

Helena Regulatory Office  
10 West 15th Street, Suite 2200  
Helena, MT 59626-0014  
Allan Steinle, Montana Program Manager

**U.S. Environmental Protection Agency**

Region VIII, Montana Office  
10 West 15th Street, Suite 3200  
Helena, MT 59626-0096  
John F. Wardell, Director

**U.S. Fish and Wildlife Service**

Montana Field Office  
100 North Park Avenue, Suite 320  
Helena, MT 59601  
Mark Wilson, Field Supervisor

**U.S. Department of the Interior - Bureau of Land Management**

Billings Field Office  
5001 Southgate Drive, P.O. Box 36800  
Billings, MT 59107  
Marty Ott, State Director  
Sandra S. Brooks, Field Manager

**U.S.D.A. Natural Resources Conservation Service**

Federal Building, Room 443  
10 East Babcock Street  
Bozeman, MT 59715  
Dave White, State Conservationist

**U.S.D.A. – Natural Resources Conservation Service**

Joliet Field Office  
P.O. Box 510  
Joliet, MT 59041-0229  
Will Alexander, District Conservationist  
Penny Landon, Administrator

---

**Tribal Consultation****Crow Tribe of Montana**

Crow Tribal Council  
P.O. Box 159  
Crow Agency, MT 59022  
Carl Venne, Chairman

**State Agencies****Montana Department of Environmental Quality**

Lee Metcalf Building  
1520 East Sixth Ave., P.O. Box 200901  
Helena, MT 59620-0901  
Jan Sensibaugh, Director

**Montana Department of Natural Resources and Conservation**

Airport Industrial Park  
1371 Rimtop Drive  
Billings, MT 59105-1978  
Keith Kerbel, Regional Manager

**Montana Environmental Quality Council**

Legislative Environmental Policy Office  
P.O. Box 201704  
Helena, MT 59620-1704  
Todd Everts, Legislative Environmental Analyst

**Montana Fish, Wildlife & Parks**

2300 Lake Elmo Drive  
Billings, MT 59105  
Harvey Nyberg, Regional Supervisor

**Montana Natural Heritage Program**

Montana State Library  
1515 East Sixth Avenue  
Helena, MT 59620  
Sue Crispin, Director

---

**Local Agencies****Belfry K-12 Schools: Districts 34 and 3**

200 Wisconsin Street  
Belfry, MT 59008  
Jed Landsman-Yankin, Superintendent

Bridger K-12 Schools: District 2  
P.O. Box 467  
Bridger, MT 59014-0467  
Victoria Beddall, Principal

**Town of Bridger**

201 S. B Street  
Bridger, MT 59014  
William Asbury, Mayor

**Carbon County Planning Office and Health Department**

17 W. Eleventh  
Red Lodge, MT 59068  
Greg McGann, Director of Planning

**County Extension Agent**

Carbon County Extension Office  
P.O. Box Drawer F  
Joliet, MT 59041

**Carbon County Commissioners Office**

17 W. Eleventh  
Red Lodge, MT 59068  
Albert Brown, Commissioner

---

**Other Organizations****American Farmland Trust**

P.O. Box 1417  
Fort Collins, CO 80522  
Benjamin Way, Director

**Public Locations****Bridger Town Hall**

201 S. B Street  
Bridger, MT 59014  
406-662-3677  
Town Clerk

**Belfry K-12 Schools, Districts 34 and 3**

200 Wisconsin Street  
Belfry, MT 59008  
Jed Landsman-Yankin, Superintendent

**Carbon County Commissioners**

17 W. Eleventh  
Red Lodge, MT 59068  
John Prinkki, Chairman

**Montana Department of Transportation**

Maintenance Facility  
US 310 (1 mile south of Bridger)  
Bridger, MT 59014  
Eli Damjanovich

