

# ENVIRONMENTAL ASSESSMENT

Prepared for: FEDERAL RAILROAD ADMINISTRATION (FRA)

PORT OF NORTHERN MONTANA MULTIMODAL HUB CENTER  
SHELBY, TOOLE COUNTY, MONTANA

Prepared Pursuant to 42 USC § 4332, 49 USC § 303, and 64 FR 28545

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# CHAPTER 1 PURPOSE AND NEED OF PROJECT

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## 1.1 Introduction

The Northern Express Transportation Authority (NETA) proposes to construct and operate the Port of Northern Montana Multimodal Hub Center (Multimodal Hub Center) near Shelby, Montana. Please refer to **Figure 1.1, Project Location Map**. The Multimodal Hub Center will replace the existing Burlington Northern Santa Fe Railway Company's (BNSF) Intermodal Terminal, which currently serves as a regional rail hub. Once complete, the Multimodal Hub Center will include rail spurs, access roads, street upgrades, utilities, wastewater/stormwater facilities, laydown area, and a bulk material facility. The Multimodal Hub Center will be a fully functional inland port capable of accepting and delivering unit trains, containerized cargo, and large industrial equipment and materials more efficiently than the BNSF Intermodal Terminal and will be instrumental in supporting regional economic growth and infrastructure development.

Implementation of the Multimodal Hub Center has been broken up into 4 independent phases which are described in more detailed in Section 1.2 below. The Federal Railroad Administration (FRA) is providing partial funding for Phase 4, the final stage of development for the Multimodal Hub Center through a Transportation Investments Generating Economic Recovery (TIGER) Discretionary Grant. The Grant funds will be used to construct an additional freight rail track (to support the BNSF's intermodal trains), construct an access road to the facility, extend 13<sup>th</sup> Street South east to SE Front Street, deliver utilities to the Proposed Action site, and construct a laydown yard to stage oversized equipment.

As a Federal agency providing grant funding for Phase 4, FRA must comply with the National Environmental Policy Act (NEPA) of 1969. NEPA requires Federal agencies to consider the impacts of their actions on the natural, social, economic, and cultural environment and to disclose considerations in a public document. The NEPA process is intended to help public officials make decisions based on an understanding of the environmental consequences and take actions that protect, restore, and enhance the environment (40 CFR Part 1500.1).

This environmental assessment (EA) was prepared in accordance with the Council on Environmental Quality's regulations implementing NEPA (40 CFR Parts 1500-1508) and FRA's Procedures for Considering Environmental Impacts [64 FR 28545 (May 26, 1999)].





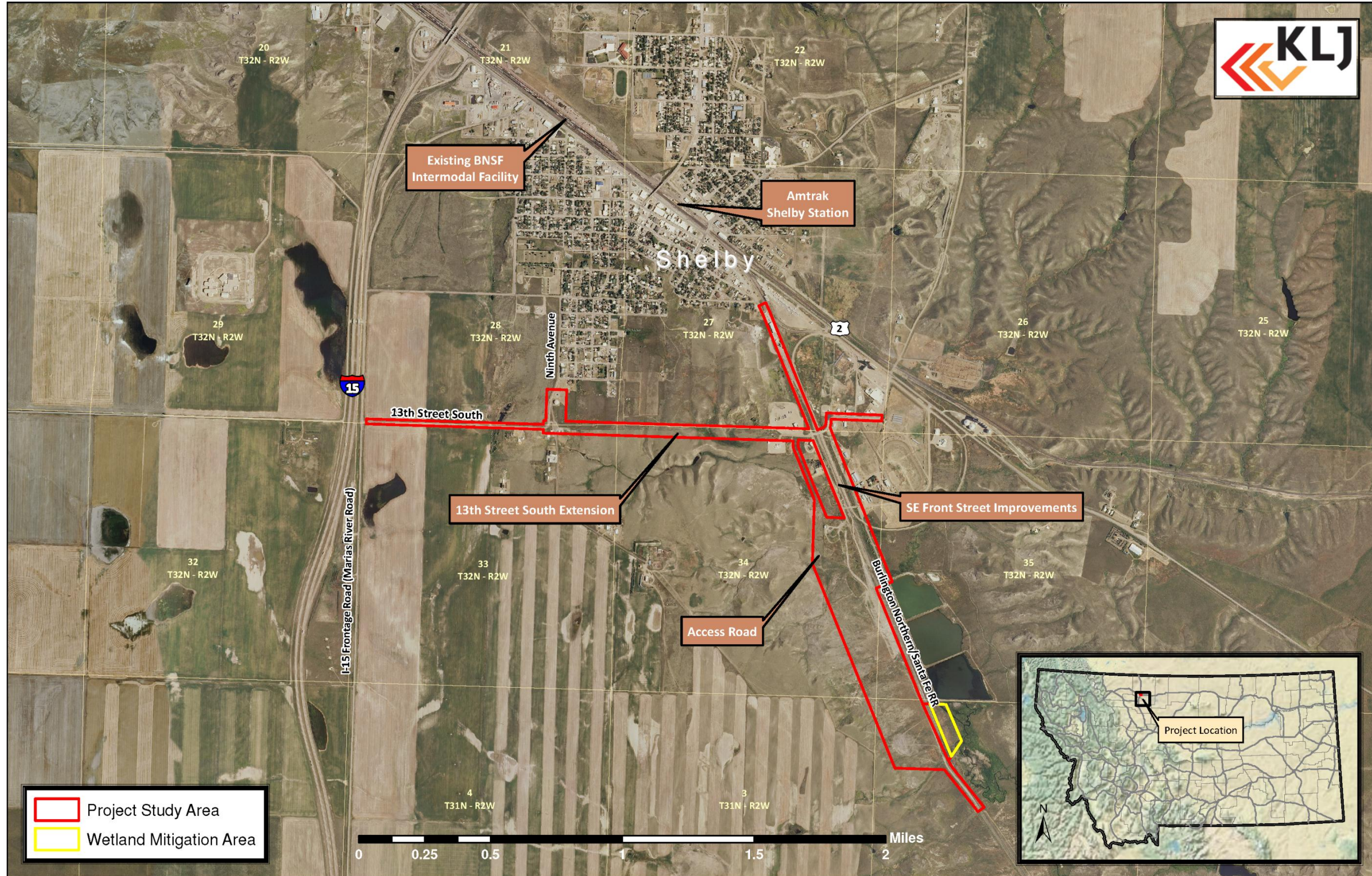


Figure 1.1, Project Location Map





## 1.2 Project Background

### 1.2.1 The Multimodal Hub Center

The proposed Multimodal Hub Center, when completed, would provide for long-term economic growth in the region and support efforts to increase export services. It would include rail spurs, access roads, street upgrades, utilities, wastewater/stormwater facilities, laydown area, and a bulk material facility. The Multimodal Hub Center would provide a fully functional inland port capable of accepting and delivering unit trains, containerized cargo, and large industrial equipment and materials suitable for supporting regional development and industrial projects. By facilitating the use of containerized shipments, the Multimodal Hub Center would reduce transportation costs and improve operation efficiencies at both the Shelby and Pacific Coast port sites. The Multimodal Hub Center would also encourage the use of rail instead of trucks which would reduce roadway maintenance costs and greenhouse gas emissions.

The Multimodal Hub Center would include the relocation of the existing BNSF Intermodal Terminal (located in a residential and commercial-zoned area within the City of Shelby) to an industrial-zoned Tax Increment Finance (TIF) District, 1.5 miles to the southeast. Relocating the existing BNSF facility and associated freight traffic from downtown would facilitate economic development in the area and improve safety for non-freight traffic in Shelby.

NETA split the development of the Multimodal Hub Center into four phases for financial reasons. Phase 1 was the subject of a Federal Highway Administration (FHWA) Categorical Exclusion (CATEX) completed in 2007 and included partial project infrastructure construction. Funding in FY 2006 was secured through the Port of Northern Montana/City of Shelby (\$250,000) and the FHWA Transportation and Community and System Preservation (TCSP) Grant (\$990,000). Phase 2 was addressed in a FRA CATEX completed in 2010 and included partial project infrastructure construction. Funding in FY 2010 was secured through the Port of Northern Montana/City of Shelby (\$121,750) and a Non-Competitive FRA Rail Line Relocation and Improvement (RLRI) Grant (\$974,000). Phase 3 obtained an environmental clearance from the Economic Development Administration (EDA) in 2011 and included partial project infrastructure construction. Funding in FY 2011 was secured through the Port of Northern Montana/City of Shelby (\$320,000) and an EDA Public Facility Grant (\$320,000). In addition, funding in FY 2011 was committed by the Port of Northern Montana/City of Shelby (\$299,364), MDT Revolving Loan (\$320,000) and a Tax Increment Finance (TIF) District (\$3,603,979).

Phase 4 (the Proposed Action) includes the construction of the remaining rail, road, water, sewer, electrical, gas, and communication infrastructure needed for the Multimodal Hub Center to become operational by 2014. Phase 4 would also include the extension of 13<sup>th</sup> Street South and construction of a laydown yard. Section 2.3.2 includes a detailed discussion of the technical aspects of the Proposed Action.

### 1.2.2 Previous Studies

NETA identified three potential site locations near Shelby for the development of the Multimodal Hub Center. The three locations were identified based on accessibility to existing transportation facilities, including both rail and road. Impacts to existing transportation facilities, the utility availability to serve the site, potential environmental impacts, and land ownership were all considered when



identifying the potential locations for the facility. Please refer to *Figure 1.2, Potential Site Locations*. The site locations included a north site, a south site, and a southeast site.

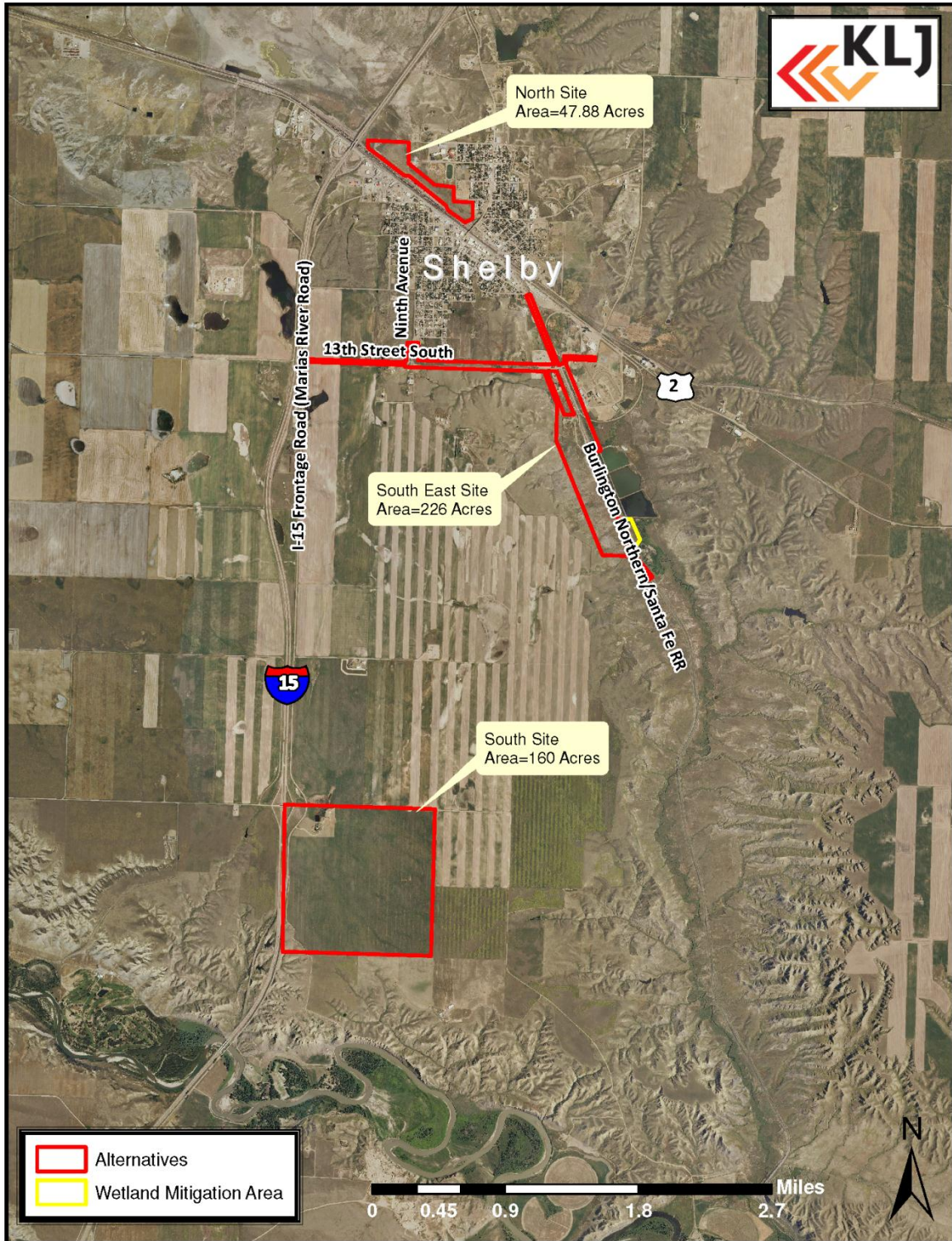
**North Site** – NETA eliminated the north site, in part, due to the proximity of the site to an existing school. The Multimodal Hub Center will require travel corridors to facilitate the expected truck traffic. The area surrounding the school is one of the busier child pedestrian corridors in the City. In addition, the site is situated in an area of high ground water that would not only provide adverse construction conditions but may also adversely affect existing wetlands in the area. Also, this property is owned by BNSF which was unwilling to allow development of the Proposed Action in this area.

**South Site** – NETA eliminated the south site due, in part, to its distant location to the existing railroad tracks and available utilities to service the site. If the facility was located at this site, many additional miles of rail would have to be constructed across several different landowners' existing crop lands. In addition, the rail would need to cross some large changes in topography which would result in large cut and fill requirements to maintain the BNSF design requirement. Finally, the south site is also located within a mile of the Marias River and the City of Shelby's public water supply. This raised concerns over health and environmental impacts that could result in the event of a truck or rail car spill.

**Southeast Site** – The southeast site location consists of approximately 226 acres of land located 1.5 miles southeast of the existing BNSF Intermodal Terminal in Shelby. The land is predominately rural and is zoned as an industrial TIF District. Residences and the City of Shelby serve as the location's northern boundary. The site extends slightly to the east of the BNSF main line and city lagoons. To the west and south are cropped agricultural fields. The site is located in close proximity to major motor vehicle routes including US Highway 2 to the east and I-15 to the west.

NETA chose the southeast site for the Multimodal Hub Center because it is in close proximity to Shelby but outside of the city's population center, and is also close to rail, roadways and infrastructure. The industrialized nature of the site was also a factor in the site's selection.





**Figure 1.2, Potential Site Locations**





### 1.3 Study Area

The Proposed Action consists of the final phase (Phase 4) of the Multimodal Hub Center. Because of the integrated nature of Phase 4 and the Multimodal Hub Center, the study area for the Proposed Action is defined as the Multimodal Hub Center site. For certain resources (e.g., air quality, noise, and socioeconomics), the Proposed Action-related impacts could potentially extend beyond the study area. In such cases, impacts to locations or receptors beyond the study area were considered and are noted as such in Chapter 3.

The study area (also referred to throughout this document as the “Proposed Action area” or “Proposed Action site”) consists of the footprint of the Multimodal Hub Center, a 226-acre site on the southeast edge of Shelby in Toole County, Montana, about 1.5 miles southeast of the existing BNSF Intermodal Terminal. Specifically, the study area is located in Township 31 North, Range 2 West, Sections 2 and 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34, and 35.

The study area includes the combination of two corridors. One corridor extends north and south along the existing BNSF railroad line from US Highway 2 near Shelby to a point approximately 2 miles to the southeast. Rail construction and improvements, an access road, SE Front Street improvements and utility improvements are included inside this corridor. The other corridor consists of the 13<sup>th</sup> Street South alignment which extends approximately 1.75 miles from the 1-15 Frontage Road (Marias River Road) east to SE Front Street. Please refer to **Figure 1.1, Project Location Map**.

### 1.4 Project Purpose and Need

Under NEPA, the identification of a project’s purpose and need is significant in determining the reasonable range of alternatives to consider for the project. The need defines the key problems to be addressed and explains their underlying causes. The project’s purpose states clearly why the project is being proposed and identifies potential anticipated outcomes.

Need for Proposed Action. Montana currently needs a means to efficiently transport large quantities of materials, goods and other cargo into and out of the region surrounding northwest Montana in order to facilitate local and regional commerce and economic growth. Rail transport is considered more efficient and cost-effective than over-the-road truck hauling, the only other viable means for heavy-haul transport.<sup>1</sup> The Multimodal Hub Center, a rail based facility, will meet this need. Phase 4, the Proposed Action, is necessary to complete the Multimodal Hub Center.

Purpose of Proposed Action. Phase 4 will complete the Multimodal Hub Center and thus, facilitate the operation of a fully functional, inland port capable of accepting and delivering unit trains of containers and cargo to support regional development. By using rail instead of commercial trucks to

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<sup>1</sup> According to the “Container/Trailer on Flatcar in Intermodal Service on Montana’s Railway Mainlines” prepared by Prime Focus LLC and Western Transportation Institute in 2008, the estimated cost associated with shipping and receiving containerized cargo utilizing rail intermodal is \$0.03/lb as opposed to truck which is \$0.05-\$0.10/lb. Moving intermodal containers by rail instead of truck along this corridor will save the states of Washington, Idaho, North Dakota, Montana and Minnesota over \$102 million in road maintenance and preservation costs over the next 20 years not to mention the associated challenges with multi-state jurisdictional length and load limitations, and special permit fees.



transport goods, regional transportation costs will be reduced which, in turn, will improve the economic competitiveness of the region.

## 1.5 Other Transportation Initiatives

The Montana Department of Transportation (MDT), with the coordination of state and federal agencies, local and tribal governments, metropolitan planning organizations (MPO), public agencies, citizens, and other interested parties, developed the Statewide Transportation Improvement Program (STIP). The STIP is in accordance with the requirements of Section 135 of 23 U.S.C., and lists transportation projects and needs for the state of Montana during the upcoming fiscal years. According to the STIP for fiscal years 2012-2016, the following five projects are located within 50 miles of the Proposed Action study area.

- ◆ **UPN 7452 – Cut Bank-Shelby** – 21.73 miles of roadway improvements along US Highway 2 within Toole and Glacier Counties. Construction Phase: **FY – 2012**
- ◆ **UPN 7624 – Cut Bank Urban** – 1.11 miles of reconstruction along US Highway 2 within Glacier County. Incidental Construction Phase: **FY 2014**. Right-of-Way Phase: **FY 2014**. Construction Phase: **FY 2016**.
- ◆ **UPN 7622 – Sunburst-Sweetgrass** – 8.75 miles of roadway improvements along I-15 in Toole County. Construction Phase: **FY 2013**.
- ◆ **UPN 7217 – SF 099 North of Valier** – 10.04 miles of safety improvements along S-358 Pondera County. Right-of-Way Phase: **FY 2013**. Construction Phase: **FY 2015**.
- ◆ **UPN 6179 – D3 Culvert rehab I-15** – Culvert improvements at locations along I-15, MT 200, and US highway 89. Construction Phase: **FY 2013**.

## 1.6 Applicable Regulations and Permits

The following statutes and orders apply to the proposed action and were considered during the preparation of the EA:

- ◆ Endangered Species Act, as regulated at 50 CFR Part 17
- ◆ Magnuson-Stevens Fishery Conservation and Management Act, 50 CFR Part 600
- ◆ Public Law 91-190, National Environmental Policy Act of 1969, 42 USC § 4321 et seq., signed January 1, 1970
- ◆ Public Law 95-217, Clean Water Act of 1977, 33 USC § 1251-1376
- ◆ Sections 9 and 10 of the Rivers and Harbors Act of 1899, 33 USC § 401
- ◆ Section 106 of the National Historic Preservation Act of 1966, 49 USC § 303
- ◆ Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended, 16 USC § 470
- ◆ Section 404 of the Federal Water Pollution Control Act (CWA), 33 USC § 1344
- ◆ Section 6(f) of the Land and Water Conservation Act of 1965, 16 USC § 460
- ◆ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 USC § 61
- ◆ Executive Order 11988, Floodplain Management, 42 FR 26951, signed May 24, 1977
- ◆ Executive Order 11990, Protection of Wetlands, 42 FR 26961, signed May 24, 1977
- ◆ Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, signed February 11, 1994





- ◆ Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, 65 FR 50121, signed August 11, 2000
- ◆ Federal Railroad Administration Procedures for Considering Environmental Impacts, 64 FR 28545 (May 26, 1999)
- ◆ Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 40 CFR Parts 1500-1508, November 29, 1978
- ◆ Federal Register, Use of Locomotive Horns at Highway-Rail Grade Crossings; Final Rule, 49 CFR Parts 222 and 229, April 27, 2005
- ◆ American Indian Religious Freedom Act of 1978

The NETA will obtain the following permits prior to construction:

- ◆ Montana Department of Environmental Quality – *General Permit for Storm Water Discharge Associated with Construction Activity*
- ◆ United States Army Corps of Engineers (USACE)– *A Section 404 Permit will be required since about 1.5 acres of wetlands will be permanently impacted. Refer to Section 3.4 for detailed information regarding wetland impacts and consultations with the USACE.*



## CHAPTER 2 ALTERNATIVES

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### 2.1 Introduction

Two alternatives (the No Build Alternative and one Build Alternative) were selected for carrying forward in the analysis. Two additional Build Alternatives were considered but eliminated from further consideration and analysis in the EA, and are discussed briefly below.

### 2.2 No Build Alternative

Under the No Build Alternative, the state of Montana would not have the ability to ship or receive containerized cargo via rail due to a lack of an inland port. Shippers would continue to rely on roadway transportation to ship goods, resulting in high freight costs.

Also under the No Build Alternative, the existing BNSF Intermodal Terminal, located near downtown Shelby, would continue to operate as a regional rail hub as it currently does. However, the BNSF facility is faced with several challenges, all of which would persist under the No Build Alternative. First, the size of the facility does not accommodate the length of today's modern unit trains. Containerized freight trains must be switched into a train terminal and separated before being pulled back into the facility in shorter sections to be loaded or unloaded. Once this process has taken place, the train needs to be moved back into the terminal and coupled together. This approach is inefficient for train scheduling and the overall process of loading and unloading within the facility.

Second, despite the demand, the BNSF facility only averages 1,000 revenue lifts per year because the current track configuration cannot accommodate unit trains with a single placement move from the mainline. The facility cannot be expanded without relocating neighboring homes and businesses.

Third, the BNSF facility is in close proximity to the Amtrak Depot and Amtrak passenger delays result from BNSF operations. It is common for passenger delays to average 20 minutes or more when BNSF is required to utilize the mainline. Finally, train activities and related traffic congestion (which result from commercial traffic accessing the existing BNSF Intermodal Terminal through residential and commercial streets) present environmental (i.e., visual impacts), public health (i.e., air pollution; noise) and public safety (i.e., vehicle and pedestrian safety) concerns for the residences and businesses surrounding the BNSF facility. As mentioned above, these conditions would continue under the No Build Alternative.

### 2.3 Build Alternatives Considered

Three Build Alternatives (Alternative 1, 2 and 3) were considered for the Proposed Action. The alternatives shared the same technical features outlined in Section 2.3.1 except for the alignments of the 13<sup>th</sup> Street South corridor, which will be an important access route to the Multimodal Hub Center. 13th Street South is currently a gravel road that begins at the I-15 Frontage Road (Marias Valley Road) and extends eastward approximately 0.75 mile, terminating at 9<sup>th</sup> Avenue South.

All three build alternatives have similar features for the final development of the Multimodal Hub Center but differ in the design and configuration of the extension of 13<sup>th</sup> Street South. The Proposed Action will consist of construction work that will include extending railroad tracks to accommodate



additional trains, developing an access road to the facility, constructing an extension of 13<sup>th</sup> Street South, installing utilities, and constructing a laydown area for oversized equipment and incoming/outgoing shipments.

A description of the features of each alternative, and the basis for eliminating or retaining each, are discussed below.

### 2.3.1 Build Alternative 1

#### 2.3.1.1 Railroad

Build Alternative 1 includes the construction of a main railroad spur, a secondary railroad spur offset by 120 feet and parallel to the mainline, a third rail spur to the north along the existing mainline and a fourth spur consisting of rail reconstruction. The Proposed Action includes the construction of approximately 15,000 linear feet (LF) of track.

The design and construction of the spurs include:

- ◆ Spur No. 1 – Approximately 4,250 LF of rail has been constructed as part of Phase 1 of the Multimodal Hub Center. Under the Proposed Action, approximately 2,360 LF of track will be designed and constructed to complete the spur. The completion of the mainline spur will allow for the loading and unloading of a 68-car train without having to break it into segments.
- ◆ Spur No. 2 (Secondary Spur) – None of this spur has been constructed to date. Under the Proposed Action, approximately 4,960 LF of track will be constructed for the secondary spur.
- ◆ Spur No. 3 – None of this spur has been constructed to date. Under the Proposed Action, approximately 4,250 LF of track will be constructed for Spur No. 3.
- ◆ Spur No. 4 – 1,200 LF of existing rail spur will be reconstructed as part of the Proposed Action. An additional 3,850 LF of rail and switch connections to the mainline have also been designed and are planned for construction.
- ◆ Two public grade crossings will be provided across the railroad spurs within the Multimodal Hub Center. The crossings will be located at 13<sup>th</sup> Street South, and Marias Park Road. No additional crossings will be constructed on the BNSF mainline located east of the proposed Multimodal Hub Center. Railroad construction will be built to BNSF specifications to support BNSF trains.

#### 2.3.1.2 Secondary Access Road and Internal Roads

The Proposed Action includes the construction of a 3,200-foot secondary access road. This access road will function as a secondary emergency access and will more effectively facilitate the flow of traffic inside the Multimodal Hub Center. The secondary access road will be located northwest of the city's lagoons. The Proposed Action will also include the construction of 4,900 feet of internal roads for the Multimodal Hub Center.

#### 2.3.1.3 SE Front Street

Roadway upgrades will occur on approximately 1,980 feet of existing SE Front Street to support commercial trucks hauling freight to and from the Multimodal Hub Center. Improvements will include a paved section which will extend approximately 0.5 mile from the intersection with 13<sup>th</sup> Street South



to the Multimodal Hub Center. The typical section for SE Front Street will consist of two, 12-foot travel lanes with a two-foot shoulder on each side. The paved section will consist of approximately 5-6 inches of hot bituminous pavement over approximately 12 inches of gravel. The gravel section of this roadway is already in place. The new roadway will have a design speed and posted speed of 35 miles per hour (mph). No additional right-of-way will be needed for the reconstruction of SE Front Street.

#### *2.3.1.4 Water Supply*

Currently, there are no water supply facilities in place to serve the proposed Multimodal Hub Center. The Proposed Action will include water supply infrastructure for both domestic and fire protection purposes. This water will be obtained from the City of Shelby's existing water distribution system, which has capacity to meet the needs of the Multimodal Hub Center. The water distribution system will be accessed via the construction of approximately 14,540 feet of 16-inch water main along 13<sup>th</sup> Street South, SE Front Street and within the Proposed Action site.

#### *2.3.1.5 Energy Supply*

The Multimodal Hub Center will require energy from Marias River Electrical Co-op to supply the day-to-day operations of the Multimodal Hub Center. During construction, existing electrical distribution lines will be rerouted to provide the required energy to the Multimodal Hub Center.

#### *2.3.1.6 Stormwater Facilities and Wetland Mitigation Site*

Stormwater facilities will be constructed to divert runoff offsite. Stormwater infrastructure will primarily include ditches and culverts. Onsite runoff will be managed by grading the landscape to divert drainage to storm water structures that lead off site. Once off site, the stormwater will follow the existing natural channels.

As part of the environmental review and planning for the Proposed Action, wetlands at the Proposed Action site were delineated and a request for jurisdictional determination was submitted to the USACE. NETA determined in consultation with the USACE that a Section 404 permit will be required for anticipated impacts to onsite wetlands, and that wetland mitigation will be required. An application for a Section 404 permit and a mitigation plan were submitted to the USACE. The wetland mitigation, as outlined in the mitigation plan, will consist of the development of an approximately 3 acre wetland mitigation site at a location immediately southwest of the City of Shelby's existing sewage treatment lagoons (see Figure 1.1). The western boundary of the mitigation site will follow the BNSF property line and tie into the natural topography of the surroundings. The mitigation site comprises an area of about 200 feet by 940 feet.

The wetland mitigation site currently supports a small wetland. The wetland will be expanded by excavating the upland landscape and merging it with the existing wetland and associated natural drainage system. The wetland will include side slopes of approximately 3:1 and a varying bottom elevation to allow for various water depths. Bottom elevations will range from approximately 3178.5 to 3180.0 ft. above sea level.

The Section 404 permit application is currently under review at the USACE.



### 2.3.1.7 Wastewater Facilities

The Multimodal Hub Center will be expected to generate both domestic and industrial wastewater. Domestic wastewater will be generated by activities such as toilet flushing, showering, dishwashing, etc. Industrial wastewater will be produced by activities such as equipment washing.

The Proposed Action will include the installation of adequate wastewater facilities to handle the anticipated demand within the Multimodal Hub Center and potential future developments in the vicinity. Wastewater from the Multimodal Hub Center will be removed through an 8-inch gravity based pipe system that will drain into the City of Shelby's existing sewer system. Wastewater piping will be installed in the Proposed Action area parallel to SE Front Street and beneath the existing railroad tracks and will tie into the City of Shelby's existing sanitary sewer system. This system will have the capacity to provide service to future wastewater generators that may be constructed along SE Front Street. Approximately 13,130 LF of 8-inch, 10-inch, and 12-inch pipe is planned for installation.

### 2.3.1.8 Laydown Area

The laydown area will be constructed on a 27-acre parcel located along the west side of the proposed railroad spurs. This area will be used to stage incoming and outgoing freight delivered by both rail and truck. The laydown area will be designed for positive drainage and include gravel surfacing.

### 2.3.1.9 Lift Machines and Bulk Facility

Included in the Proposed Action is the purchase and installation of one lift machine. The lift machine will be used in the Multimodal Hub Center to load and unload freight to and from trains and trucks. The Proposed Action will also include the acquisition and expansion of an existing bulk facility, which is used for grain storage and handling. The existing bulk facility is located east of and adjacent to SE Front Street along the proposed Spur No. 4. The existing 1,600 ton bulk facility would be purchased and expanded to a 2,400 ton capacity.

### 2.3.1.10 13<sup>th</sup> Street South

Alternative 1 would include an extension of 13<sup>th</sup> Street South from its intersection with 9<sup>th</sup> Avenue South to its intersection with SE Front Street, a distance of approximately one mile. Alternative 1 would consist of the following features and developments along 13<sup>th</sup> Street South:

- ◆ The existing 13<sup>th</sup> Street South alignment between I-15 Frontage Road (Marias Valley Road) and 9<sup>th</sup> Avenue South.
- ◆ An extension of 13<sup>th</sup> Street South from 9<sup>th</sup> Avenue South to SE Front Street along an existing, undeveloped section line.
- ◆ Roadway construction including two, 14-foot travel lanes and a two-foot shoulder on either side of the road.
- ◆ Roadway surfacing including gravel, with the exception of the intersection at 13<sup>th</sup> Street South and 9<sup>th</sup> Avenue South, which would have been paved.
- ◆ Relocation of existing overhead electric lines. No other existing utilities would be affected.

Please see **Appendix A, 13<sup>th</sup> Street South Alignment Options** for a diagram depicting this option.



A certain amount of cut and fill would be required to facilitate roadway expansion and construction. From 9<sup>th</sup> Avenue South to SE Front Street, the terrain is hilly with grades up to 30 percent, requiring significant amounts of cut and fill. The City of Shelby and the Port of Northern Montana discussed and negotiated slope agreements with landowners to allow development on properties that would be affected by the Proposed Action. Access and use agreements have been obtained for all affected parcels.

Compared to Alternatives 2 and 3, Alternative 1 would have the shortest length of 13<sup>th</sup> Street South, would require no north/south deviation from the 13<sup>th</sup> Street South corridor, and would have the least amount of moving and installing of new infrastructure. Under Alternative 1, however, the 13<sup>th</sup> Street South alignment would encroach on the property of a local residence at the intersection of 9<sup>th</sup> Avenue South and 13<sup>th</sup> Street South, possibly presenting a safety hazard to occupants of the residence, particularly after the Multimodal Hub Center is operational when truck traffic along 13<sup>th</sup> Street South will have increased over existing levels. Consequently, NETA eliminated Alternative 1 from further consideration.

### 2.3.2 Build Alternative 2

Except for the 13<sup>th</sup> Street South Alignment, Alternative 2 is the same as Alternative 1. Therefore, this discussion for Alternative 2 focuses on the 13<sup>th</sup> Street South alignment.

Under Alternative 2, 13<sup>th</sup> Street South would veer northeast near its intersection with 9<sup>th</sup> Avenue South, turn east and traverse the south end of Block 115, and then veer back to the southeast and join the undeveloped section line at a point approximately 500 feet east of the 9<sup>th</sup> Avenue South intersection. At this point, the alignment would shift slightly south to avoid individual parcels that would have to be traversed north of 13<sup>th</sup> Street South between 9<sup>th</sup> Avenue South and SE Front Street. The alignment would continue east approximately 3,500 feet where it would shift slightly north to return to the existing 13<sup>th</sup> Street South alignment, and then continue to SE Front Street. Other features associated with Alternative 2 would include the following:

- ◆ Roadway improvements consisting of two, 14-foot travel lanes and a two-foot shoulder on either side of the road.
- ◆ Roadway surfacing consisting of gravel, with the exception of the intersection at 13<sup>th</sup> Street South and 9<sup>th</sup> Avenue South, which would be paved.
- ◆ The relocation of existing overhead electric lines. No other existing utilities were expected to be affected.

Please see **Appendix A, 13<sup>th</sup> Street South Alignment Options** for a diagram depicting this option.

Alternative 2 would provide additional north-south distance between the roadway and a residence near the intersection of 13<sup>th</sup> Street South and 9<sup>th</sup> Avenue South. In addition, compared to Alternative 1, the alignment would cross fewer parcels and thus fewer slope agreements would be required for individual parcels north of 13<sup>th</sup> Street South.

As with Alternative 1, a certain amount of contouring would be required to facilitate roadway expansion and construction. From 9<sup>th</sup> Avenue South to SE Front Street, the terrain is hilly with grades up to 30 percent, requiring a significant amount of cut and fill.



While Alternative 2 would not impact property owners because it would provide for additional distance between private residences and 13<sup>th</sup> Street South, it would require fewer slope agreements from individual parcels, would be slightly longer than the other two alignment options and would temporarily disturb an additional 3.2 acres outside of the existing 13<sup>th</sup> Street South right-of-way. It would also require the permanent conversion of 1.2 acres of grazing land to roadway. Considering these factors, NETA eliminated Alternative 2 from further consideration.

### 2.3.3 Build Alternative 3

Except for the 13<sup>th</sup> Street South Alignment, Alternative 3 is the same as Alternatives 1 and 2. Under Alternative 3, 13<sup>th</sup> Street South would follow the existing alignment from I-15 Frontage Road (Marias Valley Road) to 9<sup>th</sup> Avenue South where it would veer to the northeast, turn east and traverse the south end of Block 115. The alignment would then veer back to the southeast and join the existing undeveloped section line at a point approximately 500 feet east of the 9<sup>th</sup> Avenue South intersection. The alignment would then continue east to SE Front Street along the section line. The alignment would require no north/south deviation from the 13<sup>th</sup> Street South corridor except for the short segment near the 9<sup>th</sup> Avenue South intersection. Other features associated with the alignment would include the following:

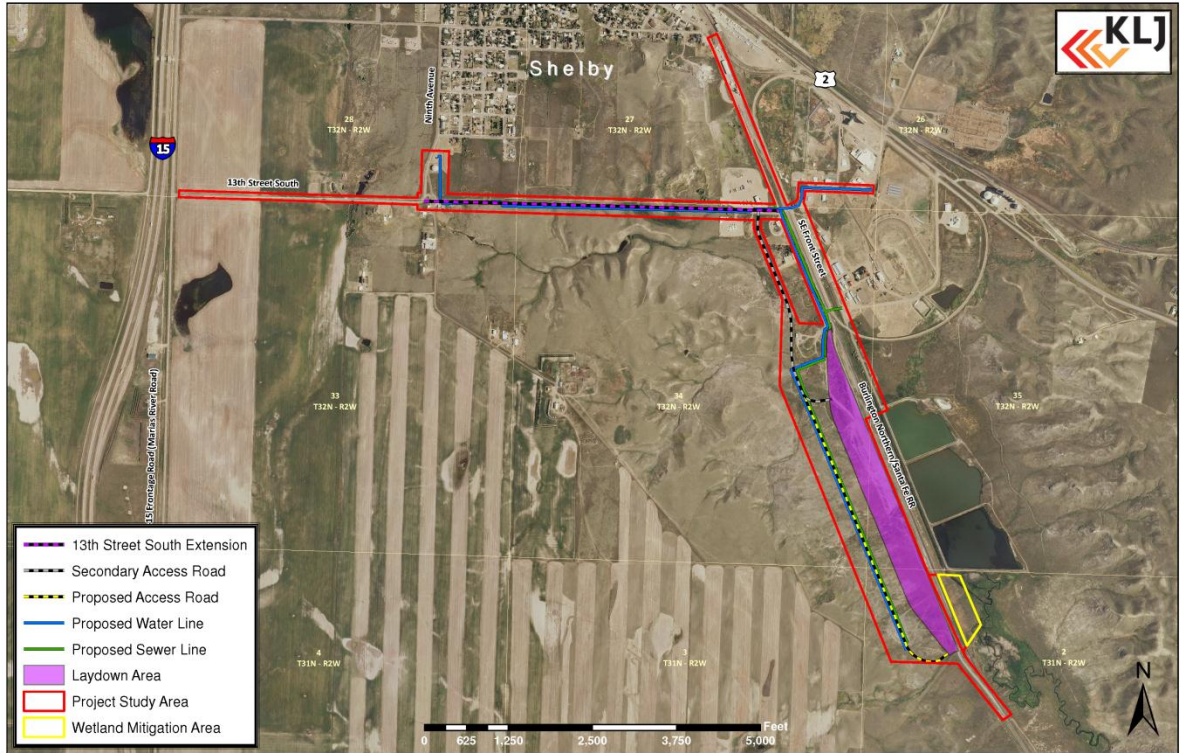
- ◆ Roadway construction consisting of two, 14-foot travel lanes and a two foot shoulder on either side of the road.
- ◆ Roadway surfacing with gravel, with a paved section at the intersection of 13<sup>th</sup> Street South and 9<sup>th</sup> Avenue South.

As with Alternatives 1 and 2, a certain amount of contouring would be required to facilitate roadway expansion and construction. From 9<sup>th</sup> Avenue South to SE Front Street, the terrain is hilly with grades up to 30 percent, which would require significant amounts of cut and fill.

Please refer to **Figure 2.1, Project Layout**







**Figure 2.1, Project Layout**

### 2.3.4 Alternatives Carried Forward

Compared to Alternative 1, Alternative 3 will provide additional north-south distance between the roadway and a residence near the intersection of 13<sup>th</sup> Street South and 9<sup>th</sup> Avenue South. Compared to Alternative 2, Alternative 3 will be shorter, will disturb less area outside of the existing 13<sup>th</sup> Street South right-of-way and will require less agricultural land conversion. Considering these factors, NETA decided to carry forward Alternative 3 (hereinafter referred to as the “Build Alternative”) for further detailed analysis, along with the No Build Alternative.

### 2.3.5 Summary of Estimated Cost

**No-Build Alternative:** If the No-Build Alternative is chosen, there would be no costs incurred from the Proposed Action because it would not be implemented.

**Build Alternative:** The costs for the Proposed Action are included in **Table 2.1, Approximate Project Costs by Task**. The total estimated cost for the Proposed Action is \$17,345,469.



**Table 2.1, Approximate Project Costs by Task<sup>2</sup>**

<b>TASK NAME</b>	<b>TOTAL COST</b>
Railroad and Laydown Yard	<b>\$7,620,960</b>
Roadway and Grading	<b>\$2,377,950</b>
Water	<b>\$3,300,854</b>
Wastewater	<b>\$1,378,205</b>
Private Utilities	<b>\$385,000</b>
Lift Machine	<b>\$1,182,500</b>
Bulk Facility	<b>\$1,100,000</b>
<b>Total Project Cost</b>	<b>\$17,345,469</b>

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<sup>2</sup> The Approximate Project Costs structure and assigned tasks are consistent with a budget provided as part of the TIGER grant application package.



## CHAPTER 3    AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

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This chapter addresses the beneficial and adverse environmental impacts of the Build and No Build Alternatives as described in Chapter 2. The inventory and evaluation of the existing environment in the study area provides the necessary baseline from which to determine the impacts of the build alternative. The potential effects to the social, physical, and natural environments from each alternative, and avoidance, minimization, and/or mitigation measures for adverse impacts are discussed below.

As described in Section 1.3, the study area for this EA consists of the footprint of the Multimodal Hub Center, which includes the combination of two corridors and the features outlined for the build alternative. For certain resources (e.g., air quality, noise, socioeconomics, etc.), the Proposed Action-related impacts could potentially extend beyond the study area (i.e., beyond the Proposed Action boundary). In such cases, impacts to locations or receptors outside of the Proposed Action boundary were considered and are noted as such in the respective subsections.

Construction and operation impacts are identified in the following discussions. Under the impact analysis, construction impacts are considered to be those attributed to construction activities associated with the Proposed Action. Operation impacts reflect the operation of the Multimodal Hub Center since the Proposed Action ultimately facilitates the Multimodal Hub Center's operation.

### 3.1    Air Quality

The Clean Air Act, as amended, requires the Environmental Protection Agency (EPA) to establish air quality standards for pollutants considered harmful to public health and the environment by setting limits on emission levels of various types of air pollutants. Criteria pollutants tracked under EPA's National Ambient Air Quality Standards (NAAQS) include SO<sub>2</sub> (sulfur dioxide), PM (particulate matter), NO<sub>2</sub> (nitrogen dioxide), O<sub>3</sub> (ozone), Pb (lead), and CO (carbon monoxide). In addition, the Montana Department of Environmental Quality (MTDEQ) has established state air quality standards; state standards must be as stringent as (but may be more stringent than) Federal standards.

The State of Montana has successfully complied with the federal NAAQS by adopting tougher ambient air quality standards for certain pollutants. In addition, it has implemented a permitting program for smaller sources of pollution and in some cases, certain emission controls to ensure that such sources of air pollution are equipped with the best emission control technology available. The MTDEQ has developed local air quality programs to regulate residential wood burning and road dust (the primary sources of particulate air pollution in Montana), as well as other minor sources of air pollution. The MTDEQ has also developed the Montana Smoke Management Plan and Open Burning Program to control the amount of harmful particulate matter that is released with smoke from prescribed burnings.

Projects funded or approved by the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA) must meet transportation conformity criteria (40 CFR 51, Subpart T and 40 CFR 93). Other federal actions, including FRA actions, must meet general conformity requirements (40



CFR 51, Subpart W). Since the proposed project is anticipated to receive funding from FRA, general conformity is described below.

A general conformity determination is required for each criteria pollutant or precursor where the total of direct and indirect emissions of the criteria pollutant or precursor in a nonattainment or maintenance area caused by a Federal action would equal or exceed any of the specified rates. For ozone maintenance areas outside ozone transport regions, the emissions limits are 100 tons per year of ozone and ozone precursors, including nitrogen oxides and volatile organic compounds (40 CFR 51.853).

A Federal agency must demonstrate that a proposed action would not cause or contribute to any new violations of the NAAQS, would not interfere with provisions in the SIP, would not increase the frequency or severity of existing violations, or would not delay timely attainment of any standard. The Federal agency must provide documentation that the total of direct and indirect emissions from such future actions would be below the conformity determination emission rates that are established in 40 CFR 51.853 (described above).

### 3.1.1 Affected Environment

Air quality resources beyond the study area were considered since the Proposed Action could potentially affect areas beyond the Proposed Action boundary.

Air quality resources were evaluated by reviewing existing air quality data. The effects on air quality resources were analyzed qualitatively by evaluating design information with regard to air quality conditions.

No site-specific ambient air quality data are available for the study area. However, the MTDEQ operates a network of Ambient Air Quality Monitoring (AAQM) stations. The AAQM station nearest to the Proposed Action area is located in Great Falls, Montana, approximately 75 miles southeast of the Proposed Action site. The Great Falls AAQM Station reported air quality data well below the state and Federal standards. Based on this information, it is apparent that the study area is located in an attainment area, which means that air quality meets the state and Federal ambient air quality standards for the criteria pollutants identified above.

The Clean Air Act affords additional air quality protection near Class I areas. Class I areas include national parks greater than 6,000 acres in size, national monuments, national seashores, and federally-designated wilderness areas that are larger than 5,000 acres and designated prior to 1977. There are no Federal Class I areas within the study area or the immediate vicinity. Glacier National park is the nearest Class I area, located approximately 65 miles west of the Proposed Action site.

### 3.1.2 Environmental Impacts

**No-Build Alternative** – Under the No-Build Alternative, air quality conditions in the study area would be unchanged because the Proposed Action would not occur. However, in-town business and residential districts would continue to be exposed to localized air pollutant emissions from truck traffic and other activities related to the existing BNSF Intermodal Terminal.



**Build Alternative – Construction Impacts.** The Proposed Action will not introduce any new major sources of air pollutants to the Proposed Action area. However, construction activities will result in direct impacts by temporarily generating minor amounts of dust and gaseous emissions of PM, SO<sub>2</sub>, NO<sub>2</sub>, CO, and volatile organic compounds. Proper procedures such as using vehicular emission control equipment (e.g., catalytic converters) and proper tuning of equipment will be followed as feasible to restrict the emissions to the immediate Proposed Action area. Also, dust control measures such as water spraying will be implemented as needed. Consequently, construction-related air pollutant emissions will be largely limited to the immediate study area and will not be expected to cause or contribute to a violation of the NAAQS.

Operation Impacts. Since the Proposed Action facilitates the operation of the Multimodal Hub Center, the Proposed Action will result in impacts associated with the operation of the Multimodal Hub Center, as discussed below.

The adverse impacts associated with the operation of the Multimodal Hub Center will be similar to those currently occurring at the existing BNSF Intermodal Terminal. Air pollutant emissions from train and vehicle traffic associated with the Multimodal Hub Center may result in minor, localized degradation of air quality. However, none of the emissions will include any substantive, continuous sources of criteria pollutants. The Multimodal Hub Center will benefit air quality in urban Shelby by relocating air pollutant emissions associated with train and related vehicle traffic to the outskirts of the city. Improved air quality conditions in the city's population center will result.

The operation of the Multimodal Hub Center, which is facilitated by the Proposed Action, will be more efficient than that of the existing BNSF Intermodal Terminal in that the number of trains that will have to be switched, connected and moved will be significantly reduced. An accompanying 1.1 million ton decrease in facility-related carbon emissions is expected to result. The 1.1 million ton decrease in carbon emissions was determined based on a comparison of the fuel consumption of a truck compared to that of a train. According to the BNSF Carbon Calculator, a truck will average 6.5 miles per gallon where a train will average 26 miles per gallon. Assuming 0.0106 metric ton of CO<sub>2</sub> produced per gallon of fuel burned, over a 20 year period, it is estimated that approximately 98,832,960 gallons of fuel will be saved as a result of the facility, resulting in a decrease of 1.05 metric tons of CO<sub>2</sub>. The State of Montana is designated as an attainment area for all criteria pollutants, so a general conformity determination is not required.

Based on the above factors, the Proposed Action is not expected to have any significant, long-term impacts on air quality and may actually result in a beneficial effect from removing train and truck traffic from downtown Shelby and reducing over-the-road truck traffic. No mitigation measures beyond those described above are proposed or necessary.

### 3.2 Water Quality and Water Resources

Water quality and water resources include the physicochemical, hydrological and water supply/use characteristics of surface and ground water in the area of interest. Water quality influences human health as well as the natural environment.

The Federal Water Pollution Control Act of 1972, as amended by the Clean Water Act (CWA) of 1977, provides the authority to the Environmental Protection Agency to establish water quality standards,



control discharges into surface and subsurface waters, develop waste treatment management plans and practices, and issue permits for discharges (Section 402). CWA Section 404 authorizes the US Army Corps of Engineers to issue permits for the discharge of dredged or fill material into Waters of the US.

Section 10 of the Rivers and Harbors Act of 1899 prohibits the obstruction or alteration of navigable Waters of the US without a permit from the US Army Corps of Engineers. Examples of such obstructions would include water supply intakes, wastewater discharge structures, transmission lines, etc.).

The EPA has the authority to protect the quality of drinking water under the Safe Drinking Water Act (SDWA) of 1974. As amended in 1986 and 1996, the SDWA requires measures for protecting drinking water and its sources: rivers, lakes reservoirs, springs, and ground water wells<sup>3</sup>.

### 3.2.1 Affected Environment

Water quality and water resources were evaluated by reviewing existing documentation including publicly available aerial photography and water resource data. The effects on water resources were analyzed qualitatively by evaluating design information with regard to surface waters and groundwater.

The study area is located in the Northern Rocky Mountain Foothills region of Montana on the eastern edge of the Rocky Mountains. This region is arid, with the amount of precipitation in portions of the region being too low to sustain high-yield crop growth. In other locations in the region, however, precipitation is adequate for grain farming and forage production. The region has few isolated surface water basins, with the majority of surface waters being associated with the major rivers and small streams which provide most of the water for irrigation. The study area lies within the Marias River Watershed Basin. The Marias River Watershed Basin encompasses approximately 3.3 million acres inside Montana. The topography ranges from the mountainous terrain in the west near Glacier Park, to the gently rolling and generally level terrain to the east. The rivers and streams that comprise the basin are utilized for drinking water, crop irrigation, recreation, and fish habitat. The majority of the study area is located within the Pearson Coulee-Marias River sub watershed, with the western portion of the 13<sup>th</sup> Street South alignment extending into the Aloe Lake sub watershed.

There are no perennial streams located within the study area. The closest large water body is the Marias River located approximately 4.3 miles south of the study area. There are no protected waters of special quality or concern, essential fish habitats, or protected drinking water resources located in the study area or the surrounding vicinity. Wetlands occur in the study area and are described in Section 3.4.

There are no navigable waters in the study area that are subject to Section 10 of the Rivers and Harbors Act of 1899.

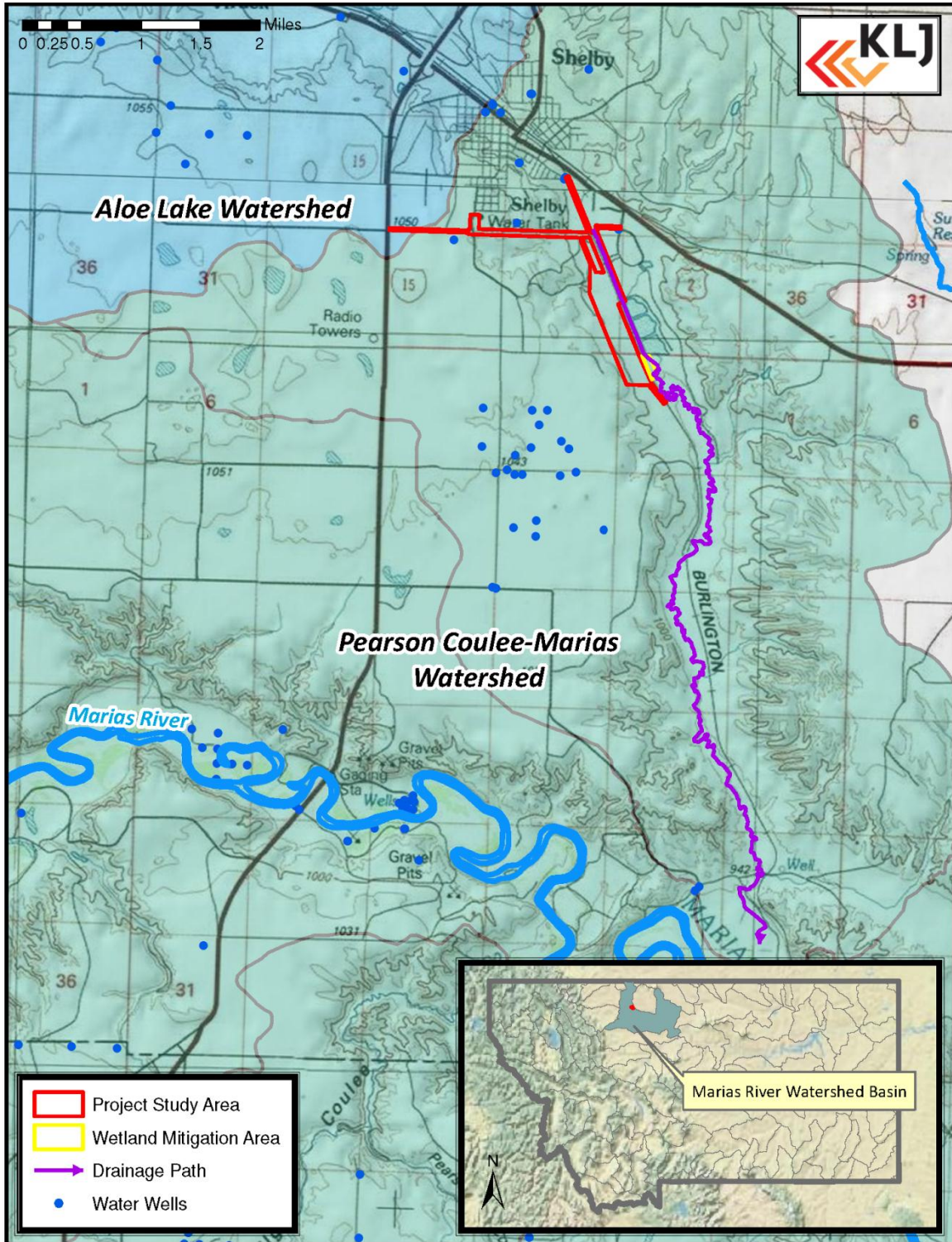
A search of the Montana's Ground Water Information System indicated there are no water wells or municipal, stock, or other uses within the study area. Please refer to **Figure 3.1, Groundwater Wells**.

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<sup>3</sup> The SDWA does not regulate private wells that serve fewer than 25 individuals.







*Figure 3.1, Groundwater Wells*



### 3.2.2 Environmental Impacts

**No-Build Alternative** – The No-Build Alternative would not result in changes to existing water resources because the existing BNSF Intermodal Terminal would continue to operate as it currently does. Stormwater and wastewater production regimes at the BNSF Intermodal Terminal would continue to follow existing patterns and would be handled and treated by the existing management systems. Water supply requirements would continue to be met by the City of Shelby’s water supply system.

**Build Alternative** – The following paragraphs discuss potential impacts to water quality and water resources. Overall, no significant impacts to water quality or water resources will result from Phase 4 construction and operation, and no mitigation beyond that discussed below will be needed.

Construction Impacts. Construction activities which disturb the ground surface and expose the underlying soils can change the existing drainage patterns of an area and temporarily degrade surface and ground water quality as a result of sedimentation and soil erosion. Construction activities can also introduce petroleum and chemicals through spills and improper chemical application procedures (e.g., fertilizer). Such materials can infiltrate the soil or be carried by stormwater and ultimately contaminate surface waters and groundwater reserves.

The Proposed Action could impact local water resources (including wetlands in the study area) during construction. However, the Proposed Action will include the installation of standard stormwater management and erosion control measures and utilize other construction Best Management Practices (BMPs, including spill prevention and cleanup procedures and revegetation/stabilization of disturbed areas) to reduce the effects on local surface and groundwater resources. Wetland disturbance will be avoided to the extent feasible (see Section 3.4). Considering such measures and the fact that construction-related stormwater runoff, sedimentation and erosion will be minor and temporary, construction impacts to water quality will be insignificant.