**Belfry Post Office**

115 Vaill Ave.  
Belfry, MT 59008  
406-664-3305  
Audrey

**Carbon County Planning Office and Health Department**

17 W. Eleventh  
Red Lodge, MT 59068  
Greg McGann, Director of Planning

**Horse Trader Cafe**

Junction Hwy S-308 and MT 72  
Belfry, MT 59008  
406-664-9395  
Carol

**Montana Department of Transportation:**

This document is also available in pdf format on the MDT website at:

[www.mdt.state.mt.us/environmental/eis-ea/](http://www.mdt.state.mt.us/environmental/eis-ea/)

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**Individuals**

Mr. William Meinhardt  
1231 N 31st St  
Billings, MT 59101-0134

## **Appendix C**

Memorandum of Agreement – MDT and Carbon County  
Municipal Well Correspondence  
Response from SHPO for Bothman property

## MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT made and entered into this 2 day of June, 2005, by and between the STATE OF MONTANA, acting by and through its Department of Transportation (hereinafter MDT), and Carbon County (hereinafter "County").

### WITNESSETH:

That, whereas, MDT is developing a highway reconstruction project from Belfry to Bridger on State Highway 72 and said project is known as STPP 72-1 (1) 10 (Belfry-North); (hereinafter "Project"); and

WHEREAS the Project will change the location of the highway through the unincorporated community of Belfry; and,

WHEREAS the Project will also relocate the main entrance into Belfry from Vaill Avenue to Broadway Avenue; and,

WHEREAS MDT has agreed to improve Broadway Avenue from Railroad Avenue to Wisconsin Street as a mitigation measure for changing the primary entrance to the community; and,

WHEREAS revisions to Vaill Avenue between Montana Street and Railroad Avenue will preclude access from the new highway; and,

WHEREAS Wisconsin Street will terminate in a cul-de-sac on the north edge of the community; and,

WHEREAS Vaill Avenue and Wisconsin Street comprise the present highway through Belfry and said highway is on the State Maintenance System and therefore the responsibility of MDT;

NOW, THEREFORE, for and in consideration of the promises and covenants herein contained, the parties agree as follows:

1. MDT will improve Broadway Avenue from Railroad Avenue to Wisconsin Street as a mitigation measure for relocating the main entrance to Belfry. Said improvements will include curb, gutter and sidewalk on one side of Broadway Avenue and new gravel surfacing and paving of the actual street.

2. The County will maintain, or cause to be maintained, the curb, gutter, and sidewalks associated with the reconstruction of Broadway Avenue and the sidewalks installed with the Project within the community of Belfry, specifically the sidewalk adjacent to Railroad Avenue and between Railroad Avenue and Montana Street on Vaill Avenue.

3. MDT will assume maintenance responsibility for Broadway Avenue, with exception of the curb, gutter, and sidewalk, which is the responsibility of the County, from Railroad Avenue to Wisconsin Street following completion of construction.

4. MDT will continue to maintain Wisconsin Street (the present highway) from the intersection of Broadway Avenue north to a cul-de-sac, which will be constructed on the north edge of the community.

5. When the Project is completed, Vaill Avenue will no longer have direct access from the new highway. Vaill Avenue between Montana Street and Railroad Avenue will be revised to include a sidewalk and a gravel access road to provide access to the property in the northeast quadrant of the present Vaill Avenue/Railroad Avenue intersection. These revisions are denoted in Exhibit B, attached. The County agrees to maintain the access road and the sidewalk as per Number 2 above.

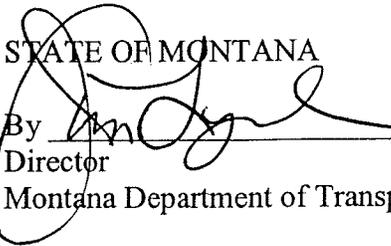
6. The stipulations in Numbers 3 and 5 above constitute a formal exchange of maintenance responsibilities between MDT and the County and are graphically depicted in Exhibit A, attached.