Operation Impacts. Operation of the Multimodal Hub Center may result in an increase in turbidity of surface waters due to sedimentation which could indirectly affect aquatic life since it may block light transmission and slow biochemical and natural purification processes. Considering that aquatic resources in the study area are not unique or significant, such impacts are expected to be negligible.

The operation of the Multimodal Hub Center and the development of the wetland mitigation site may result in a small but inconsequential change in the volume and pattern of stormwater runoff from the Proposed Action area. To reduce these effects, the Proposed Action will include the installation of standard stormwater management measures such that when the Multimodal Hub Center commences operation, surface runoff from the site will follow existing patterns. The Multimodal Hub Center will use the appropriate chemical/oil storage facilities and procedures and spill prevention and cleanup measures to reduce the potential for accidental releases of these materials to surface water and groundwater.

Another potential operation impact of the Multimodal Hub Center is the generation of wastewater from toilet flushing, dishwashing, and equipment washing. However, the Proposed Action will include the installation of wastewater facilities which will be sized to handle the anticipated demand at the Multimodal Hub Center. The wastewater from the Multimodal Hub Center will drain into the City of



Shelby's existing sewer system which has sufficient capacity to handle the wastewater. Consequently, no significant wastewater impacts will occur since no direct wastewater releases to local surface or groundwater bodies will be required.

An additional operation impact of the Multimodal Hub Center will be the use of water resources for water supply purposes. The water supply will be obtained from the City of Shelby's existing water distribution system which has enough capacity to meet the needs of the Multimodal Hub Center. According to the Shelby Water System Extension Preliminary Engineering Report prepared for the Multimodal Hub Center, the expected average day demand of the facility is estimated to be 188,032 gallons with a peak day demand of 564,096 gallons. According to the DEQ Water Main Certified Checklist Capacity Certification Letter, the City of Shelby's water supply system has adequate capacity to supply the facility with the required demands. The Multimodal Hub Center will not require dedicated surface water withdrawals or groundwater extraction and will not extend deep enough below the surface to penetrate groundwater aquifers. Therefore, the water use requirements of the Build Alternative will not impact surface or groundwater quality or availability.

### 3.3 Noise and Vibration

This section addresses the potential for the Proposed Action to result in noise and vibration impacts on local residents and businesses.

#### 3.3.1 Affected Environment

Noise and potential vibration levels were qualitatively evaluated by reviewing aerial photography and observations of the types of development (i.e., residential vs. commercial vs. industrial) made during onsite surveys. The potential effects of the Proposed Action from noise and vibration levels were analyzed by evaluating the number of receptors (i.e., businesses, residences, schools) within 1,000 feet of the study area.

The study area is located southeast of Shelby in an area zoned as an industrial TIF District. The surrounding area is primarily undeveloped agricultural and industrialized land. Residences, businesses, parks, and other sensitive receptors are located north of the study area. There are no sensitive receptors within the study area itself, but based on a review of aerial photography, there are 75 residences, 16 commercial facilities, a fairgrounds and a church within 1,000 feet of the study area.

#### 3.3.2 Environmental Impacts

**No-Build Alternative** – The noise and vibration associated with the existing BNSF Intermodal Terminal in downtown Shelby includes the switching, separating, and coupling of trains, the loading and unloading of freight, and the arrival and departure of commercial truck traffic. The No-Build Alternative would result in trains continuing to utilize the existing facility, and noise and vibration impacts on residences and businesses near the BNSF Intermodal Terminal would also continue.

**Build Alternative** – *Construction Impacts.* Construction associated with the Proposed Action will result in increases in noise and vibration levels due to the operation of construction vehicles and equipment, the delivery of materials, and other construction-related work. However, such activities will be limited to daytime hours, will be localized, and will be of relatively short duration. Also, noise





abatement measures will be incorporated by NETA into the Proposed Action plans and specifications, as appropriate. This will include measures such as limiting construction to daytime hours and maintaining noise attenuation measures (e.g., mufflers, shields, dampeners, aprons, etc.) on equipment. Consequently, no significant, long-term impacts on local noise levels are expected due to construction.

*Operation Impacts.* As road and rail traffic and associated activities increase in the study area due to the operation of the Multimodal Hub Center, localized noise and vibration levels are anticipated to increase. However, the design for 13<sup>th</sup> Street South will have a posted driving speed of 35 mph, resulting in lower traffic-related noise due to the lower driving speed. Also, the distance between the Multimodal Hub Center and surrounding residential and commercial developments will likewise diminish the noise impacts. Consequently, the operation of the Multimodal Hub Center is not expected to create any additional noise or vibration impacts on sensitive receptors beyond what is already experienced. In fact, by locating the operations associated with the Multimodal Hub Center to an area south of the city, the magnitude of noise and vibration impacts within the City and the number of affected sensitive receptors, when compared to the existing BNSF Intermodal Terminal, will likely be reduced.

### 3.4 Wetlands

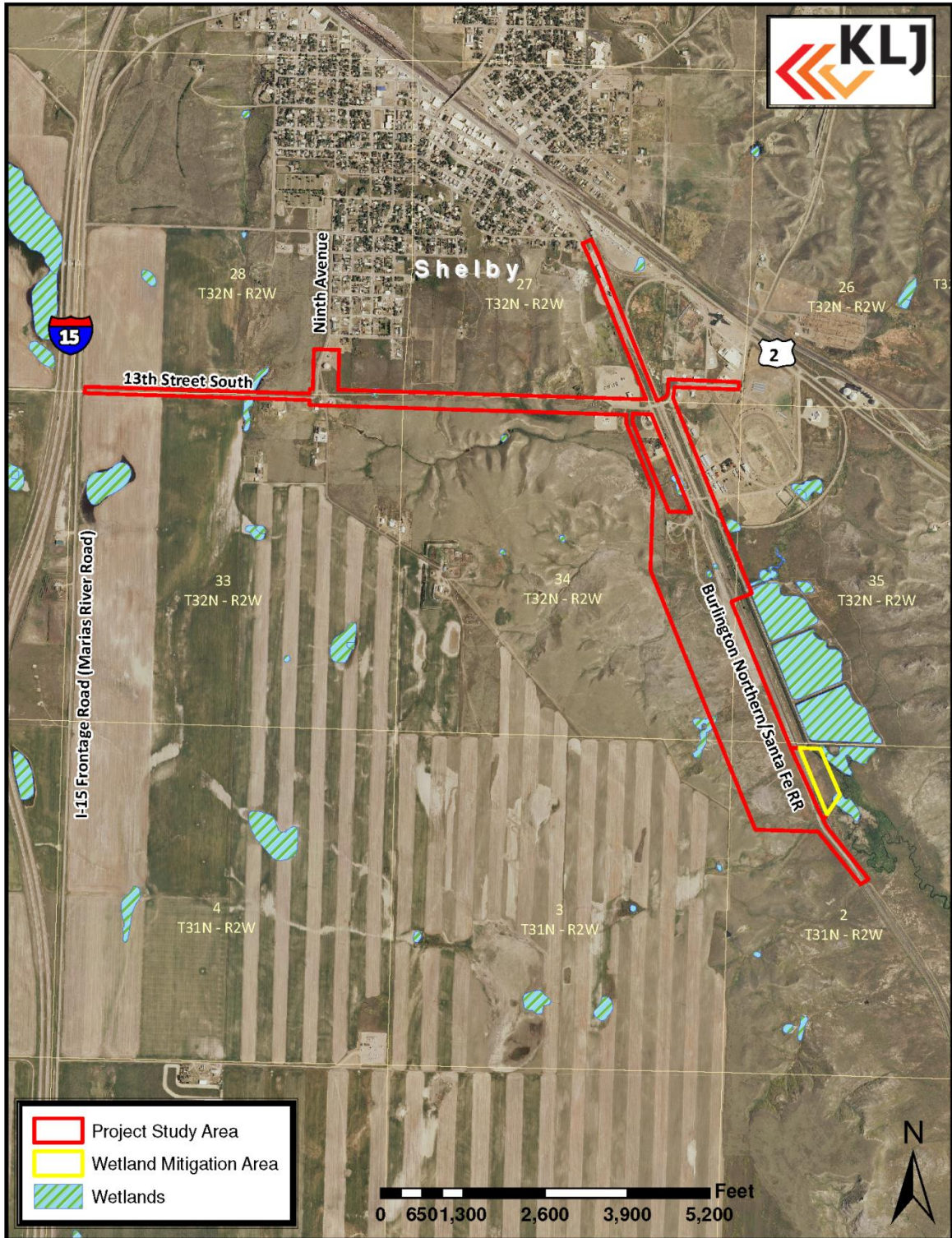
Wetlands are defined in both Executive Order (EO) 11990, Protection of Wetlands, and in Section 404 of the Clean Water Act, as those areas that are inundated by surface or groundwater with a frequency to support and under normal circumstances do or would support a prevalence of vegetation or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Three parameters that define a wetland, as outlined in the United States Army Corps of Engineers (USACE) 1987 Federal Manual for Delineating Jurisdictional Wetlands are hydric soils, hydrophytic vegetation, and hydrology. Wetlands are a natural resource serving many functions such as providing wildlife habitat, storing floodwaters, recharging groundwater, and improving water quality through purification. EO 11990 discourages the unwarranted alteration of wetlands.

#### 3.4.1 Affected Environment

Wetland resources beyond the study area were considered since the Proposed Action could potentially affect areas beyond the Proposed Action boundary. Wetland resources were evaluated by reviewing existing documentation as described below and by conducting field delineations. The effects on wetlands were analyzed quantitatively by superimposing design layouts over site-specific wetlands data and identifying the location and areal extent of impacts.

Wetlands within the study area were identified by review of NWI (National Wetland Inventory) maps, USGS (United States Geological Survey) topographical maps, Toole County Soil Survey, and aerial photographs. A wetland delineation was conducted on the 226-acre Proposed Action site on March 6, 2012. There were eight wetlands identified in the study area totaling 5.3 acres. The wetland delineation information was submitted to the USACE along with a request for a Jurisdictional Determination (JD) on July 24, 2012. The USACE responded with a JD for the wetlands on September 12, 2012. Please refer to *Figure 3.2, Wetlands*.





**Figure 3.2, Wetlands**

NETA subsequently determined in consultation with the USACE that a Section 404 permit will be required for anticipated impacts to onsite wetlands, and that wetland mitigation will be required. NETA submitted an application for a Section 404 permit and a mitigation plan to the USACE. The wetland mitigation, as outlined in the mitigation plan, will consist of the development of an approximately 3 acre wetland mitigation site at a location immediately southwest of the City of Shelby's existing sewage treatment lagoons (see Figure 1.1). The western boundary of the mitigation site will follow the BNSF property line and tie into the natural topography of the surroundings. The mitigation site comprises an area of about 200 feet by 940 feet.

The wetland mitigation site currently supports a small wetland. The wetland will be expanded by excavating the upland landscape and merging it with the existing wetland and associated natural drainage system. The wetland will include side slopes of approximately 3:1 and a varying bottom elevation to allow for various water depths. Bottom elevations will range from approximately 3178.5 to 3180.0 ft. above sea level.

The Section 404 permit application and wetland mitigation plan is currently under review at the USACE.

### 3.4.2 Environmental Impacts

**No Build Alternative** – The No-Build Alternative would not impact wetlands because the Proposed Action would not be implemented.

**Build Alternative** – Construction Impacts. The layout for the Proposed Action has been designed to avoid wetland impacts to the extent feasible. Nevertheless, construction will result in permanent impacts to about 1.5 acres of wetlands. As mentioned above, consultations with the USACE indicated that such impacts would require a Section 404 dredge and fill permit as well as wetland mitigation at a 2:1 areal ratio. NETA drafted and submitted a Section 404 permit application package (consisting of a proposed wetland mitigation site location, wetland mitigation plan, and 404 dredge and fill permit application) to USACE. A wetland mitigation site has been identified and is shown on *Error! Reference source not found.*. The site will be developed during construction and after the USACE's approval of the mitigation plan and issuance of the 404 permit.

Considering the mitigation of the wetlands, no significant impacts to wetlands will occur.

Operation Impacts. The operation of the Multimodal Hub Center may result in minor increases in erosion and stormwater runoff volume and changes in runoff quality which could, in turn, indirectly affect wetlands that may receive runoff. However, standard erosion control measures, stormwater management techniques, and chemical/oil spill prevention and cleanup procedures will be implemented at the Proposed Action site to reduce impacts to water quality and hydrology. Consequently, no significant, indirect impacts to wetlands are anticipated and no further mitigation is required.

The development of the wetland mitigation site may increase the time in which precipitation flows reach downstream drainages. However, this effect will be largely limited to the first flush following a precipitation event and will have no significant impact on downstream drainages.





## 3.5 Biological Resources

This section identifies the biological resources that currently exist at and adjacent to the Proposed Action site and addresses the potential impacts that may result from the Proposed Action. The study area for biological resources consists of the Proposed Action area as described in Section 1.5 (Study Area) of this document. Biological resources were evaluated by reviewing existing documentation such as the USFWS August 2012 Endangered, Threatened, Proposed and Candidate Species Montana County List, information provided by the Montana Natural Heritage Program in its letter dated May 7, 2012 (please see Appendix B), aerial photographs, USGS quadrangle maps, and other relevant information. In addition, onsite surveys were conducted on March 6, August 9, and October 31, 2012 to characterize environmental conditions (including biological conditions) in the study area.

Baseline conditions and Proposed Action-related impacts for threatened and endangered species, eagles, migratory birds and wildlife, and aquatic resources are addressed in the following paragraphs.

### 3.5.1 Threatened and Endangered Species

In accordance with Section 7 of the *Endangered Species Act* (ESA) of 1973, as amended, federal agencies are required to ensure:

- ◆ Any action funded or carried out by such agency must not be likely to jeopardize the continued existence of any federally-listed endangered or threatened species or species proposed to be listed.
- ◆ No such action can result in the destruction or adverse modification of habitat of such species that is determined to be critical by the Secretary.

An endangered species is in danger of extinction throughout all or a significant portion of its range. A threatened species is one that is likely to become endangered in the foreseeable future. A candidate species is a plant or animal for which the United States Fish and Wildlife Service (USFWS) has sufficient information on its biological status and threats to propose it as endangered or threatened under the ESA, but for which development of a proposed listing regulation is precluded by other higher priority listing activities. Consistent with the spirit of the ESA, candidate species are considered these species as having significant value and worth protecting.

#### 3.5.1.1 Affected Environment

The USFWS has identified the black-footed ferret (Federal endangered species) and the Sprague's pipit (Federal candidate species) as occurring within Toole County. No federally-listed species were observed in the study area during the onsite surveys described above.

Habitat requirements, the potential for suitable habitat within the study area and other information regarding listed species for Toole County are as follows:

#### **Black-footed Ferret (*Mustela nigripes*) – Endangered**

The black-footed ferret (*Mustela nigripes*) historically could be found throughout the Rocky Mountains and Great Plains. Its preferred habitat includes areas around prairie dog towns, as it relies on prairie dogs for food and lives in prairie dog burrows. The black-footed ferret requires at least an 80-acre prairie dog town to survive.



Within Montana, three experimental populations have been re-introduced. The Proposed Action is not near any of these populations.

The study area itself does not contain suitable prairie dog habitat. A small prairie dog town is located south of the Shelby lagoons to the east of the study area. This prairie dog town is approximately 24 acres in size, and therefore, is unsuitable for colonization by black-footed ferret.

Because there is a lack of suitable habitat, the study area is not expected to support populations of the black-footed ferret.

#### **Sprague's Pipit (*Anthus spragueii*) – Candidate**

The Sprague's pipet (*Anthus spragueii*) is a small songbird found in prairie areas throughout the Northern Great Plains. Preferred habitat includes rolling, upland, and mixed-grass prairie habitat with high plant species diversity. The Sprague's pipet breeds in habitat with minimal human disturbance.

The Proposed Action area is located in an actively grazed, short-grass prairie setting with portions of the study area adjacent to industrial uses. Due to the disturbed nature of local prairie habitats, there is a lack of suitable Sprague's pipet habitat within the study area. Therefore, the study area is not expected to support populations of the Sprague's pipit.

#### *3.5.1.2 Environmental Impacts*

**No-Build Alternative** – The No-Build Alternative would have no effect on threatened or endangered species or candidate species because the Proposed Action would not be implemented.

**Build Alternative** – Activities associated with construction and operation – such as site clearing grading (specific to construction), equipment operation, human activity, oil/chemical storage, etc. – can impact wildlife via noise emissions, stormwater/wastewater generation, accidental oil/chemical releases, air pollutant emissions, physical injury or mortality, and habitat disturbance. Impacts can be permanent (as in certain habitat impacts, such as the filling of a wetland) or short-term (as in the temporary, disturbance-induced dispersal of wildlife from a construction site); direct (such as the collision of an animal with a construction vehicle) or indirect (as in the runoff or wastewater-related degradation of water quality in a local stream). The significance of impacts on a population can vary depending on many factors such as the magnitude and duration of the impact; the areal extent of the impact; the distribution of the affected species in the impact area; the sensitivity, mobility, and overall adaptability and recoverability of the affected species and life stages; and others. Development activities (especially construction activities) can likewise disturb vegetative communities and temporarily or permanently alter their composition which, in turn, can affect the composition of the local wildlife population.

Threatened and endangered species and their habitats comprise unique subcategories of the wildlife and botanical communities of an ecosystem and as such, are subject to the impacts described above. Due to their reduced or naturally low numbers, unique habitat requirements, sensitivity to disturbance, or other characteristics, however, threatened and endangered species can be at increased risk in terms of their susceptibility to impacts.

*Construction Impacts.* Individuals or populations of the black-footed ferret or Sprague's pipit or their habitats—if occurring near the Proposed Action site—could be exposed to many of the direct effects

described above. As previously mentioned, however, neither species was observed in the study area, nor would be expected to occur in the immediate vicinity due to the lack of suitable habitat at or near the Proposed Action site. Therefore, no impacts to black-footed ferret, Sprague's pipit, or other listed or candidate species or their habitats are expected, and no further mitigation for direct impacts is necessary or proposed.

Operation Impacts. Individuals or populations of the black-footed ferret or Sprague's pipit or their habitats—if occurring near the Multimodal Hub Center—could be exposed to many of the effects described above. As previously mentioned, however, neither species was observed in the study area, nor would be expected to occur in the immediate vicinity due to the lack of suitable habitat at or near the Multimodal Hub Center. Therefore, no impacts to black-footed ferret, Sprague's pipit, or other listed or candidate species or their habitats are expected, and no further mitigation for indirect impacts is necessary or proposed.

### 3.5.2 Bald and Golden Eagles

Protection is provided for bald and golden eagles through the Bald and Golden Eagle Protection Act (BGEPA). The BGEPA of 1940, 16 U.S.C. 668–668d, as amended, was written with the intent to protect and preserve bald and golden eagles, both of which are treated as species of concern within the Department of the Interior. The BGEPA prohibits, except under certain specified conditions, the taking, possession or commercial use of bald and golden eagles. Under the BGEPA, to “take” includes to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb, wherein “disturb” means to agitate or bother a bald or golden eagle to the degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, causing injury, death, or nest abandonment.

#### 3.5.2.1 Affected Environment

##### **Bald Eagle (*Haliaeetus leucocephalus*)**

The bald eagle (*Haliaeetus leucocephalus*) in Montana, as elsewhere, is primarily a species of riparian and lacustrine habitats, especially during the breeding season. Important year round habitats include wetlands, major water bodies, spring spawning streams, ungulate winter ranges and open water areas. Wintering habitat may include upland sites. Nesting sites are generally located within larger forested areas near large lakes and rivers where nests are usually built in the tallest and oldest large-diameter trees. Nesting site selection is dependent upon local food availability and the level of disturbance from human activity. Bald eagle pairs tend to use the same nest year after year, building atop the previous year's nest.

The bald eagle population in Montana is considered one of the most productive populations in the western United States. In 1994, when the Montana Bald Eagle Management Plan was completed, Montana had approximately 156 active bald eagle territories. Population models estimated that Montana could support as many as 345 occupied territories by the year 2033, if sufficient habitat exists. In 2006, Montana's population surpassed this population target with 352 occupied territories, over 25 years earlier than predicted. As of 2008, Montana had approximately 490 occupied bald eagle territories with targets/goals that had been set by biologists for individual recovery zones having been exceeded by four to seven times the recovery goal.



No bald eagles or nests were observed within 0.5 mile (the USFWS-recommended distance between eagle nests and loud noises) of the study area during the onsite surveys. Please refer to **Figure 3.3, Bald and Golden Eagle Nest Locations**.

**Golden Eagle (*Aquila chrysaetos*)**

The golden eagle (*Aquila chrysaetos*) in Montana nests on cliffs and in large trees, and hunts over prairies and open woodlands. Golden eagle pairs maintain territories that can be as large as 60 square miles. They perch on ledges and rocky outcrops and use soaring to search for prey. Golden eagle preferred habitats include open prairie, plains, and forested areas.

No golden eagles or nests were observed within 0.5 mile of the study area during the onsite surveys.

**3.5.2.2 Environmental Impacts**

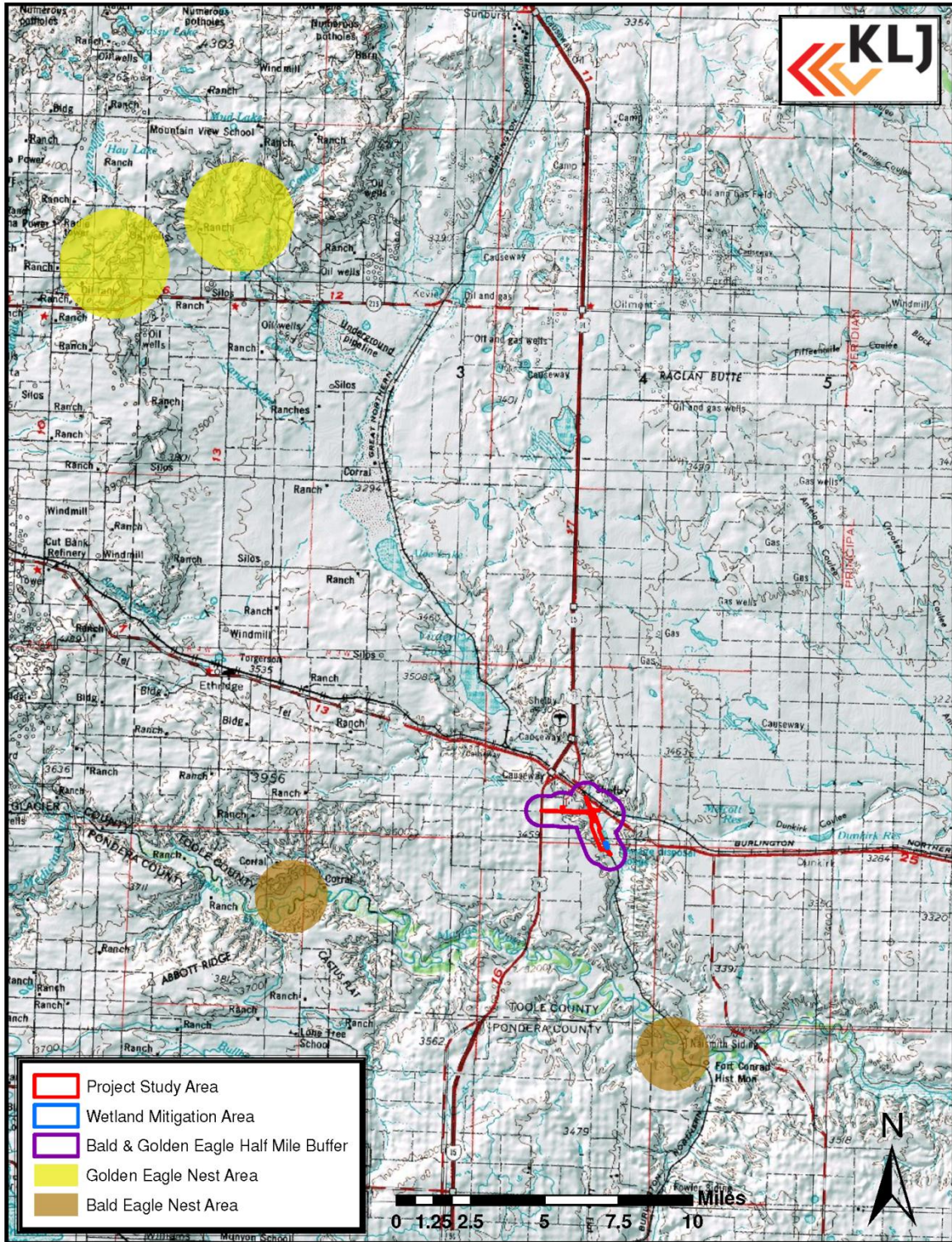
**No Build Alternative** – The No-Build Alternative would not impact bald or golden eagles because the Proposed Action would not be implemented.

**Build Alternative – Construction Impacts**. Based on the lack of presence of eagles or their nests in the study area, the Proposed Action is not anticipated to impact bald or golden eagles. However, if bald or golden eagles or their nests are sighted during construction, all work within one mile of the eagle would cease and the USFWS would be contacted immediately. In coordination with USFWS, work would resume after the bird(s) leave(s) the area, the nesting season has been completed, or it is otherwise determined by the USFWS that continued work activities would have no significant effect on the eagles.

**Operation Impacts**. Based on the lack of presence of eagles or their nests in the study area, no impacts to bald or golden eagles through the operation of the Multimodal Hub Center are expected.







*Figure 3.3, Bald and Golden Eagle Nest Locations*





### 3.5.3 Migratory Birds and Other Wildlife

The Migratory Bird Treaty Act (MBTA), 916 U.S.C. 703–711, provides protection for 1,007 migratory bird species, 58 of which are legally hunted. The MBTA regulates impacts to these species such as direct mortality, habitat degradation, and/or displacement of individual birds. The MBTA defines “taking” to include by any means or in any manner, any attempt at hunting, pursuing, wounding, killing, possessing, or transporting any migratory bird, nest, egg, or part thereof, except when specifically permitted by the regulation.

#### 3.5.3.1 Affected Environment

Migratory Birds. The study area lies on the outskirts of Shelby at the convergence of the Pacific and Central Flyways of North America. As such, the vicinity surrounding the site is used as resting grounds for many birds on their spring and fall migrations, as well as nesting and breeding grounds for many species.

Other Wildlife. In addition, the general vicinity of the Proposed Action contains suitable habitat for other resident species such as mule deer (*Odocoileus hemionus*), white-tailed deer (*Odocoileus virginianus*), moose (*Alces americanus*), sharp-tailed grouse (*Tympanuchus phasianellus*), ring-necked pheasant (*Phasianus colchicas*), coyote (*Canis latrans*), red fox (*Vulpes vulpes*), American badger (*Taxidea taxus*), eastern cottontail rabbit (*Sylvilagus floridanus*), several other rabbit/hare species from the family *Leporidae*, and pronghorn (*Antilocapra americana*).

The study area itself has been largely disturbed due to previous development and consists of a mix of industrial/municipal infrastructure (including rail line, roadways, sewage treatment facilities, and private business facilities), wetlands (about five acres, some of which appear to have been created as a result of the installation of rail and road beds), and small amounts of mixed-grass uplands. Consequently, the study area has only small stands of natural habitat and as such, is of limited habitat value. The wildlife species that occur at the site typically include those that are tolerant of urban setting, human activities and/or marginal habitat conditions.

#### 3.5.3.2 Environmental Impacts

**No-Build Alternative** – The No-Build Alternative would not impact migratory birds or wildlife because the Proposed Action would not be implemented.

**Build Alternative** – Construction Impacts. It is likely that, due to the presence of small amounts of suitable habitat within the study area, certain wildlife species will be present during construction and thus, could be affected by related activities. Such effects may include injury or death from operating equipment, habitat degradation (i.e., replacement of native grass with weedy species; degradation of wetlands due to changes in runoff patterns; accidental chemical or oil spills, etc.) or loss, and other impacts. In the case of the Proposed Action, however, the potential for substantial construction-related spills is low since any chemical or oil product onsite during construction will be in relatively small quantities and/or will be stored and handled in accordance with the appropriate industrial procedures. Likewise, the potential for substantial construction changes in stormwater characteristics due to the Proposed Action will be low because the appropriate BMPs, such as silt fencing and reseeding disturbed areas, will be implemented to control soil erosion and minimize the potential for sediment-laden runoff to affect wetlands and other waters.