7. The formal exchange of maintenance responsibility does not constitute an exchange of right-of-way, or underlying responsibility for the right-of-way as regards drainage systems, utilities or permitting for utilities, access or permitting for access, encroachments or encroachment permits, etc. by either MDT or the County. It means an exchange of maintenance responsibilities such as snow removal, pavement preservation, striping, replacement of existing signs on an as needed basis, cleaning of culverts, vegetation management, etc.

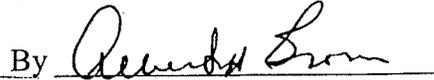
8. There may be other agreements between MDT and County regarding this project and all agreements will be considered stand-alone agreements.

9. This agreement may be modified by mutual agreement of both parties.

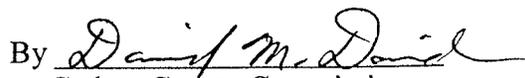
STATE OF MONTANA

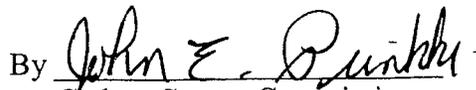
By   
Director  
Montana Department of Transportation

COUNTY OF CARBON

By   
Carbon County Commissioner

  
Approved for Legal Content

By   
Carbon County Commissioner

By   
Carbon County Commissioner

10

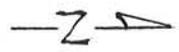
EXHIBIT A

P

Belfry - North  
Preferred  
Alternative

3862 X

Future Cold-sec  
End Existing Highway  
Bed



VAILL

Railroad Ave

BROADWAY

CARBON

AVE

AVE

AVE

YELLOWSTONE AVE

WISCONSIN ST

WYOMING ST

STATE ST

MONTANA ST

END  
S308

See Exhibit B  
for detail of Vaill  
Ave between Mont. St.  
& Railroad Ave.

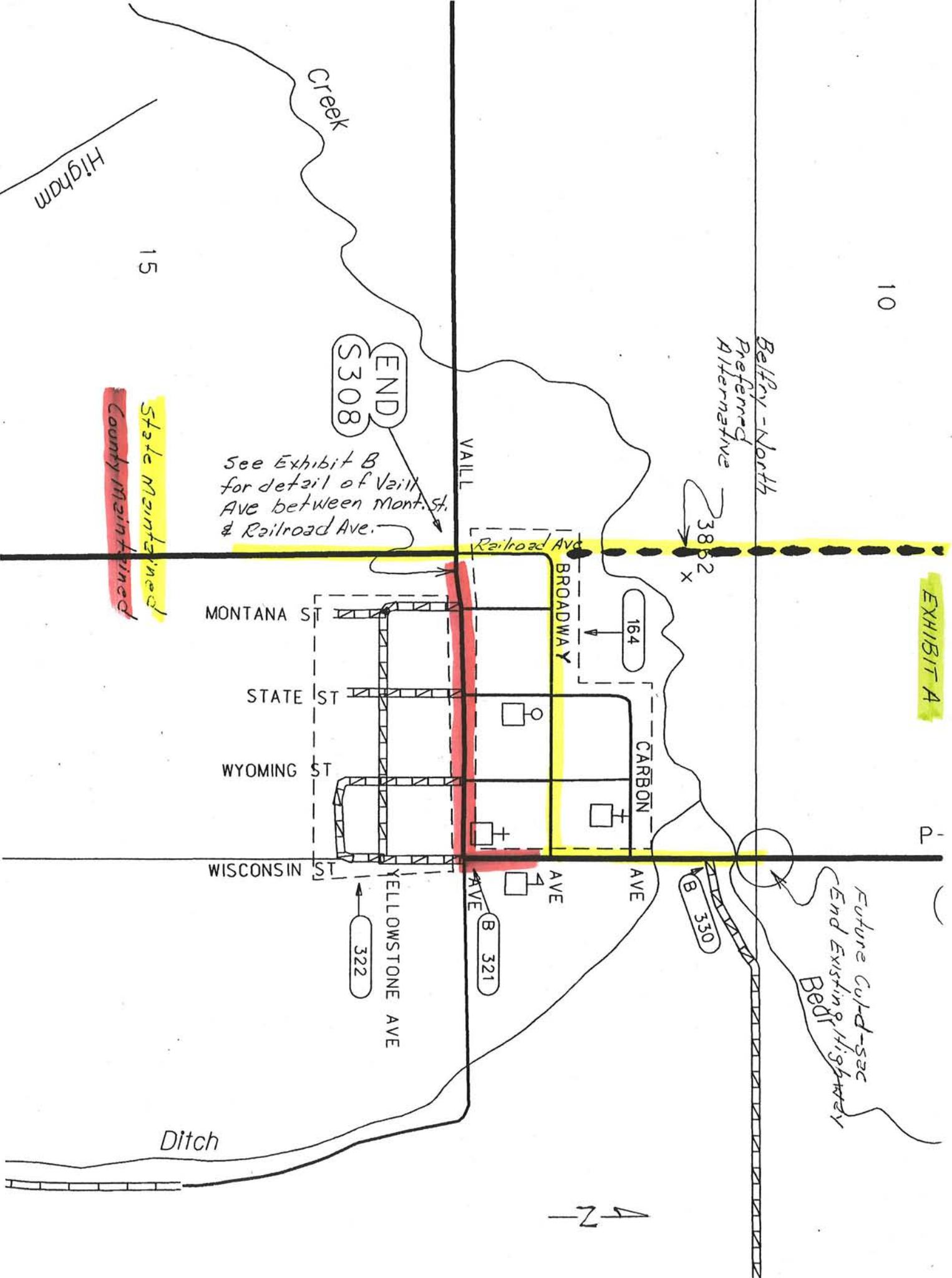
Creek

Highway

15

State Maintained  
County Maintained

Ditch



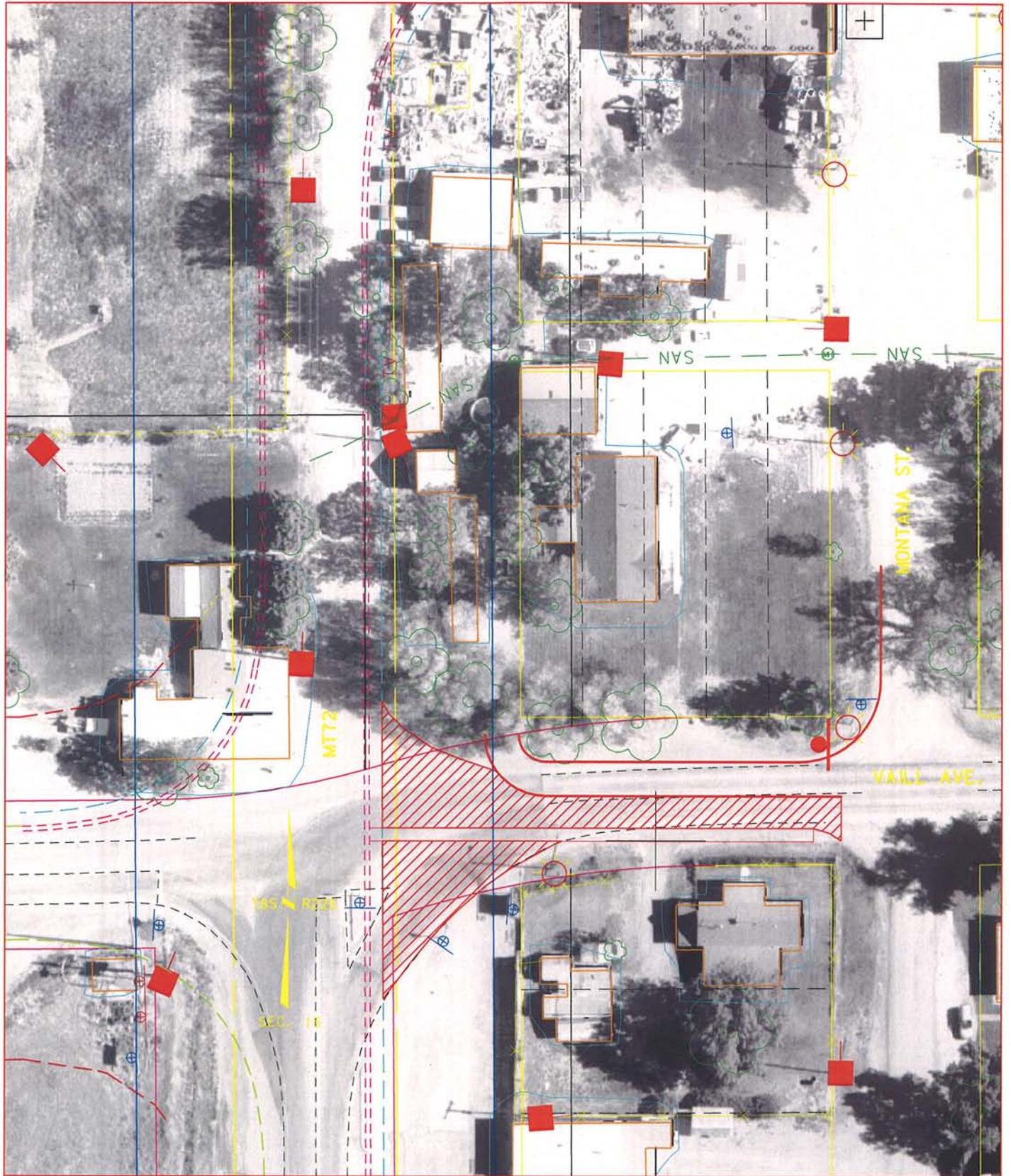
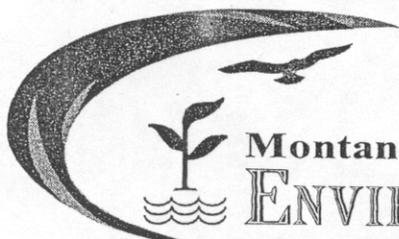