The study area has limited habitat value and does not represent important breeding, feeding or loafing habitat for resident or migratory wildlife. As such, it would be unlikely to attract or hold significant numbers of migratory birds or other wildlife. Also, while human-tolerant migratory bird or wildlife species may use the study area for breeding and feeding and continue to thrive, Proposed Action-related activities may displace species which are less human-tolerant or possess more restrictive habitat requirements.

*Operation Impacts.* Activities associated with the operation of the Multimodal Hub Center may result in the displacement of wildlife species which may then be forced to utilize lower quality habitats or to relocate to other areas where population density and competition may increase. Consequences of such displacement and competition may include lower survival, lower reproductive success, lower recruitment, and lower carrying capacity. Operation activities could also result in wildlife injury or death from operating equipment, and disturbances from noise and human activity.

Migratory birds (particularly waterfowl) and other wildlife could also be affected by changes in stormwater runoff patterns or physicochemical characteristics, or inadvertent releases of oil or chemical products to local water bodies (i.e., wetlands, lakes/ponds, streams, and intermittent drainages) during the operation of the Multimodal Hub Center. When such impacts are pronounced, the viability of wildlife populations which use those water bodies for feeding, reproduction, cover or resting could be compromised. In the case of the Multimodal Hub Center, however, the potential for substantial spills is low since any chemical or oil product onsite will be in relatively small quantities and/or will be stored and handled in accordance with the appropriate industrial procedures. Likewise, the potential for substantial, operation-related changes in stormwater characteristics will be low because the Multimodal Hub Center will be designed to largely avoid disruption of drainage patterns across the landscape. Also, the appropriate BMPs, such as silt fencing and reseeding disturbed areas, will be implemented to control soil erosion and minimize the potential for sediment-laden runoff to affect wetlands and other water bodies. Considering these factors, it is unlikely that the Multimodal Hub Center will have any significant operation-related impacts on migratory birds or wildlife. No additional mitigation measures are required.

### 3.5.4 Aquatic Resources

Aquatic resources as discussed herein include aquatic habitat (water bodies) and the communities that use that habitat, including fish, aquatic invertebrates, and aquatic plants.

#### 3.5.4.1 Affected Environment

The only water bodies in the study area include several small wetlands (eight wetlands totaling 5.3 acres) and a network of existing stormwater ditches. Data regarding the composition (i.e., species composition and abundance) of the aquatic communities associated with these water bodies are not available. Based on observations made during the onsite surveys, however, none of the water bodies represent unique habitats. Therefore, it is expected that the aquatic communities in the study area are comprised of fish, invertebrate and plant populations common to similar habitats in western Montana.



#### 3.5.4.2 Environmental Impacts

**No-Build Alternative** – The No-Build Alternative would not impact aquatic resources because the Proposed Action would not be implemented.

**Build Alternative** – *Construction Impacts.* Aquatic communities in the study area could be adversely affected by Proposed Action-related activities. Such effects may include stress, injury or death of organisms from dredge and fill or other in-water activities, habitat loss (e.g., filling of wetlands), and disturbances due to noise and human activity. However, water bodies in the study area are relatively small, do not exhibit any unique habitat characteristics, and likely support species common to the region. Therefore, any Proposed Action-induced impacts to water bodies and associated aquatic communities in the study area will not be significant.

*Operation Impacts.* Operation impacts to aquatic populations could result from habitat modification and degradation due to stormwater runoff, sediment deposition, and oil and chemical releases which can affect aquatic life by blocking light transmission and interfering with biological processes. As mentioned above, however, aquatic communities in the study area are not unique and are probably comprised of species common to the region. Therefore, any impacts from the operation of the Multimodal Hub Center on local aquatic communities will not be significant. The implementation of the measures described in previous paragraphs, (i.e., proper storage and handling of oil and chemicals; design measures to retain existing drainage onsite drainage patterns; the implementation of erosion control BMPs) will further reduce operation-related impacts.

The wetland mitigation site will provide a small amount of additional habitat for aquatic species.

### 3.6 Floodplains

Floodplains constitute lands situated along rivers and their tributaries that are subject to periodic flooding with a one percent chance of being flooded in any given year, on the average interval of 100 years or less.

Continued encroachment on floodplains decreases the natural flood control capacity of these lands, creates the need for expensive manmade flood control measures and disaster relief activities, and endangers both lives and property. Executive Order 11988 requires Federal agencies to avoid actions, to the extent practicable, which would result in the locations of facilities in floodplains and/or affect floodplain values. Facilities located in a floodplain may be damaged or destroyed by a flood or may change the flood-handling capability of the floodplain.

#### 3.6.1 Affected Environment

Floodplains were evaluated by reviewing existing documentation including aerial photography, water resources data, and floodplain and contour maps. The effects on floodplains were analyzed by evaluating design information with regard to the above-mentioned floodplain information.

A search of the FEMA Map Service Center provided the Flood Insurance Map included in Appendix C, and is the only available flood map for the area. The map does not include the Proposed Action site. Therefore, the Proposed Action is not located within a designated floodplain.



### 3.6.2 Environmental Impacts

**No-Build Alternative** – The No-Build Alternative would not impact floodplains because the Proposed Action would not be implemented and would not result in any indirect impacts to floodplains.

**Build Alternative** – Construction Impacts. The Proposed Action site is not located within a designated floodplain. Therefore, the Proposed Action will not impact floodplains.

Operation Impacts. The Multimodal Hub Center will have not impacts to floodplains since it is not located within a designated floodplain.

## 3.7 Energy Use

Energy use addresses the energy requirements of the construction and operation of a proposed project.

### 3.7.1 Affected Environment

Existing energy use was evaluated by reviewing energy requirements for construction, energy use data for the BNSF facility and the availability of existing infrastructure in the study area. The Proposed Action-related effects on energy use were analyzed by considering the energy needs for the Proposed Action as they relate to the availability of energy.

The study area is zoned as an industrial TIF District, and is located 1.5 miles to the southeast of the existing BNSF facility. Electrical distribution runs parallel to the existing railroad track. There are two large transmission lines within one-half mile of the Proposed Action site.

### 3.7.2 Environmental Impacts

**No-Build Alternative** – The No-Build Alternative would have no effect on current energy use because the Proposed Action would not be implemented and the existing BNSF facility would continue to operate as it currently does.

**Build Alternative** – Construction Impacts. The Proposed Action will include the installation of additional electrical lines. Minor amounts of electrical power will be required for construction and will be provided by portable electrical generators, petroleum and local electrical distribution provided by Marias River Electrical Co-op.

Operation Impacts. The operation of the Multimodal Hub Center will have long-term impacts on local electrical energy supplies. Considering that Marias River Electrical Co-op has adequate power to supply power to the Multimodal Hub Center, however, such impacts will not be significant.

## 3.8 Visual Resources

The visual quality of an area may be affected by the introduction of new buildings, structures, landscape modifications, or other features. These effects may be significant to visually sensitive areas, such as: historic properties, cultural resources, traditional cultural places, cultural landscapes, areas of scenic beauty, scenic overlooks and highways, wilderness areas, parks, and national forests, or along wild and scenic rivers, recreational, or nationwide inventory rivers.





### 3.8.1 Affected Environment

Visual resources outside of the study area were considered since activities at the Proposed Action site can be viewed from areas beyond the Proposed Action boundary.

Visual resources were evaluated based on a review of existing documentation including aerial photography and USGS 7.5 minute quadrangle maps, and on photographs taken and ground-level observations made during onsite surveys conducted on March 6, August 9, and October 31, 2012. The effects on visual resources were analyzed by evaluating design information to estimate the potential visual effect of proposed operations on the scenic landscape based on the Federal Highway Administration (FHWA) Visual Impact Assessment for Highway Projects: FHWA Publication No. FHWA-HI-88-054.

The Proposed Action site is located southeast of Shelby on zoned industrial TIF District land. The study area and the vicinity immediately surrounding the site exhibit industrial visual characteristics and include a body shop, grain elevator, and a loop railroad spur providing rail access to the grain elevator. City of Shelby sewage lagoons are east of the site. To the west and south are cropped agricultural fields. Shelby, with residences, businesses, and a recreational park, lies directly to the north. The overall landscape is dominated by rolling plains with bluffs in the distance.

There are no visually sensitive areas in the study area or the surrounding vicinity. Visually sensitive is defined as aesthetic resources of local, statewide or national significance.

### 3.8.2 Environmental Impacts

**No-Build Alternative** – Under the No-Build Alternative, the visual resources at the Proposed Action site would remain unchanged. Likewise, the visual characteristics of the commercial traffic and industrial setting associated with the existing BNSF Intermodal Terminal would continue to be present and visible to Amtrak rail passengers, local residents and patrons who visit the area around downtown Shelby.

**Build Alternative** – Construction Impacts. The Build Alternative will develop a site located on the outskirts of Shelby, away from businesses and residences in the center of the city. The Proposed Action will include infrastructure improvements consisting of the extension of railroad tracks, the construction of an access road, the extension of 13<sup>th</sup> Street South, the installation of utilities, and the construction of a laydown area. There are no plans to construct buildings that would significantly impact the existing visual resources.

Construction will negatively impact visual quality in the study area due to the presence of construction equipment and stockpiled materials, equipment operation, fugitive dust and exhaust emissions and exposed soils. Because of the industrialized setting of the study area and the temporary nature of construction activities, however, no significant, long-term impacts to the visual setting are expected due to construction.

Operation Impacts. Following completion of the Multimodal Hub Center, the existing BNSF Intermodal Hub will be closed and will be utilized by BNSF as a storage facility for railroad maintenance equipment and materials, Commercial traffic that is currently servicing the BNSF Intermodal Hub will be diverted around Shelby to the Multimodal Hub Center near the city's



outskirts. Truck and commercial traffic ingress and egress for the Multimodal Hub Center will be along 13<sup>th</sup> Street South, resulting in a minor degradation of the visual quality along the 13<sup>th</sup> Street corridor. Conversely, truck and commercial traffic within Shelby will be decreased, thus improving the visual setting near downtown Shelby.

Another visual impact associated with the Multimodal Hub Center will result from the physical presence of the associated infrastructure and facilities (e.g., the expanded bulk handling facility building) which will represent a visual contrast with the surrounding area. This will be most obvious along the 13<sup>th</sup> Street South extension where the existing section line will be replaced with roadway. Such impacts are not likely to be significant, however, because of the already industrialized nature of the vicinity of the Multimodal Hub Center.

Considering the above factors, the Proposed Action is not anticipated to have significant impacts on visual resources, because of the already industrialized nature of the Proposed Action area. No further mitigation measures are necessary.

## 3.9 Transportation

This section addresses existing transportation conditions in the Proposed Action area and the potential transportation impacts associated with the Proposed Action.

### 3.9.1 Affected Environment

Three major Montana transportation corridors are adjacent to Shelby. One is US Highway 2, an arterial road which bisects Shelby to the north of the Proposed Action area. US Highway 2 provides access to and from southern Canada, just north of the Michigan peninsula, and extends to the western ports of Washington. Another corridor is the BNSF-owned rail line which parallels US Highway 2, bisecting the city of Shelby. The rail line services both freight and passenger trains travelling to and from the west coast and Great Lakes. The third corridor is I-15, which is located west of the Proposed Action area and serves as a route for North American commerce spanning from California to Canada.

Transportation was evaluated by reviewing information for the local transportation corridors and the existing infrastructure in the study area and the vicinity. The Proposed Action-related effects on transportation use were analyzed by evaluating design information with regard to the transportation conditions.

#### 3.9.1.1 Rail

Shelby is currently served by Amtrak intercity rail service, which includes the “Empire Builder” with travel daily between Chicago and the Pacific Northwest. The Amtrak Shelby Station is located at 230 West Central Avenue, adjacent to US Highway 2 and downtown Shelby. The station is one-half mile north of the Proposed Action site. Ridership statistics indicate 45 – 50 passengers daily board at the Shelby station.

Currently, Montana does not have the ability to ship or receive containerized international cargo due to a lack of inland ports capable of accepting and delivering intermodal unit trains. There are three port facilities in the state at this time (including the Port of Northern Montana); specific limitations prohibit Montana manufacturers and agricultural producers from containerizing their cargo at these



ports for export delivery to world markets. Also, Montana does not have any multimodal facilities (at least not BNSF facilities) that can accommodate the delivery of unit trains of large equipment or materials such as wind tower components or other oversized energy supplies. Developers are forced to use commercial trucks, which is not preferred due to road wear and tear, challenges with multi-state jurisdictional length and load limitations, and special permit fees. The lack of a multimodal facility has also impacted the ability of oil and energy companies to transport and receive containers in an efficient process.

The existing BNSF Intermodal Terminal was built in 1987, and is located adjacent to residential and business districts and the Amtrak Shelby Station. The BNSF facility is about 1.5 miles northwest of the Proposed Action location. The facility handles 45 – 50 freight trains a day, and train volumes have been steadily increasing since 2000.

#### 3.9.1.2 *Bus*

The population size of the city limits the bus service operations available in Shelby. At this time, there is no public bus service operating in Shelby.

#### 3.9.1.3 *Motor Vehicle*

The existing BNSF's Intermodal Terminal was built in 1987 and is located adjacent to residential and business districts. Commercial vehicles use I-15, US Highway 2, and local arterial and collector roads to transport supplies and equipment to the BNSF facility. According to 2009 MDT data, 4,360 vehicles a day use US Highway 2 to access the existing BNSF facility. However, the existing BNSF facility is unable to meet the demands for delivery. Therefore, developers are relying on commercial trucks to transport oversized equipment. As indicated previously, the use of commercial vehicles is not preferred due to road wear and tear, challenges with multi-state jurisdictional lengths and load limitations, and special permit fees.

#### 3.9.1.4 *Bicycle and Pedestrian*

There are no designated bicycle paths or greenways inside the study area.

### 3.9.2 **Environmental Impacts**

**No-Build Alternative** – Under the No-Build Alternative, the Proposed Action would not be implemented. The following impacts would continue:

- ◆ Montana would not have the ability to ship or receive containerized international cargo or accommodate the delivery of unit trains of large equipment or materials. Developers would still have to use commercial trucks to transport goods and equipment and the ability of oil and energy companies to transport and receive containers would continue to be impacted.
- ◆ Traffic and activities associated with the existing BNSF Intermodal Terminal would continue to present traffic congestion issues and public safety risks near residential and business districts in Shelby.
- ◆ The BNSF facility would continue to operate as it currently does. Modern unit trains would not be able to be efficiently accommodated and passenger delays at the Amtrak facility would continue.



**Build Alternative – Construction Impacts.** Construction will affect traffic along 13<sup>th</sup> Street South and SE Front Street. However, no traffic detours to other streets will be needed as traffic will be able to use one lane or temporary lanes along 13<sup>th</sup> Street South and SE Front Street. Traffic will travel through the area without major delays. Access to adjacent properties will be maintained during construction as well as operation. These impacts are temporary in nature and only present during the construction periods.

Another impact of the Proposed Action will include increased traffic on SE Front Street (due to Proposed Action-related improvements) and on 13<sup>th</sup> Street South (due to the extension to SE Front Street). As a result of the improvements, commercial traffic arriving and departing from the Proposed Action site will use two access routes. Traffic entering the site from the north, south, and west will be able to access the site from 13<sup>th</sup> Street South. Traffic from the east will be able to utilize the secondary access road or SE Front Street. Construction-related traffic on these streets will increase during the construction periods and result in minor traffic congestion. Construction traffic will cease following completion of the Multimodal Hub Center.

Operation Impacts. The Proposed Action will complete the Multimodal Hub Center and thus, the final phase of a freight rail transportation link between Montana and all ports served by BNSF on the West Coast and Great Lakes. The operation of the Multimodal Hub Center is not expected to negatively impact traffic infrastructure, patterns or volumes and in fact, will result in significant transportation improvements within Shelby, Toole County, and the region. The anticipated long-term impacts of the Multimodal Hub Center are discussed further below.

The completion of the Multimodal Hub Center will result in a positive impact by facilitating the operation of a more efficient, fully functional inland port capable of accepting and delivering unit trains of containers and cargo. Trains will facilitate more effective movement of regionally manufactured goods and containerized products (such as agricultural commodities) to other locations in Montana, other states and other countries. Also, passenger delays at the Amtrak facility resulting from BNSF operations will be substantially reduced or eliminated.

Another impact of the operation of the Multimodal Hub Center will be related to the extension of 13<sup>th</sup> Street South and improvements to SE Front Street. As a result of these improvements, commercial traffic on these two streets will likely increase as traffic associated with rail transport will be diverted away from Shelby's urban center and to the Multimodal Hub Center along these thoroughfares. However, these traffic increases will largely be restricted to Shelby's outskirts and not affect in-town traffic. In fact, commercial traffic on in-town city streets will be concurrently decreased, reducing congestion and improving public safety and traffic mobility in downtown areas.

An additional impact expected from the Multimodal Hub Center will be a shift by the oil and gas industry and others from the use of over-the-road hauling of equipment and goods to the use of trains. This will benefit the overall economy by lowering transportation costs.

Finally, the Multimodal Hub Center will lead to decreased truck traffic on Interstate 15 and US Highway 2, which will reduce roadway wear and costs for road maintenance. In fact, according to the NETA's TIGER Discretionary Grant Proposal, "...by 2035, the use of rail instead of truck will reduce road usage by 92 million miles annually. This is based on the projections that the new inland port will generate five round trip intermodal trains per week moving 124,800 containers by rail by the year





2035.” The grant proposal asserts that “...Moving intermodal containers by rail instead of truck along this corridor will save the states of Washington, Idaho, North Dakota, Montana and Minnesota over \$102 million in road maintenance and preservation costs over the next 20 years.”

### 3.10 Land Use, Zoning, and Property Acquisitions

Land use and zoning address the manner in which properties are/can be used and developed. Property acquisition has to do with whether additional lands will be required for the development of a project.

#### 3.10.1 Affected Environment

Land use and zoning was evaluated by reviewing land use information for the study area, including USGS 7.5 minute quadrangle maps, aerial photographs, a city zoning map, and other relevant information. The Proposed Action-related effects on land use and zoning were analyzed by evaluating design information with regard to the land use and zoning conditions in the area.

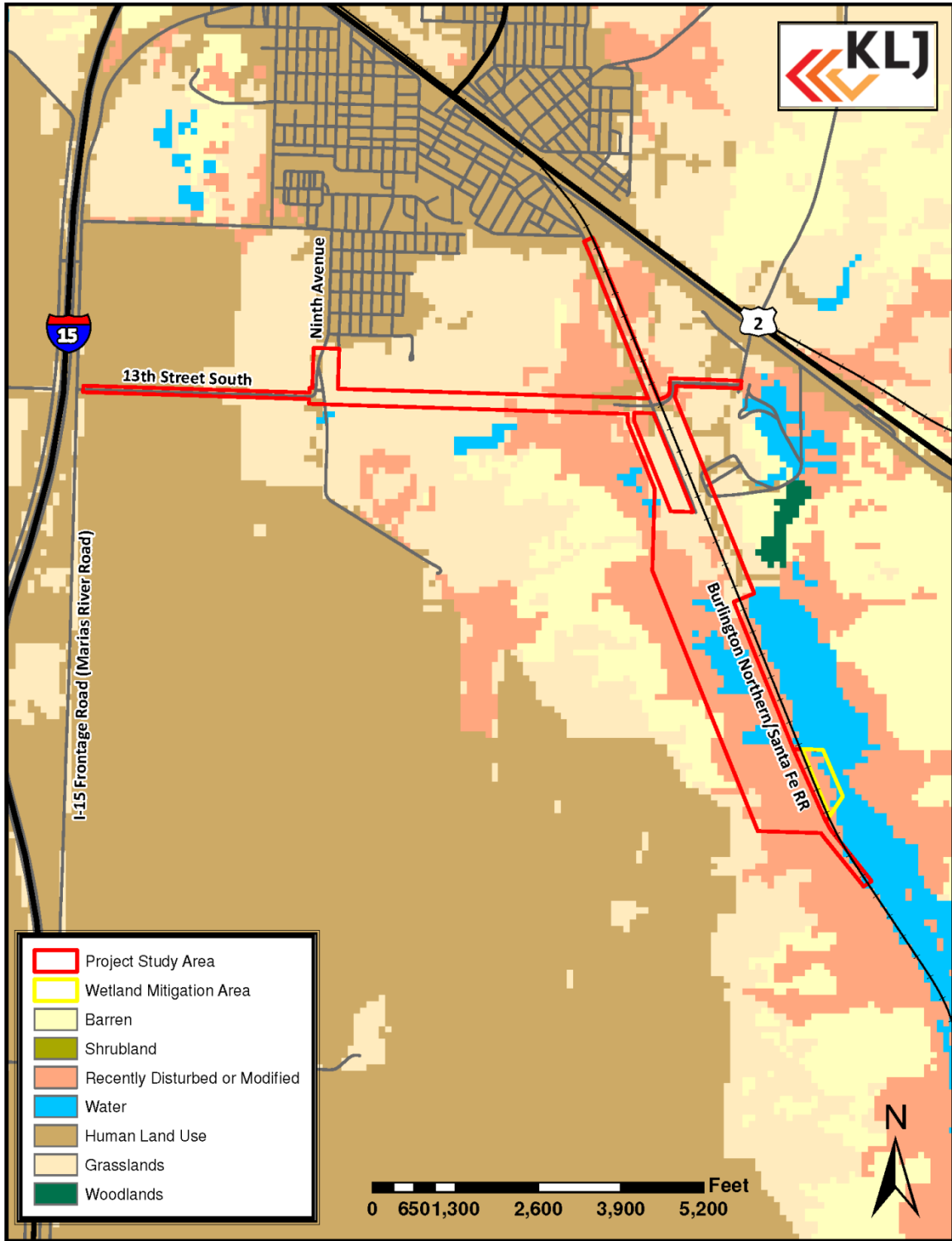
The need for additional properties for development was determined based on the design layout of the Proposed Action area as it related to the existing Proposed Action right-of-way.

##### 3.10.1.1 Land Use and Zoning

The Proposed Action is located within a predominately rural area southeast of Shelby. The site is typical of the semi-arid, short grass prairie found within the glaciated plains of the Northern Great Plains physiographic region of Montana.

Land use within the study area is zoned as an industrial TIF District. The surrounding land use is dominated by agricultural and cropped land to the west and south, commercial and industrial to the east, and residences, businesses and a recreational park to the north. Agricultural land consists primarily of grasslands utilized as sheep and/or cow pastures throughout the past 60 years. Adjacent to the study area is cropped land, with a lesser extent of cultivated lands, woodlands, and developed lands. Please refer to **Figure 3.4, General Land Use Map.**





*Figure 3.4, General Land Use Map*



### 3.10.1.1 Farmland

The Farmland Protection Policy Act (FPPA), USDA regulations implementing the FPPA (7 CFR Part 658) and USDA DR No. 9500-3, Land Use Policy, provide protection for prime and important farmland, and prime rangeland and forestland. Section 658.5 of the FPPA provides criteria for Federal agencies to identify and take into account the adverse effects of Federal programs on the protection of farmland. Federal agencies are to: (1) consider alternate actions, as appropriate, that could lessen adverse effects; and (2) assure that such federal programs, to the extent practicable, are compatible with relevant programs and policies (including those of private organizations as well as state and local governments) to protect farmland.

Based on land use classification information, the study area includes approximately 24 acres of prime farmland and 65 acres of farmland of statewide importance. From a practical standpoint, however, the vast majority of the land within the study area currently consists of, and is used for, rail and roadway. For example, the 13<sup>th</sup> Street South corridor within the study area is classified as prime farmland, farmland of statewide importance, and not prime farmland of statewide importance, yet it consists of developed roadway from Marias River Road to 9<sup>th</sup> Avenue South, and undeveloped roadway from 9<sup>th</sup> Avenue South to Front Street. Likewise, most of the rail corridor portion of the study area consists of developed rail infrastructure. Therefore, the amount of land within the study area that is actually used for, or available for use for, agricultural purposes is much less the land use classification would suggest. Please refer to *Figure 3.5, Prime and Unique Farmlands Map*.

### 3.10.2 Environmental Impacts

**No-Build Alternative** – The No-Build Alternative would not impact land use, farmland, zoning or required property acquisitions because the Proposed Action would not be implemented.

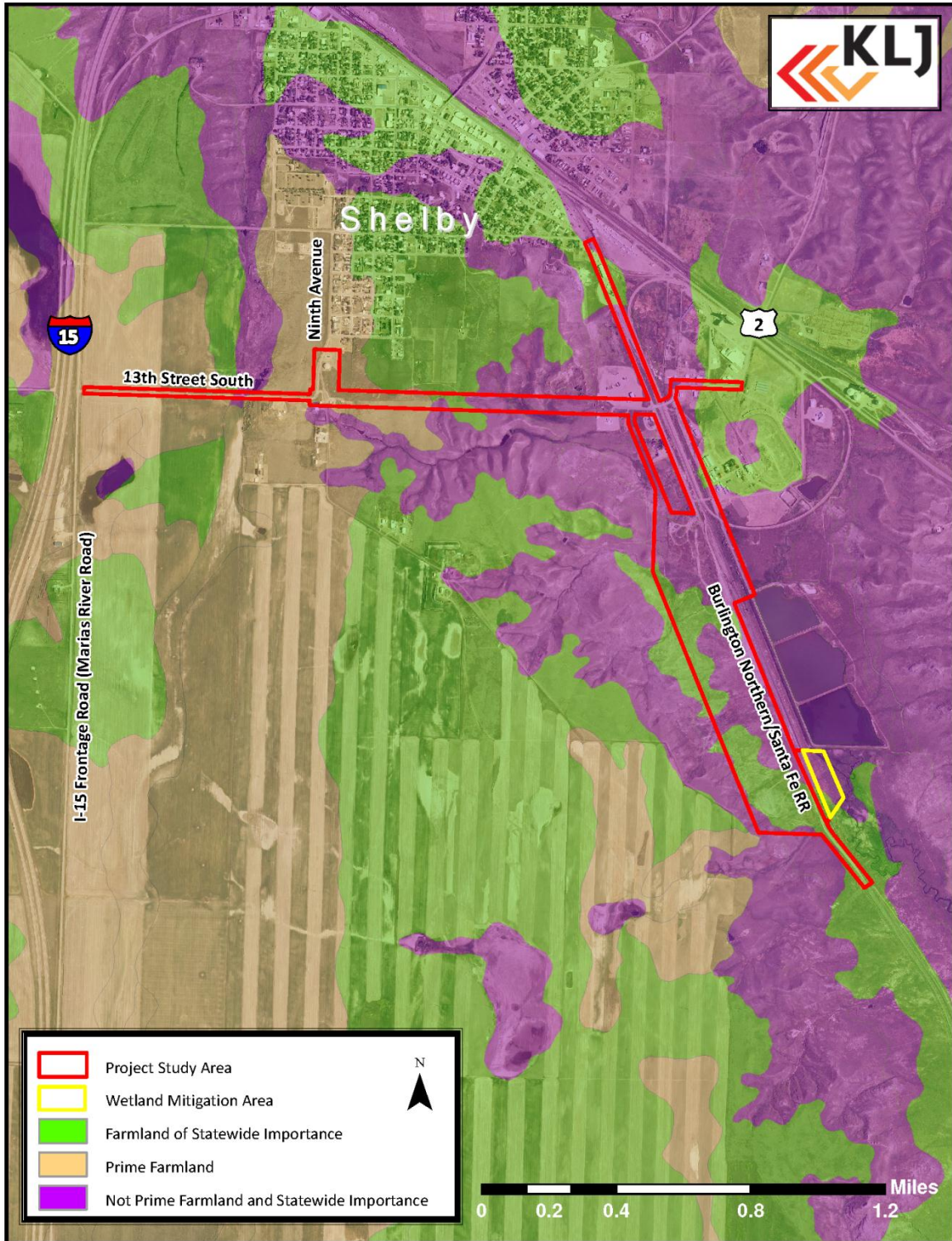
**Build Alternative** – *Construction Impacts*. The Proposed Action will convert portions of land from agricultural use to transportation use through the acquisition of right-of-way. The acquisition would result in impacts of 24 acres of land considered prime farmland and 65 acres considered farmland of statewide importance. As mentioned above, however, much of this land is already used for transportation purposes. Therefore, the actual “conversion” of farmland to non-farming purposes would be at insignificant levels.

No other land use conversions would be required.

Property owners on whose land will be impacted and are part of the Proposed Action footprint were contacted by the Project team to confirm or obtain right-of-way access. Land from seven different property owners was acquired for construction of the project.

*Operation Impacts*. Considering the availability of agricultural land in the Shelby area and the region, this does not represent a significant impact.





*Figure 3.5, Prime and Unique Farmlands Map*



## 3.11 Socioeconomic Resources

Socioeconomic resources address the infrastructure, demographic characteristics and economics of a community. Business, employment, transportation, utilities, etc., are factors that affect the social climate of a community. Other factors that distinguish the social makeup of one particular area from another include geography, geology, and climate.

### 3.11.1 Affected Environment

Socioeconomic resources outside of the Proposed Action boundary were considered since the Proposed Action's social and economic impacts will extend beyond the study area as defined. For the purpose of this assessment, the economics discussion focuses on Toole County and the economic benefits that will be realized in the county.

Socioeconomic conditions in the study area were evaluated based on a review of existing documentation applicable to the study area, including demographic and economic data. Socioeconomic impacts were projected by superimposing Proposed Action design features and financial data on the existing infrastructure, social and economic characteristics of the study area.

The Proposed Action is located southeast of Shelby in Toole County, Montana. Shelby supports amenities such as restaurants, grocery stores, and gas stations. According to the Montana Department of Labor and Industry (MTDLI) Annual Averages for 2010, the top employers by industry in Toole County include: government, accommodation and food services, retail trade, mining, and transportation and warehousing. Local, state, and federal government employment comprises the total government category of the MTDLI Annual Averages for 2010.

#### 3.11.1.1 Community Facilities

There are no police facilities, fire facilities, schools, or religious institutions located within or adjacent to the study area. The community facilities and services are found north of the study area, in urban Shelby.

#### 3.11.1.2 Demographics

Demographics include a description of population and housing characteristics in the Proposed Action area. Some residences are located along 13<sup>th</sup> Street South with the study area. The closest large concentration of residences includes single family homes located north of 10<sup>th</sup> Street South. Property owners that may be impacted because of the Proposed Action have been notified by the Project team.

As of the census of 2010, there were 3,376 people, 1,245 households, and 717 families residing in the City of Shelby. The population density was 559.9 inhabitants per square mile (216.2 /km<sup>2</sup>). There were 1,371 housing units at an average density of 227.4 per square mile (87.8 /km<sup>2</sup>). The racial makeup of the city was 89.5% White, 0.8% African American, 6.5% Native American, 0.5% Asian, 0.8% from other races, and 1.9% from two or more races. Hispanic or Latino of any race was 3.0% of the population.

There were 1,245 households out of which 28.3% had children under the age of 18 living with them, 43.8% were married couples living together, 9.2% had a female householder with no husband





present, 4.7% had a male householder with no wife present, and 42.4% were non-families. 37.4% of all households were made up of individuals and 14% had someone living alone who was 65 years of age or older. The average household size was 2.17 and the average family size was 2.84.

The median age in the city was 40.3 years. 18.9% of residents were under the age of 18; 8.3% were between the ages of 18 and 24; 29.3% were from 25 to 44; 29.9% were from 45 to 64; and 13.6% were 65 years of age or older. The gender makeup of the city was 58.3% male and 41.7% female.

### 3.11.1.3 Economic Resources

According to the MTDLI, Toole County’s unemployment rate is lower than the statewide average, and its per capita and median household incomes are consistent with statewide averages for these parameters. The number of individuals in Toole County who live below the poverty level is slightly above the statewide average. Please refer to **Table 3.1, Employment and Income**.

**Table 3.1, Employment and Income**

LOCATION	PER CAPITA INCOME	MEDIAN HOUSEHOLD INCOME	UNEMPLOYMENT RATE	INDIVIDUALS LIVING BELOW POVERTY LEVEL
<b>Shelby</b>	— <sup>1</sup>	\$29,219	6.2%	8.6%
<b>Toole County</b>	\$20,464	\$42,949	4.6%	15.7%
<b>Statewide</b>	\$23,836	\$43,872	6.3%	14.5%

Source: U.S. Census Bureau of the Census, Census 2010 and the Montana Department of Labor & Industry, Current Employment Statistics, 2012.

<sup>1</sup> No Per Capita Income was given for the City of Shelby in the US Census 2010.

### 3.11.2 Environmental Impacts

**No-Build Alternative** – Under the No-Build Alternative, Montana would not be able to ship or receive containerized international cargo or accommodate the delivery of unit trains of large equipment or materials. The ability of industry (including the oil and gas industry, as well as others) to cost-effectively transport products, goods and equipment would continue to be impacted. Also, Shelby, Toole County, and the region would not realize the indirect benefits (e.g., local Proposed Action expenditures on goods and services; increased tax revenues; etc.).

**Build Alternative** – Construction Impacts. The Proposed Action will result in overall beneficial, direct and indirect socioeconomic impacts to the City of Shelby and Toole County. Beneficial direct impacts will include the generation of new, temporary jobs during construction and local and regional expenditures for building materials, services and goods. According to the NETA TIGER Grant Proposal, “...an estimated 191 family wage jobs are expected to be created during the construction period.”

Operation Impacts. The completion and operation of the Multimodal Hub Center will result in additional permanent jobs for operating the Multimodal Hub Center, servicing equipment and serving the expected increases (compared to the existing BNSF Intermodal Hub) in rail and truck traffic that



will occur due to the improved rail transport facilities. Specifically, once the new facility opens, it is estimated that the operations activities will generate 4.3 direct jobs per 1,000 containers moved. By 2015, this will account for the creation of 107 new jobs growing to 537 jobs by 2035. An additional 320 jobs are expected to result from private sector project investment identified by current customer commitments. In addition, the Multimodal Hub Center will contribute to the generation of additional revenue for the Port of Northern Montana as more businesses utilize the Multimodal Hub Center for shipping and transporting cargo.

Other beneficial, indirect impacts will include expenditures by new construction and operation workers on food, housing, and various other goods and services. In addition, the Multimodal Hub Center will facilitate the continued growth and start-up of businesses in Shelby, Toole County, and northwest Montana.

The Multimodal Hub Center will not adversely impact community facilities, demographics, economic resources or the infrastructure found within the study area, Shelby or Toole County.

### 3.12 Environmental Justice

Per Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, measures must be taken to avoid disproportionately high adverse impacts on minority or low-income communities.

#### 3.12.1 Affected Environment

For the purpose of this assessment, the environmental justice analysis utilizes low income and minority data for the City of Shelby (see Tables 3.1 and 3.2). The Shelby data address Shelby as a whole because details on locations of minority or low income populations within the city were not found. No residences occur within the study area. Employing a conservative approach, however, the impact analysis for Environmental Justice was extended 1,000 feet beyond the study area boundary, which reflects the impact analysis area for noise impacts.

The population of Toole County is predominantly white, with American Indians comprising the predominant minority population. Please refer to **Table 3.2, Demographic Trends**. The proportion of minority and low income populations in Shelby are similar to those in the State of Montana.

Guidance in CEQ (1997) indicates that minority populations should be identified where either "... (a) the minority population of the affected area exceeds 50 percent or (b) minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis." Therefore, it does not appear that Shelby supports a disproportionately high minority population or one that would trigger concerns about environmental justice impacts on minority populations.

A visual inspection of aerial photography indicated that there are approximately 75 houses within 1,000 feet of the study area boundary, which represents less than six percent of the total number of households in Shelby. A review of parcel value data for and a visual inspection of, these areas suggest that most of the households would not be considered low income. Therefore, it is concluded that the vicinity surrounding the Proposed Action area does not include a disproportionately high low income



population or one that would trigger concerns about environmental justice impacts on low income populations.

**Table 3.2, Demographic Trends**

LOCATION	POPULATION IN 2010	% OF STATE POPULATION	% CHANGE 2000–2010	PREDOMINANT RACE	PREDOMINANT MINORITY
<b>Shelby</b>	3,376	0.3	5.0	White (89.5%)	American Indian (6.5%)
<b>Toole County</b>	5,324	0.5	1.1	White (92.0%)	American Indian (4.5%)
<b>Statewide</b>	989,415	—	9.7	White (89.4%)	American Indian (6.3%)

Source: U.S. Census Bureau of the Census, Census 2010.

### 3.12.2 Environmental Impacts

**No-Build Alternative** – The No-Build Alternative would not have an environmental justice impact because the Proposed Action would not be implemented.

**Build Alternative** – Construction Impacts. There would be no impacts on low income or minority populations because no such populations occur within the study area or the surrounding area.

Operation Impacts. There would be no impacts on low income or minority populations because no such populations occur within the study area or the surrounding area.

## 3.13 Public Health and Safety

This section addresses the potential for the Proposed Action to affect the health and safety of the general public, and discusses key health and safety risks (if any).

### 3.13.1 Affected Environment

Public health and safety impacts can extend beyond the study area, such as in the case of construction-related traffic. Therefore, this analysis will address not only the study area but also will consider potential impacts to the public in Shelby as a whole.

### 3.13.2 Environmental Impacts

**No-Build Alternative** – The existing BNSF Intermodal Terminal is located adjacent to residential neighborhoods and downtown business districts. Commercial traffic is currently directed through residential streets and Shelby’s business district to access the facility, potentially exposing local business patrons, residents, and visitors to vehicular and pedestrian accidents, as well as noise and air pollutant emissions from vehicle and equipment operation. In addition, road obstructions on public grade crossings occur as a result of switching, separating and coupling trains within the city. This, in



turn, contributes to traffic congestion and poses a hazard to users of grade crossings as well as train operators.

Under the No-Build Alternative, traffic to and from the BNSF Intermodal Terminal would continue to use in-town business and residential streets and present the potential for vehicular and pedestrian accidents. The in-town public would also continue to be exposed to noise and air pollution emissions from the BNSF Intermodal Terminal. Obstructions at public grade crossings would continue to occur, resulting in traffic congestion in nearby streets and presenting safety hazards to the public and train workers.

**Build Alternative – Construction Impacts.** The Proposed Action will require the use of heavy equipment and construction vehicles on the Proposed Action site which could present a potential safety risk to the general public if they were to enter the site on foot or by vehicle. However, public access to the Proposed Action site will be restricted by fencing around its perimeter, and standard safety features such as site lighting and backup lights and alarms on equipment will be used. Also, the Proposed Action site is on the outskirts of the city, away from the population center and most members of the general public. Therefore, the potential for direct safety impacts to the public during construction is low.

As indicated previously, construction will result in a minor degradation of air quality due to the generation of fugitive dust and emissions from construction equipment and vehicles. Because of the localized and temporary nature of such effects and implementation of the appropriate best management practices, however, no significant effects on human health are expected.

Operation Impacts. The completion of the Multimodal Hub Center will improve public health and safety by facilitating the relocation of the existing BNSF facility operations from residential and commercial areas in the center of Shelby to an industrially zoned TIF District on the outskirts of the city. The decrease in rail traffic and in commercial traffic on residential and downtown business streets as well as on public grade crossings will improve public safety, particularly in terms of pedestrian and vehicular safety. The relocation of the BNSF operations to an area away from the population center of the city will also benefit public health by reducing localized air pollutant emissions.

As mentioned above, the Proposed Action site is currently fenced and gated around its perimeter. During operation of the Multimodal Hub Center, the fencing will be retained and will provide a barrier to protect the public from activities at the facility. Lighting is planned to be installed as facilities within the location are developed. These measures are proposed to prevent unauthorized entry and to decrease the likelihood of criminal activity.

### 3.14 Contaminated Sites and Hazardous Waste

This section addresses the potential for hazardous materials and wastes to occur at the Proposed Action site and the potential for previously contaminated sites to occur on or near the Proposed Action site. It also addresses the potential for the Proposed Action to generate hazardous wastes.



### 3.14.1 Affected Environment

The presence of hazardous materials or wastes or contaminated sites at or near the study area was determined by conducting visual inspections of the study area and reviewing existing, publicly available databases such as the National Priorities List (NPL) and the Montana Department of Environmental Quality's (MDEQ) underground storage tank database. Impacts were evaluated by reviewing Proposed Action design information and its potential to affect existing contamination sites. Proposed Action design information was also used to examine the potential for the Proposed Action to release hazardous waste to the environment.

Observations made during onsite surveys conducted on March 6, August 9, and October 31, 2012 revealed no evidence that hazardous materials or waste had been handled or stored at the Proposed Action site. No hazardous materials or wastes are known to be currently generated or stored at the Proposed Action site.

The findings of the database search are discussed below.

#### 3.14.1.1 *National Priorities List (NPL) and Superfund*

The NPL is the list of national priorities among the known releases or threatened releases of hazardous substances, pollutants or contaminants throughout the United States and its territories. A search of the NPL was conducted for Superfund sites as well as candidate sites within and near the study area. There are no sites listed within Toole County.

#### 3.14.1.2 *Brownfield Site*

A brownfield site is real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substance, pollutant, or contaminant. Certain funding sources exist for cleanup and property transformation into a safe and usable condition. Through a records search of Brownfield Cleanup Sites in and around Shelby, four sites were identified and not located near or adjacent to the study area.

Through a records search of Brownfield Cleanup Sites in and around Shelby, four sites were identified. These sites include the Historic Shelby High School, former Shelby Middle School, former Shelby Refinery and the Rainbow Hotel. The Historic Shelby High School, former Shelby Middle School and the former Shelby Refinery have been completed and are ready for reuse. The Rainbow Hotel is expected to be completed by the end of 2013. No sites were located within the study area.

#### 3.14.1.3 *Resource Conservation and Recovery Act (RCRA) Sites*

Past and present activities on Resource Conservation and Recovery Act (RCRA) facilities typically result in the release of hazardous waste and constituents into the soil, groundwater, surface water, sediments, and air, requiring the initial investigation and cleanup, or remediation of these hazardous releases.

An inventory of RCRA facilities within a one mile radius of the Proposed Action site was completed through the US EPA Envirofacts database. There were a total of 27 RCRA sites, active and inactive, found within a one mile radius of the Proposed Action area. However, none were located within the study area itself. The two nearest to the study area were Lyn's Body Shop at 845 S. Industrial Park





Road, and Appley Repair located at 902 Birch Avenue. Both locations are less than 0.2 mile from the Proposed Action area.

#### 3.14.1.4 *Underground Storage Tanks (USTs)*

An inventory was completed to determine the presence or likely presence of hazardous substances or petroleum products in the study area. The inventory included Geographic Information System data for underground storage tanks (UST) and leaking underground storage tanks (LUST) provided through the Montana Natural Resource Information System. MTDEQ requires all USTs that are in use to be permitted. There were no permitted USTs currently located within the study area.

The data reviewed indicated two known local sites where USTs were once permitted. The first site is located within the study area, along the west side of SE Front Street. This site included six registered USTs with all six tanks listed as removed from the ground, and a closed LUST site. Closed LUST sites are those that had contamination associated with LUSTs, but were later remediated in accordance with regulatory guidelines.

The second site is adjacent to the study area, located south of US Highway 2. This site included two registered USTs with both tanks listed as removed from the ground, and two closed LUST sites. The two former USTs at the site were used to store diesel and gasoline.

#### 3.14.1.5 *Landfill*

A Class II municipal solid waste landfill is located outside Shelby at 50 City Shop Road, approximately one mile north of the study area. No other records exist to indicate that there are any old or abandoned landfills within the study area.

### 3.14.2 **Environmental Impacts**

**No-Build Alternative** – The No-Build Alternative would not impact known contaminated sites or result in the production or release of hazardous waste to the environment in the study area because the Proposed Action would not be implemented. Any hazardous material that is currently used or generated at the existing BNSF Intermodal Hub would likely continue to be used or produced and would have to be properly handled and disposed of.

**Build Alternative** – *Construction Impacts.* Based on the data reviewed, no contaminated sites occur within the study area. Two local sites which contained underground storage tanks have had the tanks removed and have been remediated. Therefore, the Proposed Action is not anticipated to have an impact on known contaminated sites. In the event that previously unknown contaminants are discovered during construction or a spill would occur during construction, work will cease until after the National Response Center (800-424-8002) has been notified by the contractor. If contamination is encountered, the MTDEQ will also be notified. Any contaminated soil that is encountered will be temporarily stockpiled and sampled to determine disposal requirements.

Construction will likely require the use of hazardous materials (e.g., cleaning agents, lubricants, fuels, solvents, fertilizers, etc.) and the generation of hazardous waste (e.g., oily rags, used chemical containers, chemical waste, used oil, etc.). The release of such materials to the environment via air, water and soil media could adversely affect natural resource and human health and safety, particularly if such releases are significant in terms of their amounts, spatial distribution, and/or



toxicity to receptors. Considering the design and planned construction activities of the Proposed Action, however, it is not expected that hazardous materials or hazardous wastes will be present in amounts or locations that would pose an unacceptable risk to the general public or natural resources. The appropriate BMPs will be implemented to ensure that any toxic or hazardous materials that are present are stored and handled in a manner that minimizes the risk of impacts to humans or the surrounding environment

Based on the above discussions, no significant, direct impacts from contaminated sites or hazardous materials are expected.

*Operation Impacts.* The operation of the Multimodal Hub Center will affect the potential for environmental contamination, the use of hazardous materials and the production of hazardous wastes. The operation of the Multimodal Hub Center will likely require the use of hazardous materials such as cleaning agents, lubricants, fuels, and solvents and result in the generation of hazardous waste such as oily rags, used chemical containers, chemical waste, and used oil. Also, some rail cars may transport hazardous materials as cargo which may be carried through, loaded and/or unloaded at the Multimodal Hub Center.

As previously discussed, the release of such materials to the environment could adversely affect natural resource and human health and safety. Considering the purpose, design and operation activities of the Multimodal Hub Center, however, it is not expected that hazardous materials or hazardous wastes will be present in amounts or locations that would pose an unacceptable risk to public health or the environment. The appropriate BMPs for storing and handling toxic or hazardous materials and wastes will be implemented. Considering the above, no significant, indirect impacts from environmental contamination, the use, transport or handling of hazardous materials or the production of hazardous wastes are anticipated.

### 3.15 Parks and Recreational Areas

Parks and recreational areas refer to the available public recreational lands and facilities as well as usage patterns associated with them.

#### 3.15.1 Affected Environment

Parks and recreational resources were evaluated by reviewing existing information such as aerial photographs and information provided by the City of Shelby. The effects on parks and recreational areas were analyzed by considering the Proposed Action design and planned operations with respect to the existing resources.

According to city records, the City of Shelby currently maintains 13.5 acres of developed area, 24.3 acres of undeveloped area and 5.7 acres of unclassified area of parkland for a total of 43.5 acres of parkland. Parks and public recreational facilities within the city include Cleveland Park, Lincoln Park, Johnson Memorial Park, Aronow Park, and Lake Sheloole. Other notable community facilities in Shelby include the Civic Center, Roadrunner recreation trail, sports complex and campground. The 18-hole Marias Valley Golf and Country Club is located seven miles south of Shelby.

Quantitative data regarding the usage of the above facilities are not available.



There are no parks or recreational areas in the study area. However, an undeveloped park (Roosevelt Park) approximately 5 acres in size is located immediately north of the 13<sup>th</sup> Street South alignment, approximately midway between 9<sup>th</sup> Avenue South and SE Front Street. A review of aerial photographs showed two-track paths across the park, suggesting that the park is used to some degree. Usage rates are assumed to be low since the park has no facilities, there is no formal access to the park, and 13<sup>th</sup> Street South near its southern border is currently undeveloped and is used as pasture. There are currently no definitive plans for further development of the park.

### 3.15.2 Environmental Impacts

**No-Build Alternative** – The No-Build Alternative would not change usage patterns or facilities at local parks or recreational areas because the Proposed Action would not be implemented. The use of parks and recreational facilities in Shelby would likely follow existing patterns.

**Build Alternative** – *Construction Impacts.* There are no parks or recreational areas in the study area. The layout of the Proposed Action will avoid direct impacts to nearby Roosevelt Park since there is no formal access point into the property. Considering these factors, no direct effects on parks or recreational areas are expected and no mitigation is required.

*Operation Impacts.* Minor impacts will occur as a result of the Multimodal Hub Center. As previously described, the Multimodal Hub Center will transfer rail activities currently associated with the BNSF Intermodal Hub from in-town Shelby to the Proposed Action site on the city's outskirts. As suggested in the discussion on transportation, this will improve traffic and pedestrian safety along commercial and residential districts in Shelby. It is reasonable to expect that such improvements will extend to those who patronize the city's park and recreational areas. This represents a positive impact.

The current usage of Roosevelt Park as pasture land will likely be unaffected by improvements made to 13<sup>th</sup> Street South. If Roosevelt Park is developed at some point in the future, park users may notice traffic-related noise and views of commercial traffic along the improved 13<sup>th</sup> Street South corridor. However, most recreation activities that would typically be expected in a setting such as Roosevelt Park (e.g., playground activities, sporting activities, picnicking, group gatherings, etc.) would likely continue unimpeded.

No significant impacts on recreational uses or facilities are expected to occur.

## 3.16 Cultural Resources

Section 106 of the National Historic Preservation Act of 1966, as amended, requires that Federally-funded projects be evaluated for the effects on historic and cultural properties included or eligible for listing on the National Register of Historic Places (NRHP). The Archaeological and Historic Preservation Act of 1974 provides for the survey, recovery, and preservation of significant scientific, prehistoric, archaeological, or paleontological data when such data may be destroyed or irreparably lost due to a federal, federally-licensed, or federally-funded project.

### 3.16.1 Affected Environment

Cultural resources (i.e., historic and archaeological resources) were evaluated by reviewing existing documentation for the Proposed Action vicinity including 246 acres of the study area, consulting with



the Montana SHPO, and conducting field surveys. The Proposed Action-related effects on cultural resources were analyzed by evaluating design information with regard to cultural resources in the area.

Three separate Class III cultural resource inventories (pedestrian surveys) have been conducted in and around the study area. A cultural resource inventory was conducted on September 19<sup>th</sup> and 20<sup>th</sup>, 2006, covering 160 acres of the study area. Based on the inventory, no cultural resources were found.

Between 2006 and 2011, the Proposed Action boundary had changed slightly, requiring a second Class III cultural resource inventory. The second survey was conducted on March 13, 2011, of the previously unsurveyed area which covered 46.5 acres. No new or previously recorded cultural materials were encountered during the inventory. A third Class III cultural resource inventory was completed on March 12 and 13, 2012, and covered 53.2 acres. No new or previously recorded cultural materials were encountered. A Class III cultural resource inventory of the wetland mitigation site was conducted on November 29, 2012. No new or previously recorded cultural materials (historic or archaeological) were encountered.

Consultations with SHPO and a review of existing documentation for the Proposed Action vicinity indicated that no Federal or tribal lands occur within the study area.

### 3.16.2 Environmental Impacts

**No-Build Alternative** – The No-Build Alternative would not impact cultural resources because the Proposed Action would not be implemented.

**Build Alternative** – Construction Impacts. According to the four Class III cultural resource inventories that have been conducted within the study area, no cultural resources occur within the study area. Therefore, FRA submitted to SHPO the documents supporting a finding of *No Historic Properties Affected* for the Proposed Action. SHPO concurred with this determination (see Appendix D).

Operation Impacts. As indicated above, there have been no cultural resources found in the study area. No impacts to cultural resources will occur, and no mitigation is necessary.

## 3.17 Section 4(f) Resources

Section 4(f) of the Department of Transportation (DOT) Act of 1966 prohibits modal administrations of the US DOT from approving the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless the following conditions apply:

- ◆ There is no feasible and prudent alternative to the use of land.
- ◆ The action includes all possible planning to minimize harm to the property resulting from use.

### 3.17.1 Affected Environment

Section 4(f) resources were evaluated by determining if any publicly owned land or cultural resources occur within or adjacent to the study area. The evaluation was conducted by reviewing land use maps, land ownership information and cultural resources data. Any 4(f) properties that may occur in

the study area would be evaluated in terms of the Proposed Action's effects on the use of the properties.

Based on a review of land use, land ownership and cultural resources information for the study area, no 4(f) properties occur within the study area. However, Roosevelt Park is located immediately north of the 13<sup>th</sup> Street South corridor about midway between 9<sup>th</sup> Avenue South and SE Front Street. The park is approximately 5 acres in size and is currently undeveloped.

#### 3.17.1.1 *Environmental Consequences*

**No-Build Alternative** – The No-Build Alternative would not impact Section 4(f) resources because the Proposed Action would not be implemented.

**Build Alternative** – *Operation Impacts.* Land use, land ownership and cultural resources data for the study area were analyzed to identify local Section 4(f) properties. No Section 4(f) properties or cultural resources occur in the study area. Therefore, no direct impacts or use to 4(f) properties would occur because there is no effect from the Proposed Action.

*Operation Impacts.* Roosevelt Park could be indirectly affected by the development of the 13<sup>th</sup> Street South corridor and associated increases in commercial traffic along the corridor. Such increases will likely result in minor increases in noise levels in Roosevelt Park but is not expected to be of a magnitude that would substantially affect the use of the park.

Based on the above factors, the Multimodal Hub Center will not affect 4(f) properties and no mitigation is required.

### 3.18 Construction Impacts

Temporary construction impacts are caused by construction activities and may last for the duration of construction. The following resources are typically affected by construction activities, and may be temporarily impacted due to the construction associated with the Proposed Action. Other construction impacts, where applicable, are described in the previous sections.

- ◆ **Noise** – Construction will result in temporary increases in noise levels generated primarily from construction equipment. Measures will be taken to limit construction noise and appropriate abatement measures will be incorporated into the plans and construction specifications.
- ◆ **Air Quality** – Construction activities will have a short-term impact on air quality, primarily from dust generated during site preparation. Effective dust control measures (e.g., water spraying) will be implemented as needed. Any burning of cleared materials will be conducted in accordance with applicable state and local laws, regulations, and ordinances.
- ◆ **Transportation** – No traffic detours will be needed for the construction of new roadways. For modifications to the existing roadways, construction will allow the use of one lane or temporary lanes such that traffic will travel through the Proposed Action area without major delays. Access to adjacent properties will be maintained during construction. Coordination with local landowners and businesses will occur, as necessary, during construction to reduce construction-related traffic and access disturbances.





- ◆ **Water Resources** – General construction activities could change stormwater runoff patterns and thus increase the potential for erosion of exposed soil, particularly caused by storm water. Implementation of BMPs into the Proposed Action design will be utilized to manage stormwater runoff and control water quality impacts. A Montana Pollutant Discharge Elimination System permit will be required from the MTDEQ. This permit requires a temporary and permanent plan for addressing erosion and sediment control.
- ◆ **Biological Resources** – Construction activities such as site clearing and grading, equipment refueling/maintenance, equipment operation and human activity could directly and indirectly impact local aquatic, wildlife and vegetation resources or threatened or endangered species via noise emissions, stormwater generation, accidental oil/chemical releases, air pollutant emissions, physical injury or mortality, and habitat disturbance. Since the study area does not support important habitat for aquatic or wildlife communities and that the impacts would be temporary, it is not expected that construction will significantly affect the viability of any biological resources.
- ◆ **Visual Resources** - Construction will negatively impact visual quality in the study area due to the presence of construction equipment and stockpiled materials, equipment operation, fugitive dust and exhaust emissions and exposed soils. Because of the industrialized setting of the study area and the temporary nature of construction activities, however, no significant long-term impacts to the visual setting are expected.
- ◆ **Socioeconomic Resources** - The Proposed Action will result in overall beneficial, direct and indirect socioeconomic impacts to the City of Shelby and Toole County. Beneficial direct impacts will include the generation of new, temporary jobs during construction and local and regional purchases of goods, materials and services. Beneficial, indirect impacts will include expenditures by construction workers on food, goods and services.