EXHIBIT B  
VAIL AVE. AND MT-72





Montana Department of ENVIRONMENTAL QUALITY

Brian Schweitzer, Governor

Airport Business Park • 1371 Rimtop Dr. • Billings, MT 59105-1978 • Website: www.deq.mt.gov

*Ifw OK w/ review  
engineer's provision  
MA OK*

No. *DEQ1-425*

DATE: April 12, 2005  
TO: Deviation Review Committee  
FROM: Shoots Veis, Billings Regional Office *RC fwn*  
SUBJECT: Request for Deviation from Circular DEQ 1, Montana Department of Environmental Quality Standards for Water Works

3.2.3.2 Continued Protection

Change from:

Such protection must extend for a radius of at least 100 feet around the well.

Change to:

Such protection must extend for a radius of at least 54.5 feet around the well.

Justification for Change: See attached information from the design engineer, Joe Meek, and conversation with Sam Krum.

Applicability: Limited to the Town of Belfry Water Well, Carbon County, F STPP 72-1(1)10, Belfry North.

Review Engineer's Recommendation: Accept the request with the required attached sampling plan and the provision that if the well does become contaminated the MDT is responsible for it's cleanup or replacement.

Committee's Final Disposition:

**APPROVED**

Montana Department of Environmental Quality

*Mitch Alcherman* 4/19/05  
Authorized Signature Date

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MT DEQ PUBLIC WATER  
& SUBDIVISIONS BUREAU

April 8, 2005

The issue of concern is the re-routing of State Highway 72 will encroach on the 100-foot control zone for Carbon County District #1- Belfry Public Water Supply Well #2.

Below is a discussion containing information about soils and subsurface geology in the vicinity of the well, water quality data for the past 5 years for this well, and recommendations concerning what monitoring at Well #2 could be conducted by the Montana Department of Transportation to ensure the well is not impacted by the road construction.

### **Soils Data**

Heldt Silty Clay Loam, 0 to 2% slope, supports mainly irrigated row crops, small grains, and alfalfa. Where stream channels have cut deeply into the alluvial material, runoff is slow and erosion hazard is low.