### 3.18.1 Environmental Impacts

**No-Build Alternative** – The No-Build Alternative would not result in any construction impacts because the Proposed Action would not be implemented.

**Build Alternative** – *Direct Impacts.* Direct construction-related impacts to noise, air, transportation, visual, biological and water resources will occur as described in previous sections. Such impacts will be minor, of short duration, and reduced by the implementation of the applicable mitigation measures. Therefore, these impacts will be insignificant and no mitigation beyond that described above is necessary.

Temporary, positive socioeconomic impacts will occur during construction due to the provision of construction jobs and expenditure of funds on goods, materials, and services.

*Indirect Impacts.* Indirect, adverse impacts to resources in the study area will occur as a result of operation, as described in the previous sections. However, none of these impacts will be significant, and no mitigation beyond what has already been proposed is necessary.

Indirect positive socioeconomic impacts will occur from construction, such as the expenditure of funds by workers for food, lodging, goods, etc.



### 3.19 Cumulative Impacts

Cumulative impacts result from incremental consequences of an action “when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions” (40 CFR 1580.7). Effects of an action may be minor when evaluated in an individual context, but these effects can add to other disturbances and collectively may lead to a measureable environmental change. By evaluating the impacts of the proposed action with effects of other actions, the relative contribution of the proposed action to a projected cumulative impact can be estimated.

#### 3.19.1 Affected Environment

Cumulative impact analysis also considered other ongoing or planned commercial or industrial development projects in Toole County including those listed in Section 1.5 above, and the following, which are projects identified by the Shelby Chamber of Commerce as either planned or underway in Shelby.

- ◆ Best Western Hotel and RV Park: A new, 50 to 70 room complex scheduled for construction in Spring 2013
- ◆ Sweetgrass Apartments – A new 12 unit apartment complex that is currently under construction. Scheduled to be completed in August 2013.
- ◆ Comfort Inn & Suites – An existing facility with plans to expand and add an RV park. Scheduled for construction in Spring/Summer 2013.

#### 3.19.2 Environmental Consequences

**No Build Alternative** – Under the No Build Alternative, the No Build Alternative impacts described for each of the resources above would continue. Any cumulative effects that result from the combination of the individual No Build effects and other reasonably foreseeable future actions would likewise continue. For most resources, the impacts would not be significant. For the following, however, the No-Build cumulative impacts may be significant for the reasons cited:

- ◆ Transportation – Negative impacts associated with the lack of the Multimodal Hub Center would continue to affect transportation in the region
- ◆ Socioeconomics – The socioeconomic benefits associated with the Multimodal Hub Center would not be realized.

**Build Alternative** – The Proposed Action may result in cumulative impacts for most of the environmental resources but most impacts are minimal or, when considered with reasonably foreseeable future actions, are negligible. The cumulative impacts for each environmental resource are discussed below.

- ◆ Air Quality – Air quality impacts from the Proposed Action will be minor, temporary and localized, as will the air quality impacts from each of the reasonably foreseeable future projects. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative effect on air quality.
- ◆ Water Quality and Water Resources – Water resource and water quality impacts are anticipated to occur from the reasonably foreseeable future projects. The Proposed Action



itself will result in minor, temporary impacts to water resources and water quality that would be offset by minimization and mitigation measures. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative effect on this resource.

- ◆ Noise and Vibration – Noise and vibration impacts would be anticipated from the reasonably foreseeable future projects, Noise and vibration emissions from the Proposed Action itself will consist of localized construction-related noise and as such, will be minor and temporary in nature. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative effect on noise.
- ◆ Wetlands – Wetland impacts are expected to occur from the reasonably foreseeable future projects. The Proposed Action itself will result in permanent impacts to about 1.5 acres of wetlands. These impacts will be offset by mitigation measures at 2:1 ratio, as stipulated by the US Army Corps of Engineers. Because the Proposed Action’s wetland impacts are being mitigated (i.e., no net loss of wetlands), however, the Proposed Action’s impacts, combined with the other projects being considered, will have a negligible cumulative effect on this resource.
- ◆ Biological Resources – Biological resource impacts are anticipated to occur from the reasonably foreseeable future projects. The Proposed Action itself will result in minor impacts to biological resources which will be offset by minimization and mitigation measures. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative effect on this resource.
- ◆ Floodplains – Floodplain impacts are anticipated to occur from the reasonably foreseeable future projects. The Proposed Action itself will not result in impacts to floodplains because there are no floodplains in the study area. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative effect on this resource.
- ◆ Energy – The reasonably foreseeable future projects are anticipated to consume energy and fuel. The Proposed Action itself will utilize energy during construction activities associated with Phase 4 features. However, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative effect on this resource.
- ◆ Visual Resources – Reasonably foreseeable future projects are anticipated to impact aesthetics. The Proposed Action itself will result in aesthetic impacts, but those impacts will be related to construction and as such, will be temporary and minor. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative effect on this resource.
- ◆ Transportation – Reasonably foreseeable future projects are anticipated to have no effect or a positive effect on transportation. Construction will result in temporary, minor and localized modifications to traffic patterns. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative impact on transportation.
- ◆ Land Use, Zoning, and Property Acquisitions – Reasonably foreseeable future projects are anticipated to impact land uses and require additional property acquisitions. The Proposed Action will result in the permanent conversion of agricultural lands (about 88 acres) to industrial/commercial use. Considering the preponderance of agricultural lands in Toole County, however, the Proposed Action-specific impacts, combined with those of the



reasonably foreseeable future actions, will have a negligible cumulative effect on this resource.

- ◆ Socioeconomics – The Proposed Action in combination with the reasonably foreseeable future actions are anticipated to help foster future economic growth in Shelby and Toole County (as well as the region) and add jobs to the local community. This projected growth has been planned for by the City of Shelby and Toole County both of which have infrastructure and services capable to accommodate such growth. It is not anticipated that the future growth from the reasonably foreseeable future actions, in combination with the Proposed Action itself, will cause negative cumulative impacts to the study area. In fact, the jobs and revenue streams created by the Proposed Action and reasonably foreseeable future actions are anticipated to have a beneficial cumulative effect on socioeconomic resources in the study area.
- ◆ Environmental Justice – The Proposed Action will not result in impacts to environmental justice or other sensitive populations, and therefore, will not contribute to a cumulative effect on these resources.
- ◆ Public Health and Safety – The reasonably foreseeable future projects are anticipated to have public health and safety effects similar to those associated with the Proposed Action. The Proposed Action will result in temporary and minor increases in health and safety risks to the public. Due to the temporary nature of construction activities and the safety measures implemented by the Proposed Action, such impacts will not be significant. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative effect on this resource.
- ◆ Contaminated Sites and Hazardous Waste – The reasonably foreseeable future projects are anticipated to have hazardous materials effects similar to those associated with the proposed action. The Proposed Action itself will result in impacts to hazardous materials that would be offset by minimization and mitigation measures. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative effect on this resource.
- ◆ Parks and Recreational Areas – Reasonably foreseeable future projects are anticipated to have impacts on parks and recreational areas. The Proposed Action itself will have minor, temporary impacts on local recreational facilities. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will have a negligible cumulative effect on this resource.
- ◆ Cultural and Historic Resources – Reasonably foreseeable future projects may have certain effects on cultural and historic resources. The Proposed Action itself will have no effects on cultural resources. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, will not contribute to a cumulative effect on this resource.
- ◆ Section 4(f) Resources – Reasonably foreseeable future projects may have impacts on Section 4(f) resources. The Proposed Action itself will have no effects on Section 4(f) resources. Therefore, the Proposed Action, when considered with the reasonably foreseeable future actions, would not contribute to a cumulative effect on this resource.



## CHAPTER 4 COORDINATION AND CONSULTATION

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Coordination efforts begin in the early stages of a project and are designed to maintain consistent communication with residents, public officials, businesses, property owners, stakeholders, and regulatory agencies during the life of the project. This process affords the parties involved to review and comment on key issues associated with the overall project. Public participation is encouraged through the public workshops held in an effort to provide information to interested stakeholders and to receive community input regarding the alternatives being considered, potential social, economic, and natural impacts, and other concerns.

### 4.1 Agency Coordination

Early communication and coordination was initiated through an early scoping package sent by FRA to Federal, state, and local regulatory agencies and other interested parties on June 1, 2012 to ensure that social, economic, and environmental effects were considered in the development of this Proposed Action. This scoping package included information on the Proposed Action and a Proposed Action study area map.

Additionally, public participation was initiated by FRA through the inclusion of a Legal Notice in the June 6, 2012 issue of the Shelby Promoter. The Shelby Promoter is the local newspaper and is produced on a weekly basis. It has an approximate circulation of 2,100. An informational flyer was produced and displayed at the Toole County Public Library in Shelby from June 6-July 6, 2012. Please refer to **Appendix E, Scoping Materials**.

Ten responses to the scoping package were received by the conclusion of the 30-day scoping period. These comments provided valuable insight into the evaluation of potential environmental impacts. Comments from the USFWS determined the proposed action was unlikely to have any significant adverse effects to fish, wildlife, or habitat resources. The Montana Historical Society recommended a Cultural Resource Inventory to be conducted prior to any disturbances. The Department of Natural Resources and Conservation (DNRC) views the proposed development as an opportunity for both the City of Shelby and State School Trust to generate revenue for their respective needs. Regulatory requirements were presented through permits associated with wastewater discharge, a Stormwater Pollution Prevention Plan and the requirements established for the Public Water Supply Act in the correspondence letter from the Montana Department of Environmental Quality. The comments were considered where appropriate within the environmental impact categories referenced in this document. Please refer to **Appendix F, Scoping Responses**.

### 4.2 Public Outreach

A public input meeting for the Proposed Action was held by KLJ on August 28, 2006 at Shelby City Hall. Local radio stations received a press release from KLJ advertising the meeting. An advertisement was published by KLJ in the Shelby Promoter 10 days prior to the meeting.

The purpose of the meeting was to kick off the Proposed Action, show preliminary alternatives, and initiate early and open communication with the public. A formal presentation was given, followed by a group question and answer session. An open house format followed, during which participants





were able to talk with the Project team individually. Exhibits were on display, and an informational handout was available.

Twenty-seven people attended the meeting. Overall, the public expressed general support for the Proposed Action. One written comment was received during the two-week comment period that followed the public meeting. Please refer to **Appendix F, Scoping Responses**.

The public will have 30 days in which to submit comments on this Draft EA document following its publication. In addition, a public open house meeting where the public will be able to offer comments on the Proposed Action and the Draft EA will be held in concert with the 30-day comment period. Notices for the public meeting and the availability of the Draft EA will be published in the local newspaper and other means that are visible to the public. The notices will include details about how the public can obtain and review the Draft EA and directions for submitting comments on the Draft EA.



## CHAPTER 5 LIST OF PREPARERS

This chapter identifies the names and qualifications of the principal contributors (the Port of Northern Montana and KLJ, the Port of Northern Montana’s engineering and environmental consultant) to this EA. In accordance with Part 1502.6 of the Council on Environmental Quality regulations implementing NEPA, the efforts of an interdisciplinary team comprising technicians and experts in various fields were required to accomplish this study.

*Table 5.1, List of Preparers*

AFFILIATION	NAME	TITLE	PROJECT ROLE
<b>Port of Northern Montana</b>	Larry Bonderud	Director	Owner Representative
<b>KLJ</b>	Brad Koon	Municipal Engineer	Project Manager
	Grady Wolf	Environmental Planner	Senior Review & Wetland Delineation
	Doug Timpe	Environmental Planner	Agency Coordination, Secondary Author
	Shawn Blanchard	Environmental Planner	Impact Assessment, Primary Author
	Steve Best	Environmental Planner	Impact Assessment, Secondary Author
	Jennifer Macy	Archaeologist	Cultural Resources Inventory
	Skip Skattum	GIS Analyst	Digital Mapping
	James Slayton	Right-of-Way Specialist	Landowner Communication
	Michael Ries	Project Surveyor	Surveys



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## Appendix A

### *13<sup>th</sup> Street South Alignment Options*



## 13<sup>th</sup> Street South Alignment Alternative Analysis

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The following section includes a siting-level analysis of three alternatives that were considered for the 13<sup>th</sup> Street South alignment portion of the Port of Northern Montana Multimodal Hub project. The analysis is based on existing information for the project area and utilizes evaluation criteria established by the Federal Railroad Administration.

Alignment Option 3 is recommended as the preferred option. This alignment would require only a minor deviation from the existing 13<sup>th</sup> Street South corridor, would result in infrastructure upgrades and environmental impacts that are less than or comparable to other alternatives, and would provide additional north-south distance between the roadway and residences near the intersection of 13<sup>th</sup> Street South and 9<sup>th</sup> Avenue South.

The assessment for each alignment alternative is described below. The attached figures show the layout of each alignment.

**Alignment Option 1:** This alignment would consist of the development of the existing 13<sup>th</sup> Street South corridor. This option would extend from the intersection of 13<sup>th</sup> Street South with the Interstate 15 frontage road (Marias Valley Road) approximately 1.75 miles east to the intersection with SE Front Street.

The following paragraphs describe this alternative as it relates to several key technical and environmental siting factors.

- **Alignment Configuration** – Site allows for a logical connection between the proposed Multimodal Hub (Project) and 13<sup>th</sup> Street South.  
**Assessment:** This option would provide for a relatively straight alignment for the western 0.75-mile of the alignment and then extend east to SE Front Street along the existing undeveloped section line. This option would require no north/south deviation from the 13<sup>th</sup> Street South corridor.
- **Site Topography** – Site topography lends itself to grading and development of the adjacent roadways.  
**Assessment:** Site topography is reasonably conducive to roadway development, although a certain amount of contouring would be required to facilitate roadway expansion and construction. As indicated above, this option would follow the existing, relatively flat segment of 13<sup>th</sup> Street South between Marias Valley Road and 9<sup>th</sup> Avenue South. From 9<sup>th</sup> Avenue South to SE Front Street, however, the terrain is hilly with grades up to 30 percent, which would require a significant amount of cut and fill.
- **Infrastructure Improvements** – Amount and scope of required improvements in the external roadway system (including intersections) near the Project.  
**Assessment:** The intersection at 9<sup>th</sup> Avenue South and 13<sup>th</sup> Street South would be paved. This option would not require any improvements to roadways outside of the project area.
- **Site Entrance/Exit** – Site will accommodate separate inbound and outbound traffic entrances to the Project in accordance with the access policies of the adjacent roadway. Amount of road infrastructure needed (4-way Stop) should be considered.

**Assessment:** The 13<sup>th</sup> Street South upgrade would include inbound and outbound traffic lanes, but would not require separate inbound/outbound entrances.

- **Environmental Issues** – Site development will not adversely impact natural resources, endangered species, parks and open space, agricultural land, and cultural resources, visual resources as well as noise and air quality impacts areas.

**Assessment:** During construction, project activities would likely result in increases in local noise levels due to the operation of equipment. Likewise, localized increases in fugitive dust and equipment emissions would be expected to affect air quality in the immediate project area. Ground disturbance during construction would expose soil to wind- and precipitation-related erosion. However, such impacts would be minor, limited to a relatively small area, and temporary, and would not be significant. Approximately 1.3 acres of land outside of the existing 13<sup>th</sup> Street South right-of-way would be temporarily disturbed. Of this area, none would be permanently converted to roadway. During operation of the Multimodal Hub, this alternative would result in increased traffic levels with accompanying increases in air pollutant and noise emissions due to activities related to the Multimodal Hub. These effects would be common to all 13<sup>th</sup> Street South alignment alternatives and would not differentiate this option from others.

- **Existing Utilities** – Development of the site will require minimal extensions or upgrades of utilities (such as water, sanitary sewer, gas, electric, telephone, fiber optic/data, etc.).

**Assessment:** This option would require relocation of some existing overhead electric lines. No other existing utilities would be expected to be affected by this alignment.

- **Property Ownership & Willingness to Sell** – Site is located on a single parcel or contiguous parcels owned by the same property owner. Property owned by a governmental agency or a property owner that is willing to negotiate to sell.

**Assessment:** This option would follow the existing 13<sup>th</sup> Street South alignment between Marias Valley Road and 9<sup>th</sup> Avenue South, and then extend straight east to its intersection with SE Front Street. There is existing road right-of-way along the entire length of 13<sup>th</sup> Street South but in some locations, cut or fill slopes would be required on neighboring properties. Verbal agreements are in place and written documents have been prepared for the following. We expect signature within the next 2 weeks.

- Hasquest Family Farms – Sloping agreement.
- Dick Irvin Trucking – Sloping Agreement.
- Bogie – Purchase agreement for the south portion of Tract 115 near the intersection of 9<sup>th</sup> Avenue South. Sloping agreements for all parcels along the north side of 13<sup>th</sup> Street between Cedar Avenue and Roosevelt Park.
- Nesbo – Sloping agreements for parcel on the north side of 13<sup>th</sup> Street.
- Rambo – Sloping agreement for parcel on the south side of 13<sup>th</sup> Street.

The alignment would come in close proximity to a residence near the intersection of 13<sup>th</sup> Street South and 9<sup>th</sup> Avenue South. The owner of the residence has expressed concern about the safety risks associated with the alignment.

- **Viability** – Alignment Option 1 is a viable alternative. It is the shortest of the three options and would require the least amount of infrastructure buildup other than the no action alternative. This alignment would result in minor, short-term environmental impacts during construction, and localized increases in noise, fugitive air pollutant, and traffic impacts during operation of the Multimodal Hub. A local property owner has expressed concern about the proximity of their residence to the upgraded road under this alignment considering the amount of truck traffic that would be generated. Consequently, Alignment Option 1 is not considered to be the preferred alternative.

**Alignment Option 2:** This alignment would follow 13<sup>th</sup> Street South from Marias Valley Road to the 9<sup>th</sup> Avenue South intersection, where it would veer to the northeast, turn east and traverse the south end of Block 115, then veer back to the southeast and rejoin 13<sup>th</sup> Street South at a point approximately 500 feet east of the 9<sup>th</sup> Avenue South intersection. At this point, it would shift slightly south of the Option 1 alignment to avoid individual parcels that would have to be traversed north of 13<sup>th</sup> Street South between 9<sup>th</sup> Avenue South and SE Front Street. The alignment would then continue east approximately 3,500 feet where it would shift slightly north to return to the “original” 13<sup>th</sup> Street South alignment (see Option 1). From this point, it would continue east to SE Front Street.

The following paragraphs describe this option as it relates to several key technical and environmental siting factors.

- **Alignment Configuration** – Site allows for a logical connection between the proposed Multimodal Hub (Project) and 13<sup>th</sup> St. South.  
**Assessment:** This option would provide for a relatively straight alignment for approximately 0.75-mile of the western portion of the alignment. However, the alignment would require an approximately 25-foot shift to the north of 13<sup>th</sup> Street South for about 500 feet before returning to the designated 13<sup>th</sup> Street South corridor, where it would shift slightly south as described above. This alignment would be advantageous in that it would provide additional north-south distance between the roadway and a residence near the intersection of 13<sup>th</sup> Street South and 9<sup>th</sup> Avenue South (see Alignment Option 1), and that it would require slope agreements from fewer individual parcels north of 13<sup>th</sup> Street South than Options 1 or 3.
- **Site Topography** – Site topography lends itself to grading and development of the adjacent roadways.  
**Assessment:** Site topography is reasonably conducive to roadway development, although a certain amount of contouring would be required to facilitate roadway expansion and construction. As indicated above, this option would follow the existing, relatively flat segment of 13<sup>th</sup> Street South between Marias Valley Road and 9<sup>th</sup> Avenue South. From 9<sup>th</sup> Avenue South to SE Front Street, however, the terrain is hilly with grades up to 30 percent, which would require a significant amount of cut and fill.
- **Infrastructure Improvements** – Amount and scope of required improvements in the external roadway system (including intersections) near the Project.  
**Assessment:** The intersection at 9<sup>th</sup> Avenue South and 13<sup>th</sup> Street South would be paved. This option would not require any improvements to roadways outside of the project area.
- **Site Entrance/Exit** – Site will accommodate separate inbound and outbound traffic entrances to the Project in accordance with the access policies of the adjacent roadway. Amount of road infrastructure needed (4-way Stop) should be considered.

**Assessment:** This alignment alternative would include inbound and outbound traffic lanes, but would not require separate inbound/outbound entrances.

- **Environmental Issues** – Site development will not adversely impact natural resources, endangered species, parks and open space, agricultural land, and cultural resources, visual resources as well as noise and air quality impacts areas.

**Assessment:** During construction, project activities would likely result in increases in local noise levels due to the operation of equipment. Likewise, localized increases in fugitive dust and equipment emissions would be expected due to affect air quality in the immediate project area. Ground disturbance during construction would expose soil to wind- and precipitation-related erosion. Such impacts would be minor, limited to a relatively small area, and temporary, and would not be considered to be significant. This alternative differs from Options 1 and 3 in that it would result in the temporary disturbance of approximately 4.5 acres of area outside of the 13<sup>th</sup> Street South right-of-way. Of this area, about 1.2 acres would be permanently converted to roadway. Following construction, this alternative would result in increased traffic levels with accompanying increases in air pollutant and noise emissions due to activities associated with the Multimodal Hub.

- **Existing Utilities** – Development of the site will require minimal extensions or upgrades of utilities (such as water, sanitary sewer, gas, electric, telephone, fiber optic/data, etc.).

**Assessment:** This option would require relocation of some existing overhead electric lines. No other existing utilities would be expected to be affected by this alignment.

- **Property Ownership & Willingness to Sell** – Site is located on a single parcel or contiguous parcels owned by the same property owner. Property owned by a governmental agency or a property owner that is willing to negotiate to sell.

**Assessment:** There is existing road right-of-way along the entire length of 13<sup>th</sup> Street South but in some locations, cut or fill slopes would be required on neighboring property. Verbal agreements are in place and written documents have been prepared for the following. We expect signature within the next 2 weeks.

- Hasquest Family Farms – Sloping agreement.
- Dick Irvin Trucking – Sloping Agreement.
- Bogie – Purchase agreement for the south portion of Tract 115 near the intersection of 9<sup>th</sup> Avenue South. Sloping agreements for all parcels along the north side of 13<sup>th</sup> Street between Cedar Avenue and Roosevelt Park.
- Nesbo – Sloping agreements for parcel on the north side of 13<sup>th</sup> Street.
- Rambo – Sloping agreement for parcel on the south side of 13<sup>th</sup> Street.

Access agreements would also have to be obtained for the extreme north portion of the Beth A. Collier property. Due to its configuration, Option 2 would require access for fewer individual parcels than the other options.

- **Viability** – Alignment Option 2 is viable. It would require new and/or upgraded infrastructure between 9<sup>th</sup> Avenue South and SE Front Street. This alignment would result in minor, short-term environmental impacts during construction and localized increases in noise, fugitive air

pollutants, and traffic impacts during operation of the Energy Park. Advantages of this option include: (1) the provision of additional distance between the roadway and local residences; and (2) slope agreements from fewer individual parcels along the 13<sup>th</sup> Street corridor. However, it would be slightly longer than either Options 1 or 3, and would result in the temporary disturbance of 3.2 acres more area outside of the existing 13<sup>th</sup> Street South right-of-way (and an additional 1.2 acres of permanent impact) than either Options 1 or 3. Consequently, Alignment Option 2 is not considered to be the preferred alternative.

**Alignment Option 3:** This alignment would be the same as Option 1 except that at the 9<sup>th</sup> Avenue South intersection, it would veer to the northeast, turn east and traverse the south end of Block 115, then veer back to the southeast and rejoin 13<sup>th</sup> Street South at a point approximately 500 feet east of the 9<sup>th</sup> Avenue South intersection. From this point, the alignment would extend straight east to SE Front Street along the existing undeveloped section line. This option would require no north/south deviation from the 13<sup>th</sup> Street South corridor except for the short segment near the 9<sup>th</sup> Avenue South intersection.

The following paragraphs describe this alternative as it relates to several key technical and environmental siting factors.

- **Alignment Configuration** – Site allows for a logical connection between the proposed Multimodal Hub (Project) and 13<sup>th</sup> Street South.  
**Assessment:** This option would provide for a relatively straight alignment for the western 0.75-mile of the alignment. However, the alignment would require an approximately 25-foot shift to the north of 13<sup>th</sup> Street South for about 500 feet before returning to the designated 13<sup>th</sup> Street South corridor. This alignment would be advantageous in that it would provide additional north-south distance between the roadway and a residence near the intersection of 13<sup>th</sup> Street South and 9<sup>th</sup> Avenue South.
- **Site Topography** – Site topography lends itself to grading and development of the adjacent roadways.  
**Assessment:** Site topography is reasonably conducive to roadway development, although a certain amount of contouring would be required to facilitate roadway expansion and construction. As indicated above, this option would follow the existing, relatively flat segment of 13<sup>th</sup> Street South between Marias Valley Road and 9<sup>th</sup> Avenue South. From 9<sup>th</sup> Avenue South to SE Front Street, however, the terrain is hilly with grades up to 30 percent, which would require a significant amount of cut and fill.
- **Infrastructure Improvements** – Amount and scope of required improvements in the external roadway system (including intersections) near the Project.  
**Assessment:** The intersection at 9<sup>th</sup> Avenue South and 13<sup>th</sup> Street South would be paved. This option would not require any improvements to roadways outside of the project area.
- **Site Entrance/Exit** – Site will accommodate separate inbound and outbound traffic entrances to the Project in accordance with the access policies of the adjacent roadway. Amount of road infrastructure needed (4-way Stop) should be considered.  
**Assessment:** The 13<sup>th</sup> Street South upgrade would include inbound and outbound traffic lanes, but would not require separate inbound/outbound entrances.
- **Environmental Issues** – Site development will not adversely impact natural resources, endangered species, parks and open space, agricultural land, and cultural resources, visual



resources as well as noise and air quality impacts areas.

**Assessment:** During construction, project activities would likely result in increases in local noise levels due to the operation of equipment. Likewise, localized increases in fugitive dust and equipment emissions would be expected to affect air quality in the immediate project area. Ground disturbance during construction would expose soil to wind- and precipitation-related erosion. However, such impacts would be minor, limited to a relatively small area, and temporary, and would not be significant. Approximately 1.3 acres of land outside of the existing 13<sup>th</sup> Street South right-of-way would be temporarily disturbed. Of this area, none would be permanently converted to roadway. During operation of the Multimodal Hub, this alternative would result in increased traffic levels with accompanying increases in air pollutant and noise emissions due to activities related to the Multimodal Hub. Overall, the environmental impacts associated with Alignment Option 3 would be less than or comparable to the other alignment options.

- **Existing Utilities** – Development of the site will require minimal extensions or upgrades of utilities (such as water, sanitary sewer, gas, electric, telephone, fiber optic/data, etc.).

**Assessment:** This option would require relocation of some existing overhead electric lines. No other existing utilities would be expected to be affected by this alignment.

- **Property Ownership & Willingness to Sell** – Site is located on a single parcel or contiguous parcels owned by the same property owner. Property owned by a governmental agency or a property owner that is willing to negotiate to sell.

**Assessment:** This option would follow the existing 13<sup>th</sup> Street South alignment between Marias Valley Road and 9<sup>th</sup> Avenue South, and then extend straight east to its intersection with SE Front Street. There is existing road right-of-way along the entire length of 13<sup>th</sup> Street South but in some locations, cut or fill slopes would be required on neighboring property. Verbal agreements are in place and written documents have been prepared for the following. We expect signature within the next 2 weeks.

- Hasquest Family Farms – Sloping agreement.
- Dick Irvin Trucking – Sloping Agreement.
- Bogie – Purchase agreement for the south portion of Tract 115 near the intersection of 9<sup>th</sup> Avenue South. Sloping agreements for all parcels along the north side of 13<sup>th</sup> Street between Cedar Avenue and Roosevelt Park.
- Nesbo – Sloping agreements for parcel on the north side of 13<sup>th</sup> Street.
- Rambo – Sloping agreement for parcel on the south side of 13<sup>th</sup> Street.

This alignment would provide additional north-south distance between the roadway and the residence near the intersection of 13<sup>th</sup> Street South and 9<sup>th</sup> Avenue South.