### **Sub-surface Geology**

Quaternary alluvium underlies these soils and is the source of water to Carbon County District #1 Well #2. Bedrock underlying the alluvium consists of interbedded sandstones and shales of the Hell Creek and Fort Union Formations.

Well logs in the vicinity of Well #2 indicate that there are some clay and shale beds in the but not how laterally continuous these beds are.

### **Water Quality Data**

NO<sub>3</sub> + NO<sub>2</sub> as N appears to be elevated:

4/2004 – 3.25 mg/l  
4/2003 – 3.13 mg/l  
11/2002 – 3.99 mg/l  
12/2001 – 4.72 mg/l  
11/2000 – 5.08 mg/l  
11/1999 – 4.84 mg/l

In the past 5 years there has only been one detect of coliform bacteria (10/04/2000) with e no detections in subsequent sampling. There have been no fecal coliform detections in the past 5 years.

Other parameters:

12/2001 Selenium 0.007 mg/l  
12/2001 Sulfate 237 mg/l

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& SUBDIVISIONS BUREAU



Montana Department of Transportation

2701 Prospect Avenue  
PO Box 201001  
Helena MT 59620-1001

Jim Lynch, Director  
Brian Schweitzer, Governor

March 29, 2005

Mr. Jerry Burns  
Montana Department of Environmental Quality  
Airport Business Park IP-9  
1371 Rimtop Drive  
Billings, MT 59105-1978

**SUBJECT: F STPP 72-1(1)10 Belfry North  
Municipal Well Town of Belfry**

Dear Mr. Burns,

The Montana Department of Transportation is proposing to reconstruct and realign MT 72 through the town of Belfry. Several alternative alignments have been analyzed and a preferred alignment chosen based upon safety, environmental, historic and economic conditions.

It has come to our attention that the preferred alternative is adjacent to an existing well that supplies water to the town of Belfry. The well data as recorded by Montana Bureau of Mines and Geology is attached.

The new highway will traverse within 16.59 m (54.5 ft) of the well, however, stormwater will be collected and controlled by curb and gutter and a storm sewer system which will discharge to Bear Creek. A site plan of the well area is attached for reference.

We respectfully request a deviation of the requirements of Continued Protection (Paragraph 3.2.3.2) of the Standards For Water Works (Circular DEQI) published by the Montana Department of Environmental Quality. Our request is based upon the following:

1. The well has an 8.5 m (28 ft) layer of clay above the water-bearing layer or aquifer.
2. Stormwater from the new highway will be collected and controlled by concrete curb and gutter and a storm sewer system, which will discharge runoff into Bear Creek well away from the well. Note: Runoff from the existing gravel streets does not have positive drainage away from the well.
3. Parking will not be allowed along the west side of the new highway or within the area of the Broadway Avenue intersection. Therefore, no parking will be allowed within 30.5 m (100 ft) of the well.
4. No weed spraying will be allowed along Montana Department of Transportation R/W within 30.5 m (100 ft) of the well.
5. Regrading in the vicinity of the well will direct runoff toward Bear Creek to the north.

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& SUBDIVISIONS BUREAU

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BILLINGS REGIONAL OFFICE

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MT DEQ PUBLIC WATER  
& SUBDIVISIONS BUREAU

We look forward to your response to our request and will be happy to provide additional information if you determine it is needed.



Tom Martin, P.E.  
Consultant Design Engineer

TSM:msd:1016DEQletter

Attachments

Copies:        Bruce H. Barrett, District Administrator-Billings  
                  Tom S. Martin, P.E., Consultant Design Engineer  
                  Consultant Design File  
                  ✓David Evans and Associates Inc., Denver

Montana Bureau of Mines and Geology  
Ground-Water Information Center Site Report  
CARBON COUNTY WATER DIST #1 - BELFRY  
WELL 2

Plot this site on a topographic map  
View Water Quality for this Site

Location Information

GWIC Id:	140171	Source of Data:	INV
Location (TRS):	08S 22E 15 ABDA	Latitude (dd):	45.1432
County (MT):	CARBON	Longitude (dd):	-109.0113
DNRC Water	P076342-00	Geomethod:	MAP
Right:		Datum:	NAD27
PWS Id:	00460003	Altitude (feet):	3823.60
Block:		Certificate of	
Lot:		Survey:	
Addition:		Type of Site:	WELL

Well Construction and Performance Data

Total Depth (ft):	78.00	How Drilled:	UNKNOWN
Static Water Level (ft):	34.70	Driller's Name:	UNKNOWN
Pumping Water Level (ft):	65.00	Driller License:	
Yield (gpm):	30.00	Completion Date (m/d/y):	9/27/1990
Test Type:		Special Conditions:	
Test Duration:	30.00	Is Well Flowing?:	
Drill Stem Setting (ft):		Shut-In Pressure:	
Recovery Water Level (ft):		Geology/Aquifer:	110ALVM
Recovery Time (hrs):		Well/Water Use:	PUBLIC WATER SUPPLY
Well Notes:			

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BILLINGS REGIONAL OFFICE

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& SUBDIVISIONS BUREAU

Hole Diameter  
Information

Casing Information<sup>1</sup>

No Hole Diameter  
Records currently in  
GWIC.

From To Dia Wall  
Thickness Pressure  
Rating Joint Type  
0.0 78.0 8.0 STEEL

Annular Seal  
Information

Completion Information<sup>1</sup>

No Seal Records  
currently in GWIC.

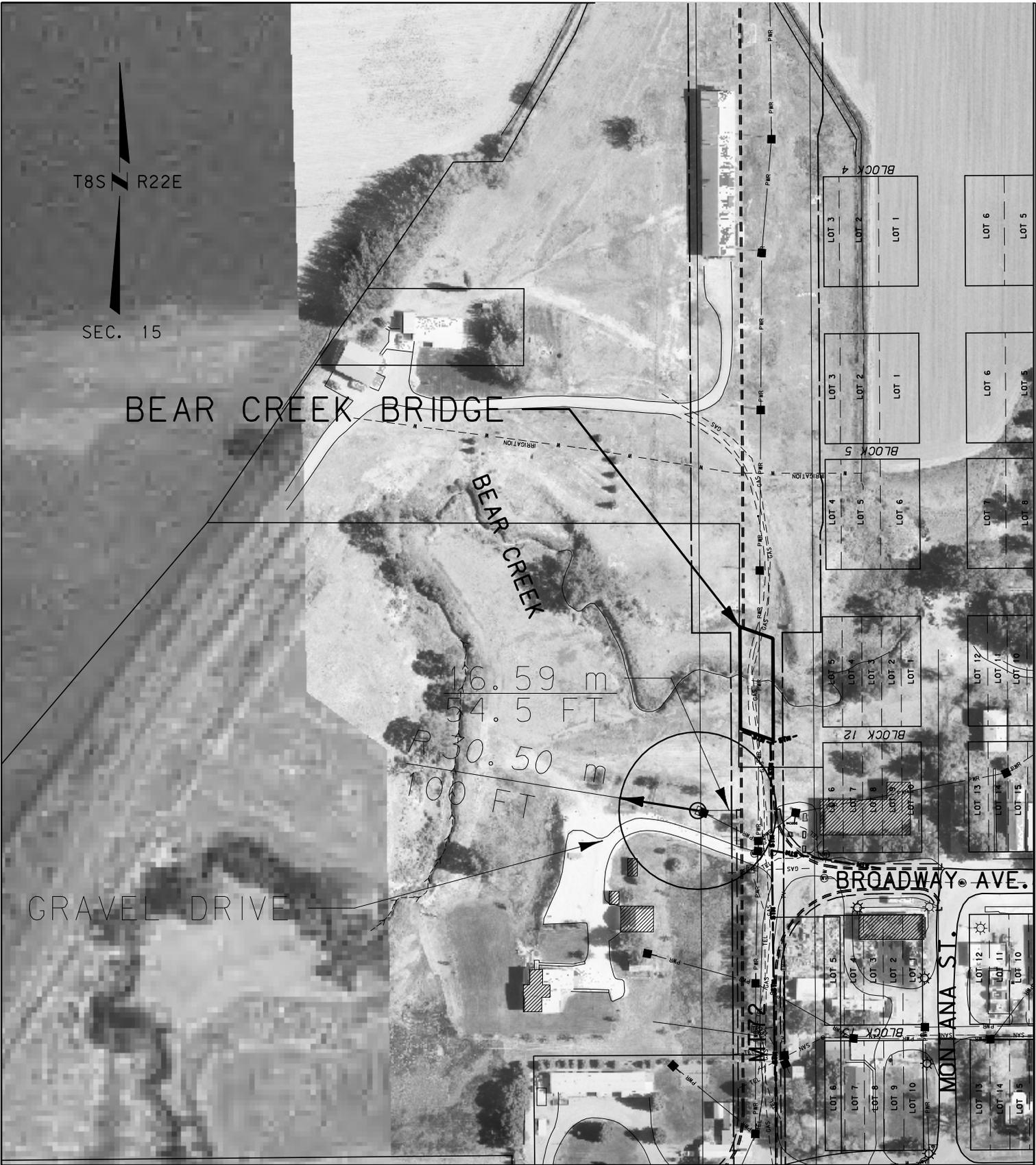
From To Dia # of  
Openings Size of  
Openings Description  
58.0 68.0 7.0 JOHNSON SCREEN