- **Viability** – Alignment Option 3 is a viable option. It would be slightly longer than Option 1 but somewhat shorter than Option 2, and would require new and/or upgraded infrastructure between 9<sup>th</sup> Avenue South and SE Front Street. This alignment would result in minor, short-term environmental impacts during construction and localized increases in noise, fugitive air pollutants, and traffic impacts during operation of the Multimodal Hub. A distinct advantage of this alignment over Option 1 is that it would provide additional distance between the roadway

and residences near the intersection of 9<sup>th</sup> Avenue South. Compared to Option 2, the Option 3 alignment would result in fewer impacts to land outside of the existing 13<sup>th</sup> Street South right-of-way. Considering the above factors, Alignment Option 3 is proposed as the preferred alternative.



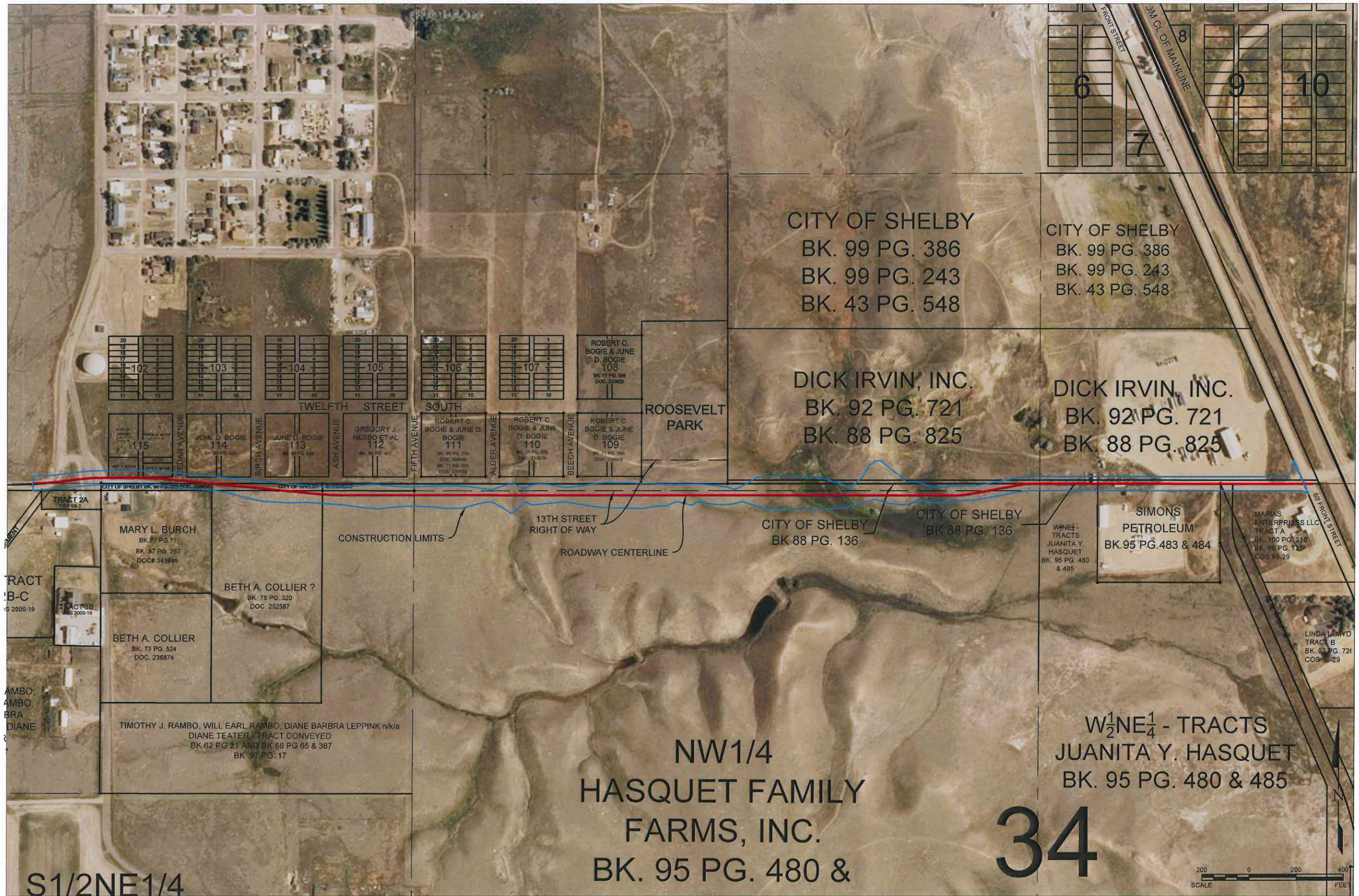




NO.	DATE	REVISION

DRAFTED BJK
REVIEWED AL
PROJECT NUMBER 4412002
ISSUE DATE ##/##/2012

**PORT OF NORTHERN MONTANA MULTIMODAL HUB**  
 PORT OF NORTHERN MONTANA MULTIMODAL HUB  
 SHELBY, MONTANA  
 13TH STREET - OPTION 2  
 SHEET  
 2

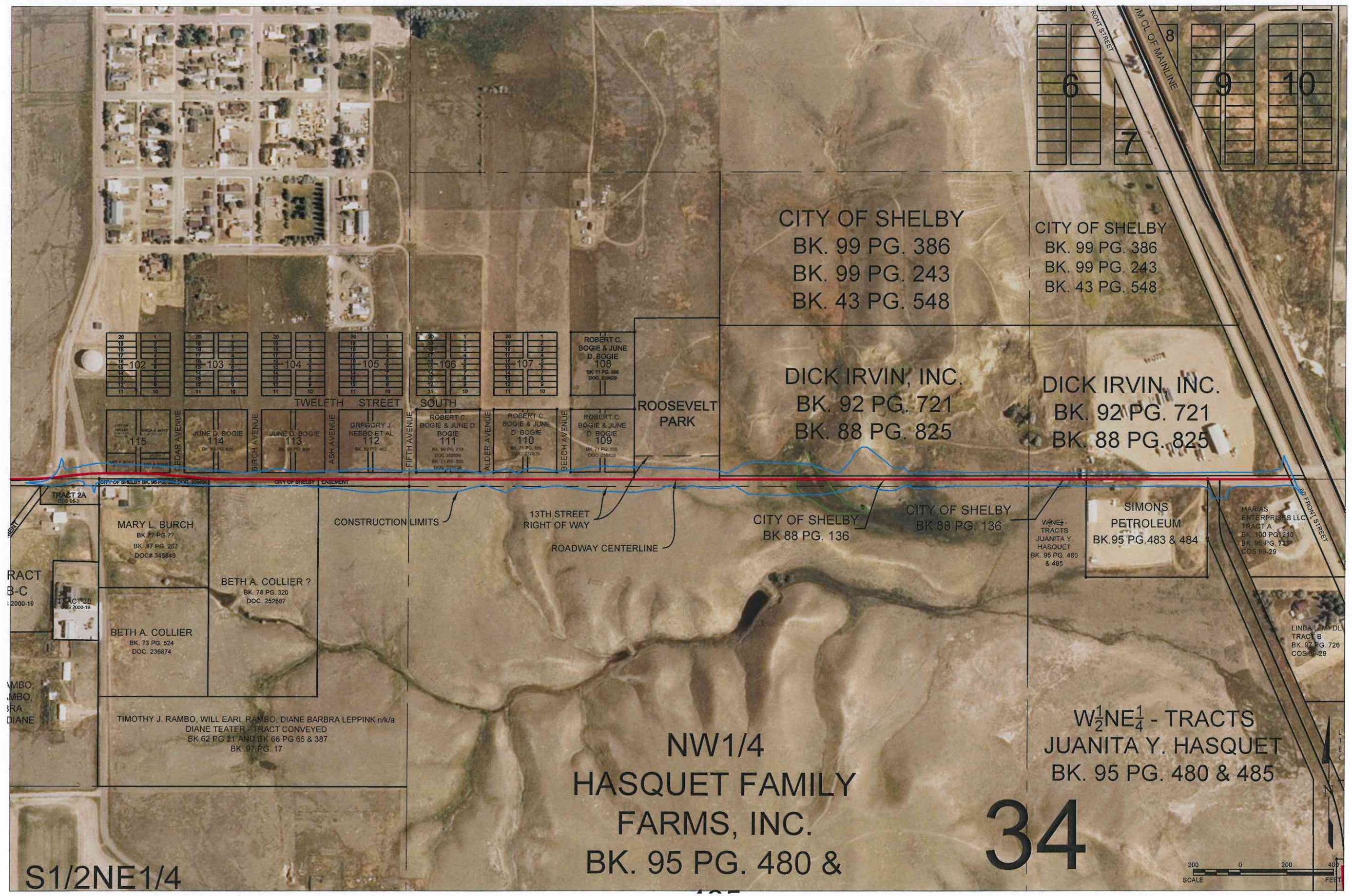




NO.	REVISION	DATE

DRAFTED BJK
REVIEWED AL
PROJECT NUMBER 4412002
ISSUE DATE ##/##/2012

**PORT OF NORTHERN MONTANA MULTIMODAL HUB**  
 PORT OF NORTHERN MONTANA MULTIMODAL HUB  
 SHELBY, MONTANA  
**13TH STREET - OPTION 3**







## Appendix B

### *Protected Species Information*



P.O. Box 201800 • 1515 East Sixth Avenue • Helena, MT 59620-1800 • fax 406.444.02661 • tel 406.444.5354 • <http://mtnhp.org>

May 7, 2012

Steve Best  
Kadrmass Lee & Jackson  
P.O. Box 1157  
Bismarck, North Dakota 58502-1157

Dear Steve,

I am writing in response to your recent request regarding Montana Species of Concern in the vicinity of the Port of Northern MT Multimodal Hub Shelby MT, in Sections 2 and 3, T31N, R02W; and Sections 27, 28 and 33-35, T32N, R02W, in Toole County. I checked our databases for information in this general area and have enclosed 1 species occurrence report for 1 Species of Concern, a map depicting Species of Concern locations and explanatory material. Note that the maps are in Adobe GeoPDF format. With the appropriate Adobe Reader, it provides a convenient way to query and understand the information presented on the map. Documentation is included.

Please keep in mind the following when using and interpreting the enclosed information and maps:

- (1) These materials are the result of a search of our database for Species of Concern that occur in an area defined by the requested township, range and sections with an additional one-mile buffer surrounding the requested area. This is done to provide a more inclusive set of records and to capture records that may be immediately adjacent to the requested area. Please let us know if a buffer greater than 1 mile would be of use to your efforts. Reports are provided for the Species of Concern that are located in your requested area with a one-mile buffer. Species of Concern outside of this buffered area may be depicted on the map due to the map extent, but are not selected for the SOC report.
- (2) On the map, polygons represent one or more source features as well as the locational uncertainty associated with the source features. A source feature is a point, line, or polygon that is the basic mapping unit of a Species Occurrence (SO) representation. The recorded location of the occurrence may vary from its true location due to many factors, including the level of expertise of the data collector, differences in survey techniques and equipment used, and the amount and type of information obtained. Therefore, this inaccuracy is characterized as locational uncertainty, and is now incorporated in the representation of an SO. If you have a question concerning a specific SO, please do not hesitate to contact us.

- (3) This report may include sensitive data, and is not intended for general distribution, publication, or for use outside of your organization. In particular, public release of specific location information may jeopardize the welfare of threatened, endangered, or sensitive species or biological communities.
- (4) The accompanying map(s) display land management status, which may differ from ownership. Also, this report may include data from privately owned lands, and approval by the landowner is advisable if specific location information is considered for distribution. Features shown on this map do not imply public access to any lands.
- (5) Additional biological data for the search area(s) may be available from other sources. We suggest you contact the U.S. Fish and Wildlife Service for any additional information on threatened and endangered species (406-449-5225). For additional fisheries information in your area of interest, you may wish to contact Montana Fish, Wildlife, and Park's Montana Fisheries Information System (phone: 406-444-3373, or web site: <http://fwp.mt.gov/fishing/mFish/>).
- (6) Additional information on species habitat, ecology and management is available on our web site in the Plant, Animal, and ecological Systems Field Guides, which we encourage you to consult for valuable information. You can access these guides at <http://mtnhp.org>. General information on any species can be found by accessing the link to NatureServe Explorer.**

The results of a data search by the Montana Natural Heritage Program reflect the current status of our data collection efforts. These results are not intended as a final statement on sensitive species within a given area, or as a substitute for on-site surveys, which may be required for environmental assessments. The information is intended for project screening only with respect to Species of Concern, and not as a determination of environmental impacts, which should be gained in consultation with appropriate agencies and authorities.

I hope the enclosed information is helpful to you. Please feel free to contact me at (406) 444-3290 or via my e-mail address, below, should you have any questions or require additional information.

Sincerely,

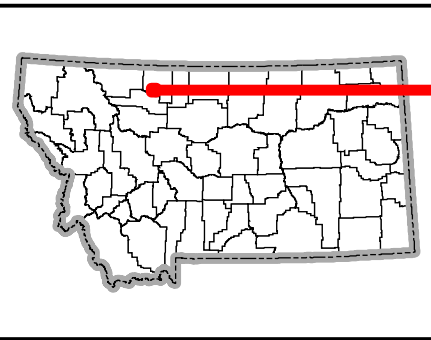


Martin P. Miller  
Montana Natural Heritage Program  
[martinm@mt.gov](mailto:martinm@mt.gov)

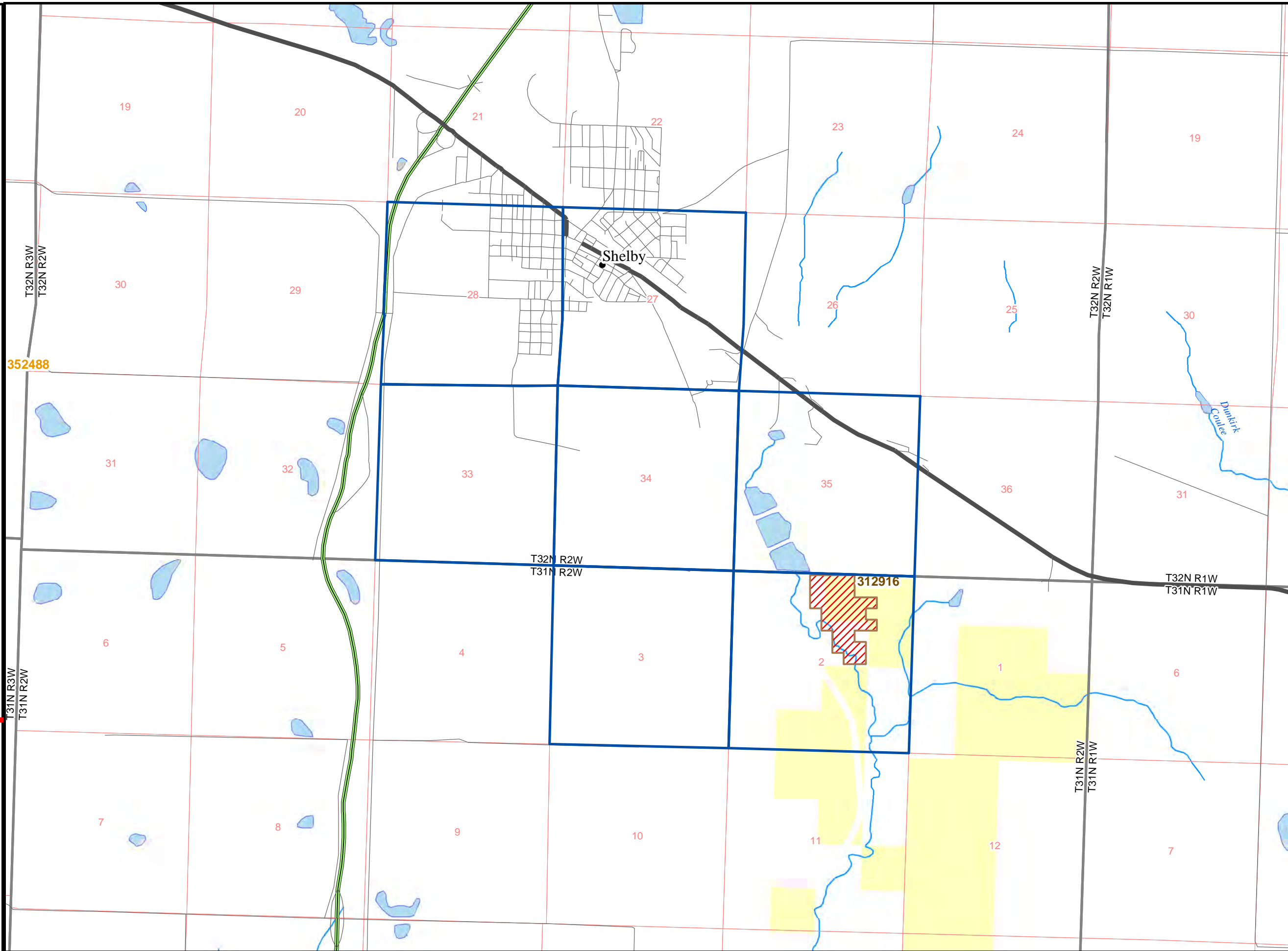
# Montana Species of Concern Port of Northern MT Multimodal Hub Shelby MT

SPECIES OF CONCERN: A polygon feature representing only what is known from direct observation with a defined level of certainty regarding the spatial location of the feature.

- NonVascular Plants**
-  NonVascular Plants
- Vascular Plants**
-  Vascular Plants
- Invertebrates**
-  Invertebrates
- Amphibians**
-  Amphibians
- Fish**
-  Fish
- Reptiles**
-  Reptiles
- Birds**
-  Birds
- Mammals**
-  Mammals
- Sites**
-  Sites
- Wetland and Riparian Classes**
-  Lacustrine
-  Freshwater Pond
-  Freshwater Emergent Wetland
-  Freshwater Shrub Wetland
-  Freshwater Forested Wetland
-  Riverine
-  Riparian Emergent
-  Riparian Shrub
-  Riparian Forested

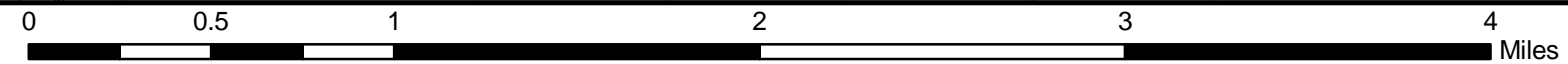


Not all legend items may occur on the map.  
Features shown on this map do not imply public access to any lands.  
This map displays management status, which may vary from ownership.



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1515 East Sixth Ave., Helena, MT 59620-1800

406 444-5354 <http://mtnhp.org> [mtnhp@mt.gov](mailto:mtnhp@mt.gov)



Map Document: K:\REQUESTS\Requests\12\US\12us0022\12us0022.mxd (5/7/2012)



Natural Resource Information System  
Montana State Library  
PO Box 201800  
Helena, MT 59620-1800  
(406)444-3009 mtnhp@mt.gov

# Species of Concern Data Report

Visit <http://mtnhp.org> for additional information.

Report Date:  
**Monday, May 7, 2012**

## Cynomys ludovicianus

[View Species in MT Field Guide](#)

**Common Name:** Black-tailed Prairie Dog

**General Habitat:** Grasslands

**Description:** Vertebrate Animal

### Mapping Delineation:

Areas with recent evidence of activity (i.e. burrow entrances) visible on the 2005 or 2009 National Agricultural Imagery Program (NAIP) aerial color photographic imagery that either contain or are within a distance of 200 meters of a definitive observation of the species.

### Species Status

[Click Status for Explanations](#)

#### Natural Heritage Ranks:

State: S3  
Global: G4

#### Federal Agency Status:

U.S. Fish & Wildlife Service:  
U.S. Forest Service: SENSITIVE  
U.S. Bureau of Land Management: SENSITIVE

FWP CFWCS Tier: 1

MT PIF Code:

### Species Occurrences

Species Occurrence Map Label:	<b>312916</b>	SO Number:	8,737
First Observation Date:		Acreage:	74
Last Observation Date:		SO Rank:	





# Montana Natural Heritage Program

1515 East Sixth Ave., Helena, Montana 59620-1800

(406) 444-5354

<http://mtnhp.org>

## Explanation of Species of Concern Reports

Since 1985, the Montana Natural Heritage Program (MTNHP) has been compiling and maintaining an inventory of elements of biological diversity in Montana. This inventory includes plant species, animal species, plant communities, and other biological features that are rare, endemic, disjunct, threatened, or endangered throughout their range in Montana, vulnerable to extirpation from Montana, or in need of further research.

**Species Occurrences:** (formerly called 'Element Occurrences') A "Species Occurrence" (SO) is an area depicting only what is known from direct observation with a defined level of certainty regarding the spatial location of the feature. If an observation can be associated with a map feature that can be tracked (e.g., a wetland) then this polygon feature is used to represent the SO. Areas that can be inferred as probable occupied habitat based on direct observation of a species location and what is known about the foraging area or home range size of the species may be incorporated into the Species Occurrence. A "Species Occurrence" generally falls into one of the following three categories:

**Plants:** A documented location of a specimen collection or observed plant population. In some instances, adjacent, spatially separated clusters are considered subpopulations and are grouped as one occurrence (e.g., the subpopulations occur in ecologically similar habitats, and are within approximately one air mile of one another).

**Animals:** The location of a specimen collection or of a verified sighting; known or assumed to represent a breeding population. Additional collections or sightings are often appended to the original record.

**Other:** Significant biological features not included in the above categories, such as bird rookeries, peatlands, or state champion trees.

**Ecological Information:** Areas for which we have ecological information are represented on the map as either shaded polygons (where small and/or well defined) or simply as map labels (where they are large generally-defined landscapes). Descriptive information about these areas is contained in the associated report. Such information can be useful in assessing biological values and interpreting Species of Concern data.

The quantity and quality of data contained in MTNHP reports is dependent on the research and observations of the many individuals and organizations that contribute information to the program. Please keep in mind that the absence of information for an area does not mean the absence of significant biological features, since no surveys may have been conducted there. Reports produced by the Montana Natural Heritage Program summarize information documented in our databases at the time of a request. These reports are not intended as a final statement on the species or areas being considered, nor are they a substitute for on-site surveys, which may be required for environmental assessments.

---

As a user of MTNHP, your contributions of data are essential to maintaining the accuracy of our databases. New or updated location information for all species of concern is always welcome.

We encourage you to visit our website at <http://mtnhp.org>. On-line tools include a species observation viewer: the Natural Heritage TRACKER and *The Montana Field Guide* which contains photos, illustrations, and supporting information on Montana's animals and plant species of concern. Additional data are available on most species and ecological areas identified in our reports.

**If you have questions or need further assistance, please contact us either by phone at (406/444-5354), e-mail ([mtnhp@mt.gov](mailto:mtnhp@mt.gov)) or**

## Data Descriptions

The section below lists the names and definitions for descriptions of the data fields used in the reports. Certain codes and abbreviations are used in Species Occurrence reports. Although many of these are very straightforward, the following explanations should answer most questions.

**Map Label:** The label for the species occurrence as it appears on the map.

**Element Subnational ID:** The unique code used by the state or province to identify a specific element (species).

**SO Number:** Number that identifies the particular occurrence of the element (species).

**Scientific Name:** Latin (scientific) name.

**Common Name:** Commonly recognized name.

**Species of Concern/Potential Concern:** This value indicates whether the species is a “Species of Concern” (Y) or of “Potential Concern” (W).

**Last Observation Date:** The date the Species Occurrence was last observed extant at the site (not necessarily the date the site was last visited).

**First Observation Date:** The date the Species Occurrence was first reported at the site.

**EO Rank:** indicates the relative value of the Species Occurrence (SO) with respect to other occurrences of the Species, based on an assessment of estimated viability (species).

### Values:

- A - Excellent estimated viability/ecological integrity
- A? - Possibly excellent estimated viability/ecological integrity
- AB - Excellent or good estimated viability/ecological integrity
- AC - Excellent, good, or fair estimated viability/ecological integrity
- B - Good estimated viability/ecological integrity
- B? - Possibly good estimated viability/ecological integrity
- BC - Good or fair estimated viability/ecological integrity
- BD - Good, fair, or poor estimated viability/ecological integrity
- C - Fair estimated viability/ecological integrity
- C? - Possibly fair estimated viability/ecological integrity
- CD - Fair or poor estimated viability/ecological integrity
- D - Poor estimated viability/ecological integrity
- D? - Possibly poor estimated viability/ecological integrity
- E - Verified extant (viability/ecological integrity not assessed)
- F - Failed to find
- F? - Possibly failed to find
- H - Historical
- H? - Possibly historical
- X - Extirpated
- X? - Possibly extirpated
- U - Unrankable
- NR - Not ranked

**SO Data:** Data collected on the biology of this Species Occurrence. Specific information may include number of individuals, vigor, habitat, soils, associated species, and other characteristics.

# Species Status Codes

Provided below are definitions for species conservation status ranks, categories and other codes designated by MTNHP, Federal and State Agencies and non-governmental organizations.

- [Montana Species of Concern](#)
- [Montana Potential Species of Concern](#)
- [Status Under Review](#)
- [Exotic Species](#)
- [Montana Species Ranking Codes](#)
- [U.S. Fish and Wildlife Service](#)
- [Forest Service](#)
- [Bureau of Land Management](#)
- [MFWP Conservation Need](#)
- [Partners In Flight \(PIF\)](#)
- [MNPS Threat Category](#)

## Species of Concern

Species of Concern are native taxa that are at-risk due to declining population trends, threats to their habitats, restricted distribution, and/or other factors. Designation as a Montana Species of Concern or Potential Species of Concern is based on the Montana Status Rank, and is not a statutory or regulatory classification. Rather, these designations provide information that helps resource managers make proactive decisions regarding species conservation and data collection priorities. See the latest [Species of Concern Reports](#) for more detailed explanations and assessment criteria.

## Potential Species of Concern

Potential Species of Concern are native taxa for which current, often limited, information suggests potential vulnerability. Also included are animal species which additional data are needed before an accurate status assessment can be made.

## Status Under Review

Species designated "Status Under Review" are plant species that require additional information and currently do not have a status rank but may warrant future consideration as Species of Concern. This category also includes plant species whose status rank is questionable due to the availability of new information or the availability of conflicting or ambiguous information or data. Species listed in this category will be reviewed periodically or as new information becomes available.

## Exotic Species

Exotic species are not native to Montana, but have either been reported in Montana or have established populations in Montana outside of their native range.

## Montana Species Ranking Codes

Montana employs a standardized ranking system to denote global (G) and state (S) status (NatureServe 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are "at-risk". Rank definitions are given below. A number of factors are considered in assigning ranks - the number, size and distribution of known "occurrences" or populations, population trends (if known), habitat sensitivity, life history traits and threats.

For example, Clustered lady's slipper (*Cypripedium fasciculatum*) is ranked G4 S2. Globally the species is uncommon but not vulnerable, while in Montana it is at risk because of limited and potentially declining numbers, extent and/or habitat.

### G1 S1

At high risk because of extremely limited and potentially declining numbers, extent and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.

### G2 S2

At risk because of very limited and potentially declining numbers, extent and/or habitat, making it vulnerable to global extinction or extirpation in the state.

### G3 S3

Potentially at risk because of limited and potentially declining numbers, extent and/or habitat, even though it may be abundant in some areas.

### G4 S4

Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.

### G5 S5

Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

### GX SX

Presumed Extinct or Extirpated - Species is believed to be extinct throughout its range or extirpated in Montana. Not located despite intensive searches of historical sites and other appropriate habitat, and small likelihood that it will ever be rediscovered.

### GH SH

Possibly Extinct or Extirpated - Species is known only from historical records, but may nevertheless still be extant; additional surveys are needed.

**GNR SNR**

Not yet ranked.

**GU SU**

Unrankable - Species currently unrankable due to lack of information or due to substantially conflicting information about status or trends.

**GNA SNA**

A conservation status rank is not applicable for one of the following reasons:

The taxa is of Hybrid Origin; is Exotic or Introduced; is Accidental or is Not Confidently Present in the state. (see other codes below)

**Other Codes and Modifiers**

**HYB**

Hybrid-Entity not ranked because it represents an interspecific hybrid and not a species.