Lithology Information

From	To	Description
0.0	1.0	TOPSOIL
1.0	28.0	CLAY- SANDY
28.0	63.0	GRAVEL; WITH CLAY
63.0	78.0	SHALE

<sup>1</sup> - All diameters reported are **inside** diameter of the casing.

These data represent the contents of the GWIC databases at the Montana Bureau of Mines and Geology at the time and date of the retrieval. The information is considered unpublished and is subject to correction and review on a daily basis. The Bureau warrants the accurate transmission of the data to the original end user. Retransmission of the data to other users is discouraged and the Bureau claims no responsibility if the material is retransmitted. Note: non-reported casing, completion, and lithologic records may exist in paper files at GWIC.



T8S R22E

SEC. 15

BEAR CREEK BRIDGE

BEAR CREEK

16.59 m

54.5 FT

30.50 m

100 FT

GRAVEL DRIVE

BROADWAY AVE.

MONANA ST.

SITE PLAN  
MT72 & TOWN OF BELFRY WELL



Montana Department of Transportation

2701 Prospect Avenue  
PO Box 201001  
Helena, MT 59620-1001

David A. Galt, Director  
Judy Martz, Governor

2005041810  
REC'D MAY 10 2005

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MAY 4 2005

ENVIRONMENTAL

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BY: SHPO

Josef  
MDT  
Belfry-North:  
24CB1908  
ELIGIBILITY

April 13, 2005

Mark Baumler, Ph.D.  
State Historic Preservation Office  
1410 8<sup>th</sup> Avenue  
P O Box 201202  
Helena, MT 59620-1202

Subject: F-STPP 72-1(1)10  
Belfry - North  
Control No. 1016

CONCUR  
MONTANA SHPO  
DATE 3/19/05 SIGNED *Jon Axline*

Dear Mark:

Enclosed is the cultural resource report, CRABS, and site forms for the above project in Carbon County. The report concerns a survey conducted for an alternative being considered for the project. RTI recorded one historic property within the designated survey area: the Simon Farmstead (24CB1908). RTI recommends the site ineligible for the National Register of Historic Places. We agree with that recommendation and request your concurrence.

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

*Jon Axline*

Jon Axline, Historian  
Environmental Services

Enclosure

cc: Bruce Barrett, Billings District Administrator  
Tom Martin, P.E., Consultant Design  
Bonnie Steg, Resources Section

file: MDT/2005

## Appendix D

Environmental Assessment