**T**

**Intraspecific Taxon (trinomial)** - The status of infraspecific taxa (subspecies or varieties) are indicated by a "T-rank" following the species' global rank.

**?**

**Inexact Numeric Rank** - Denotes inexact numeric rank.

**Q**

**Questionable** taxonomy that may reduce conservation priority-Distinctiveness of this entity as a taxon at the current level is questionable; resolution of this uncertainty may result in change from a species to a subspecies or hybrid, or inclusion of this taxon in another taxon, with the resulting taxon having a lower-priority (numerically higher) conservation status rank.

**C**

**Captive or Cultivated Only** - Species at present is extant only in captivity or cultivation, or as a reintroduced population not yet established.

**A**

**Accidental** - Species is accidental or casual in Montana, in other words, infrequent and outside usual range. Includes species (usually birds or butterflies) recorded once or only a few times at a location. A few of these species may have bred on the one or two occasions they were recorded.

**SYN**

**Synonym** - Species reported as occurring in Montana, but the Montana Natural Heritage Program does not recognize the taxon; therefore the species is not assigned a rank.

**B**

**Breeding** - Rank refers to the breeding population of the species in Montana.

**N**

**Nonbreeding** - Rank refers to the non-breeding population of the species in Montana.

**M**

**Migratory** - Species occurs in Montana on during migration.

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

**LE**

**Listed endangered** - Any species in danger of extinction throughout all or a significant portion of its range (16 U.S.C. 1532(6)).

**PE**

**Proposed endangered** - Any species for which a proposed rule has been published in the Federal Register to list the species as endangered.

**LT**

**Listed threatened** - Any species likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range (16 U.S.C. 1532(20)).

**PT**

**Proposed threatened** - Any species for which a proposed rule has been published in the Federal Register to list the species as threatened.

**E(S/A) or T(S/A)**

Any species listed endangered or threatened because of similarity of appearance.

**C**

**Candidate** - Those taxa for which sufficient information on biological status and threats exists to propose to list them as threatened or endangered. We encourage their consideration in environmental planning and partnerships; however, none of the substantive or procedural provisions of the Act apply to candidate species.

**PDL**

**Proposed for delisting** - Any species for which a final rule has been published in the Federal Register to delist the species.

**DM**

**Recovered, delisted, and being monitored** - Any previously listed species that is now recovered, has been delisted, and is being monitored.

**NL**

**Not listed** - No designation.

**XE**

**Essential experimental population** - An experimental population whose loss would be likely to appreciably reduce the likelihood of the survival of the species in the wild.

**XN**

**Nonessential experimental population** - An experimental population of a listed species reintroduced into a specific area that receives more flexible management under the Act.

**CH**

**Critical Habitat** - The specific areas (i) within the geographic area occupied by a species, at the time it is listed, on which are found those physical or biological features (I) essential to conserve the species and (II) that may require special management considerations or protection; and (ii) specific areas outside the geographic area occupied by the species at the time it is listed upon determination that such areas are essential to conserve the species.

**PS**

**Partial status** - status in only a portion of the species' range. Typically indicated in a "full" species record where an infraspecific taxon or population, that has a record in the database has USESA status, but the entire species does not.

**PS:value**

**Partial status** - status in only a portion of the species' range. The value of that status appears in parentheses because the entity with status is not recognized as a valid taxon by Central Sciences (usually a population defined by geopolitical boundaries or defined administratively, such as experimental populations).

## Forest Service

The status of species on Forest Service lands as defined by the U.S. Forest Service manual (2670.22). These taxa are listed as such by the Regional Forester (Northern Region). The Forest Service lists animal species as:

**Endangered**

Listed as Endangered (LE) by the USFWS.

**Threatened**

Listed as Threatened (LT) by the USFWS.

**Sensitive**

Any species for which the Regional Forester has determined there is a concern for population viability within the state, as evidenced by a significant current or predicted downward trend in populations or habitat.

**Species of Concern**

USFS Species-of-Concern (FSH 1909.12, 43.22b) are species for which the Responsible Official determines management actions may be necessary to prevent listing under the Endangered Species Act (ESA). The Responsible Official, as appropriate, may identify the following plant and animal species, including macro-lichens, as species-of-concern:

1. Species identified as proposed and candidate species under the ESA.
2. Species with ranks of G-1 through G-3 on the NatureServe ranking system.
3. Infraspecific (subspecific) taxa with ranks of T-1 through T-3 on the NatureServe ranking system.
4. Species that have been petitioned for federal listing and for which a positive "90-day finding" has been made (a 90-day finding is a preliminary finding that substantive information was provided indicating that the petition listing may be warranted and a full status review will be conducted).
5. Species that have been recently delisted (these include species delisted within the past five years and other delisted species for which regulatory agency monitoring is still considered necessary).

**Species of Interest**

USFS Species-of-Interest (FSH 1909.12, 43.22c) are species for which the Responsible Official determines that management actions may be necessary or desirable to achieve ecological or other multiple-use objectives. The Responsible Official may review the following sources for potential species-of-interest:

1. Species with ranks of S-1, S-2, N1, or N2 on the NatureServe ranking system.
2. State listed threatened and endangered species that do not meet the criteria as species-of-concern.
3. Species identified as species of conservation concern in State Comprehensive Wildlife Strategies.
4. Bird species on the U.S. Fish and Wildlife Service Birds of Conservation Concern National Priority list (for the U.S. portion of the northern Rockies that occur on National Forest system lands).
5. Additional species that valid existing information indicates are of regional or local conservation concern (this includes all Forest Service Northern Region sensitive species) due to factors that may include:
  - a. Significant threats to populations or habitat.
  - b. Declining trends in populations or habitat.
  - c. Rarity.
  - d. Restricted ranges (for example, narrow endemics, disjunct populations, or species at the edge of their range).
6. Species that are hunted or fished and other species of public interest. Invasive species may also be considered.

## Bureau of Land Management

BLM Sensitive Species are defined by the BLM 6840 Manual as those that normally occur on Bureau administered lands for which BLM has the capability to significantly affect the conservation status of the species through management. The State Director may designate additional categories of special status species as appropriate and applicable to his or her state's needs. The sensitive species designation, for species other than federally listed, proposed, or candidate species, may include such native species as those that:

1. could become endangered in or extirpated from a state, or within a significant portion of its distribution in the foreseeable future,
2. are under status review by FWS and/or NMFS,
3. are undergoing significant current or predicted downward trends in habitat capability that would reduce a species' existing distribution,



4. are undergoing significant current or predicted downward trends in population or density such that federally listed, proposed, candidate, or State listed status may become necessary,
5. have typically small and widely dispersed populations,
6. are inhabiting ecological refugia, specialized or unique habitats, or
7. are State listed but which may be better conserved through application of BLM sensitive species status. Such species should be managed to the level of protection required by State laws or under the BLM policy for candidate species, whichever would provide better opportunity for its conservation.

## MFWP Conservation Need

In recent years states have received federal funding to develop Comprehensive Fish and Wildlife Conservation Strategies. Montana Fish, Wildlife, and Parks completed [Montana's Comprehensive Fish and Wildlife Conservation Strategy](#) in 2005. Under this conservation strategy individual animal species were assigned levels of conservation need as follows:

### Tier I:

**Tier I:** Greatest conservation need. Montana Fish, Wildlife & Parks has a clear obligation to use its resources to implement conservation actions that provide direct benefit to these species, communities, and focus areas.

### Tier II:

**Tier II:** Moderate conservation need. Montana Fish, Wildlife & Parks could use its resources to implement conservation actions that provide direct benefit to these species, communities, and focus areas.

### Tier III:

**Tier III:** Lower conservation need. Although important to Montana's wildlife diversity, these species, communities, and focus areas are either abundant and widespread or are believed to have adequate conservation already in place.

### Tier IV:

**Tier IV:** Species that are non-native, incidental, or on the periphery of their range and are either expanding or very common in adjacent states.

## Partners In Flight (PIF)

[Partners In Flight \(PIF\)](#) is a partnership of federal and state agencies, industry, non-governmental organizations, and many others, with the goal of conserving North American birds. In 1991, PIF began developing a formal species assessment process that could provide consistent, scientific evaluations of conservation status across all bird species in North America, and identify areas most important to the conservation of each species. This process applies quantitative rule sets to complex biological data on the population size, distribution, population trend, threats, and regional abundance of individual bird species to generate simple numerical scores that rank each species in terms of its biological vulnerability and regional status. The process results in global and regional conservation assessments of each bird species that, among other uses, can be used to objectively assign regional and continental conservation priorities among birds. The species assessment scores and process has recently been updated! Check out the [new scores](#) and make sure to download and read the updated [Handbook on Species Assessment](#), which contains important information on the how scores are derived and used in the assessment process. Note that currently only breeding-season regional scores are available for BCRs. We hope to have non-breeding scores available soon. For those needing access to the previous versions of the PIF Species Assessment Database, including past regional scores for physiographic areas, [click here](#).

## Montana Native Plant Society (MNPS) Threat Category

The MNPS Threat Category process was initiated in 2006 at the Montana Plant Conservation Conference with the formation of a committee represented by federal, state and private botanists, ecologists and biologists. The objectives were to: 1) Evaluate threats impacting Montana's Plant Species of Concern and to classify species according to their level of imperilment/risk as a result of these threats. 2) Develop a ranking system based on the impacts of the identified threats to the species' viability in the state. The result of this process is a 4-tier threat ranking system for Plant Species of Concern in Montana. The threat categories are:

### Category 1:

The viability of the species in the state is Highly Threatened by one or more activities. Associated threats have caused or are likely to cause a major reduction of the state population or its habitat that will require 50 years or more for recovery, 20% or more of the state population has been or will be affected, and the negative impact is occurring or is likely to occur within the next 5 years.

### Category 2:

The viability of the species or a portion of the species habitat in the state is Threatened by one or more activities, though impacts to the species are expected to be less severe than those in Category 1. Associated threats exist but are not as severe, wide-ranging or immediate as for Category 1, though negative impacts are occurring or are likely to occur.

### Category 3:

The viability of the species in the state is Not Threatened or the Threats are Insignificant. Associated threats are either not known to exist, are not likely to occur in the near future or are not known to be having adverse impacts that will severely affect the species' viability in the state.

### Category 4:

Assessment not possible due to insufficient and/or conflicting information on potential threats to the species.

Please visit the MNPS website at <http://www.mtnativeplants.org> for additional information on MNPS Threat Categories or for MNPS contact information.



# United States Department of the Interior

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## ENDANGERED, THREATENED, PROPOSED AND CANDIDATE SPECIES MONTANA COUNTIES\* Endangered Species Act

February 2012

C = Candidate  
 LT = Listed Threatened  
 LE = Listed Endangered  
 P = Proposed  
 PCH = Proposed Critical Habitat  
 CH = Designated Critical Habitat  
 XN = Experimental non-essential population

\*Note: Generally, this list identifies the counties where one would reasonably expect the species to occur, not necessarily every county where the species is listed

County/Scientific Name	Common Name	Status
<b>BEAVERHEAD</b>		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Thymallus arcticus</i>	Arctic Grayling (Upper Missouri River DPS)	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>BIG HORN</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>BLAINE</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>BROADWATER</b>		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C

County/Scientific Name	Common Name	Status
<b>CARBON</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>CARTER</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>CASCADE</b>		
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>CHOUTEAU</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>CUSTER</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>DANIELS</b>		
<i>Grus americana</i>	Whooping Crane	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>DAWSON</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>DEER LODGE</b>		
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Thymallus arcticus</i>	Arctic Grayling (Upper Missouri River DPS)	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>FALLON</b>		
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>FERGUS</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C

County/Scientific Name	Common Name	Status
<b>FLATHEAD</b>		
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Silene spaldingii</i>	Spalding's Campion	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Lednia tumana</i>	Meltwater Lednian Stonefly	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>GALLATIN</b>		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>GARFIELD</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>GLACIER</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Lednia tumana</i>	Meltwater Lednian Stonefly	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>GOLDEN VALLEY</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>GRANITE</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>HILL</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>JEFFERSON</b>		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Pinus albicaulis</i>	Whitebark Pine	C



County/Scientific Name	Common Name	Status
<b>JUDITH BASIN</b>		
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>LAKE</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Howellia aquatilis</i>	Water Howellia	LT
<i>Silene spaldingii</i>	Spalding's Campion	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>LEWIS AND CLARK</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>LIBERTY</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>LINCOLN</b>		
<i>Acipenser transmontanus</i>	White Sturgeon (Kootenai River Pop.)	LE
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Silene spaldingii</i>	Spalding's Campion	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Howellia aquatilis</i>	Water Howellia	LT
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>MADISON</b>		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Thymallus arcticus</i>	Arctic Grayling (Upper Missouri River DPS)	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>McCONE</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C

County/Scientific Name	Common Name	Status
<b>MEAGHER</b>		
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>MINERAL</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>MISSOULA</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Howellia aquatilis</i>	Water Howellia	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Coccyzus americanus</i>	Yellow-billed cuckoo (western pop.)	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>MUSSELSHELL</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>PARK</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>PETROLEUM</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>PHILLIPS</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE, XN
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>PONDERA</b>		
<i>Charadrius melodus</i>	Piping Plover	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C

County/Scientific Name	Common Name	Status
<b>POWDER RIVER</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>POWELL</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>PRAIRIE</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>RAVALLI</b>		
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Coccyzus americanus</i>	Yellow-billed cuckoo (western pop.)	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>RICHLAND</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>ROOSEVELT</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>ROSEBUD</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<b>SANDERS</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<i>Silene spaldingii</i>	Spalding's Campion	LT
<b>SHERIDAN</b>		
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Grus americana</i>	Whooping Crane	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C

County/Scientific Name	Common Name	Status
<b>SILVER BOW</b>		
<i>Salvelinus confluentus</i>	Bull Trout	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Thymallus arcticus</i>	Arctic Grayling (Upper Missouri River DPS)	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>STILLWATER</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>SWEET GRASS</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>TETON</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C
<b>TOOLE</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>TREASURE</b>		
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>VALLEY</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>WHEATLAND</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Pinus albicaulis</i>	Whitebark Pine	C

County/Scientific Name	Common Name	Status
<b>WIBAUX</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>YELLOWSTONE</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C





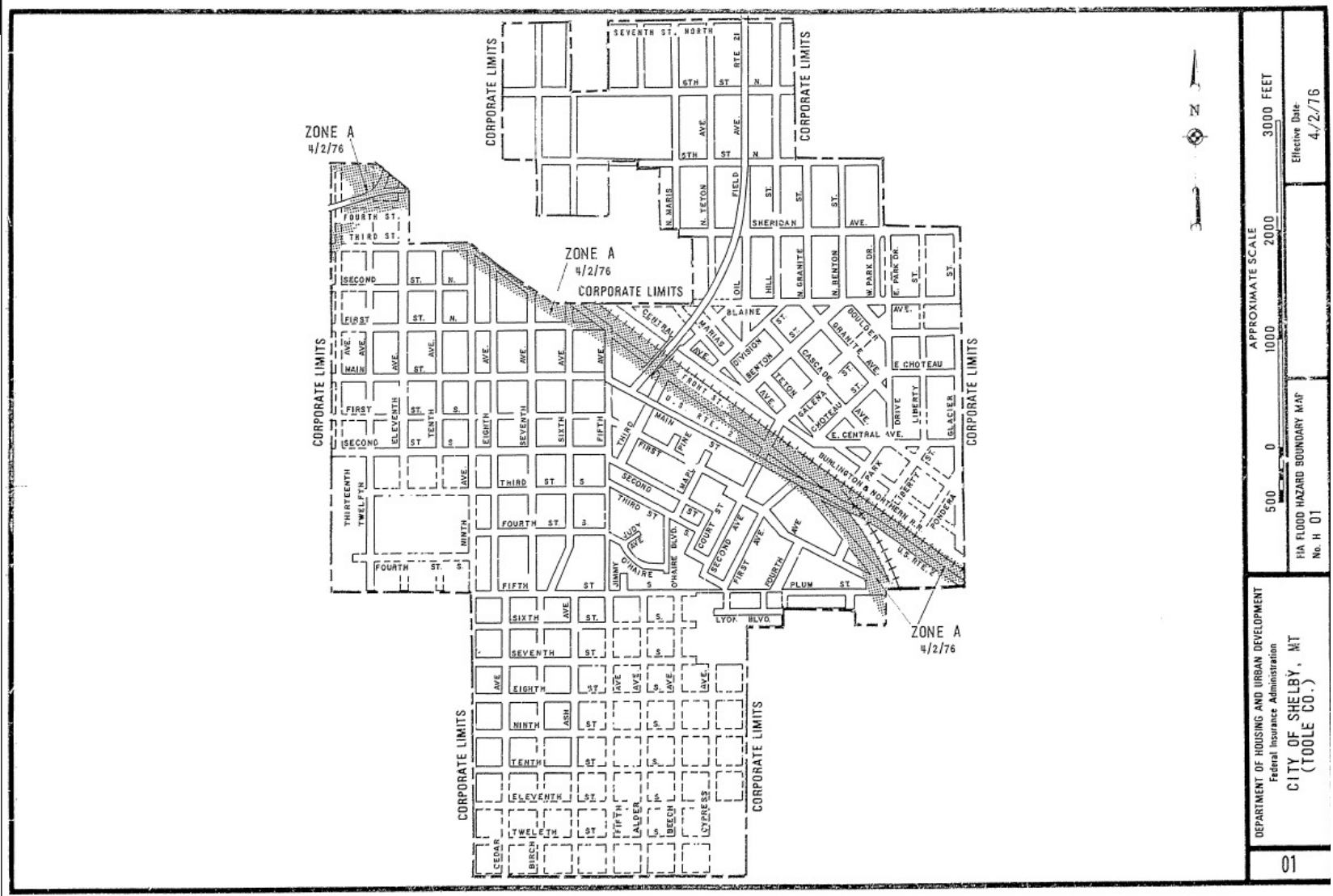
# Appendix C

*FEMA Map*



Back Help

Zoom Win Pan  
Zoom In Zoom Out  
1:1 MAX  
Zoom In Zoom Out



APPROXIMATE SCALE

500 0 1000 2000 3000 FEET

Effective Date: 4/2/76

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Federal Insurance Administration  
CITY OF SHELBY, MT  
(TOOLE CO.)

No. H. 01

01





## Appendix D

*SHPO Correspondence*

**From:** Murdo, Damon [<mailto:dmurdo@mt.gov>]

**Sent:** Friday, June 08, 2012 12:51 PM

**To:** Martin, Andrea (FRA)

**Subject:** PORT OF NORTHERN MONTANA MULTIMODAL HUB-TOOLE COUNTY MT



June 8, 2012

David Valenstein  
Attn: Andrea Martin  
Federal Railroad Administration  
1200 New Jersey Ave, SE  
Washington, DC 20590

RE: PORT OF NORTHERN MONTANA MULTIMODAL HUB-TOOLE COUNTY MT. SHPO Project #:  
2012060804

Dear Mr. Valenstein:

Thank you for your letter regarding the above-cited project. Based on the amount of ground disturbance required by this undertaking we feel that this project has the potential to impact cultural properties. We, therefore, recommend that a cultural resource inventory be conducted prior to any disturbance, in order to determine whether or not sites exist and if they will be impacted.

We would also ask that a formal file search request be conducted prior to the projects initiation. This will allow us to inform your agency of any previously recorded historic or archaeological sites that may be impacted as a result of this project, as well as any that may be eligible for listing on the National Register of Historic Places. We do have a charge for all file searches coming in to our office, and request that our File Search Request Form be filled out and emailed in to us. I have attached our File Search Request Form.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at [dmurdo@mt.gov](mailto:dmurdo@mt.gov). Thank you for consulting with us.

Sincerely,

Damon Murdo  
Cultural Records Manager  
Montana State Historic Preservation Office



Big Sky. Big Land. Big History.  
**Montana**  
**Historical Society**

*Historic Preservation  
Museum  
Outreach & Interpretation  
Publications  
Research Center*

December 3, 2012

Jennifer Macy  
Principal Investigator  
KLJ  
2611 Gabel Road  
P. O. Box 80303  
Billings, MT 59108-0303

RE: Port of Northern Montana Multimodal Hub  
Water Main Addendum

Dear Ms. Macy:

Thank you for the letter (received December 3, 2012) and attached map of the proposed reroute of the planned water main line for the Port of Northern Montana Multimodal Hub in Shelby, Montana. We appreciate your taking time to inform us of the alterations to the original plan. Based on the received documentation, it appears that the proposed changes will have no effect on historic properties.

If you have any questions or concerns, please do not hesitate to contact me at (406) 444-0388 or [kore@mt.gov](mailto:kore@mt.gov). Thank you for consulting with us.

Sincerely,



Kathryn Ore  
Review and Compliance Officer  
Montana State Historic Preservation Office

225 North Roberts Street  
P.O. Box 201201  
Helena, MT 59620-1201  
(406) 444-2694  
(406) 444-2696 FAX  
[montanahistoricalsociety.org](http://montanahistoricalsociety.org)

December 3, 2012

Jennifer Macy  
Principal Investigator  
KLJ  
2611 Gabel Road  
P. O. Box 80303  
Billings, MT 59108-0303

RE: Port of Northern Montana Multimodal Hub  
Water Main Addendum

Dear Ms. Macy:

Thank you for the letter (received December 3, 2012) and attached map of the proposed reroute of the planned water main line for the Port of Northern Montana Multimodal Hub in Shelby, Montana. We appreciate your taking time to inform us of the alterations to the original plan. Based on the received documentation, it appears that the proposed changes will have no effect on historic properties.

If you have any questions or concerns, please do not hesitate to contact me at (406) 444-0388 or [kore@mt.gov](mailto:kore@mt.gov). Thank you for consulting with us.

Sincerely,



Kathryn Ore  
Review and Compliance Officer  
Montana State Historic Preservation Office

201208061 RECEIVED

AUG 06 2012

Sears, Kathryn

BY: SHPO

From: andrea.martin@dot.gov  
 Sent: Friday, August 03, 2012 5:39 AM  
 To: Murdo, Damon; Sears, Kathryn  
 Subject: Re: Port of Northern Montana Multimodal Hub-Toole County MT. SHPO Project # 2012060804  
 Attachments: 20120709\_Cultural\_Resource\_AMartin.pdf

Kathryn  
 11/10/other  
 Part of  
 Northern MT  
 Multimodal  
 Hub, TL Co  
 See 2012060804

Re: Port of Northern Montana Multimodal Hub-Toole County MT. SHPO Project #2012060804

Dear Mr. Murdo and Ms. Sears:

Attached you will find reference materials relating to the proposed Port of Northern Montana Multimodal Hub (Project) located in Shelby, Toole County, Montana. As requested by the Montana SHPO office on June 28, 2012 the enclosures include: 2006 Cultural Resource Inventory; 2012 Survey; 2012 SHPO correspondence; Project tasks; Project map; and NEPA coverage map.

This has been an ongoing Project since 2006, and will construct the track, an access road, and utilities, to provide for the ability to ship and receive containerized freight away from the City center. The Area of Potential Effect (APE) is defined as the entirety of the proposed Project area of the Port of Northern Montana Multimodal Hub, and there has been two Class III Cultural Resource Surveys conducted for this Project attached.

The Project area underwent a Class III Survey in 2006. This survey was conducted by Car C. Woods and Associates of Loma, MT. The 2006 Class III Survey concluded that no cultural resources were found within the Project area. In March 2012, a second Class III Survey was conducted by Kadrmas Lee & Jackson of Bismarck, ND. This survey included an additional 47 acres which were added to the original study area. In addition, the 2012 survey reported that no new or previously recorded cultural materials were encountered during the course of the inventory and the report recommends *No Historic Properties Affected*.

The Federal Railroad Administration (FRA) concurs with the findings of both the 2006 and 2012 surveys and has determined that no additional archaeological investigations are necessary for the Project. Based on these surveys, FRA finds that the Project will have no adverse effect on historic properties under Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR Part 800). We respectfully request your concurrence with this finding pursuant to 36 CFR § 800.4(d)(1) and would appreciate a response within 30 days after you receive this request. In accordance with 36 CFR § 800.4(d)(1)(i), if we do not receive an objection to our finding within 30 days, FRA will consider our responsibilities under Section 106 fulfilled for the Project.

Please contact me at [andrea.martin@dot.gov](mailto:andrea.martin@dot.gov) or 202-493-6201 if you have any questions on the Project.

Sincerely,

ANDRÉA E. MARTIN  
 Environmental Protection Specialist  
 U.S. Department of Transportation  
 Federal Railroad Administration  
 1200 New Jersey Avenue SE, Mail Stop 20  
 Washington, DC 20590

CONCUR  
 MONTANA SHPO  
 DATE Aug. 13, 2012 SIGNED Kathryn Sears

(d) 202.493.6201 (f) 202.493.6333

[andrea.martin@dot.gov](mailto:andrea.martin@dot.gov)



# Appendix E

## *Agency Scoping Materials*



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

JUN - 1 2012

Gary and Victoria Sulenes  
Local Landowner  
P.O. Box 233  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Gary and Victoria Sulenes:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

- Railroad construction (10,870 linear feet (LF)); road upgrades to SE Front Street (2,200 LF); construction of a secondary access road and 13<sup>th</sup> Street (8,000 Lf); construction laydown area (35 Acres); installation and construction of utilities to include; natural gas, stormwater facilities, sanitary sewer facilities (3,500 LF), watermain (9,500 LF), and electric power, gas and communication, acquisition and expansion of the bulk facility, and the purchase of a lift machine

To ensure that social, economic and **environmental effects** are considered in the development of this project, we are soliciting your views and comments on the proposed development of this project. We are particularly interested in any property within the project area that you may own have interest in. We would also appreciate being made aware of any planned development(s) your department may be contemplating in the area of the proposed project. Any information that might help us in our study would be appreciated.

Please provide your comments within **30-days** after receipt of this letter to: Andrea Martin, Federal Railroad Administration, 1200 New Jersey Avenue SE, Mailstop 20, Washington, DC 20590, or at the email below. We request your comments by this date to ensure that there is ample time to review and incorporate the comments into the EA. If you have any questions or need further information, please contact Mr. Steve Best at (701) 250-5904 or by email [steve.best@kljeng.com](mailto:steve.best@kljeng.com). Andrea Martin of my staff is available for questions at (202) 493-6201 or by email at [andrea.martin@dot.gov](mailto:andrea.martin@dot.gov). Thank you for your time and cooperation.

Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map





U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

JUN - 1 2012

Mr. Joseph Flesch  
Local Landowner  
Atten: PHH Mortgage Corporation  
4001 Leadenhull Rd  
Mt. Laurel NJ 08054

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Joseph Flesch:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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To ensure that social, economic and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed development of this project. We are particularly interested in any property within the project area that you may own have interest in. We would also appreciate being made aware of any planned development(s) your department may be contemplating in the area of the proposed project. Any information that might help us in our study would be appreciated.

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

JUN - 1 2012

1200 New Jersey Avenue, SE  
Washington, DC 20590

Cenex Harvest States Cooperative  
Local Business  
5500 Cenex Dr.  
Inver Grove MN 55077

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Cenex Harvest States Cooperative:

The Port of Northern Montana and in cooperation with the US Department of Transportation -- Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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To ensure that social, economic and **environmental effects are considered in the development of this project**, we are soliciting your views and comments on the proposed development of this project. We are particularly interested in any property within the project area that you may own have interest in. We would also appreciate being made aware of any planned development(s) your department may be contemplating in the area of the proposed project. Any information that might help us in our study would be appreciated.

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Double Bogey, LLC  
Local Business  
300 Main St.  
Shelby MT 59474

JUN - 1 2012

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Double Bogey, LLC:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

JUN - 1 2012

Mark & Barbara Cole  
Local Landowner  
P.O. Box 835  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mark & Barbara Cole:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

JUN - 1 2012

Mr. Ben Taylor, INC  
Local Business  
P.O. Box 810  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Ben Taylor:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map





U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

JUN 11 2012

Ms. Marias Enterprises  
Local Business  
P.O. Box 356  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Marias Enterprises:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

- Railroad construction (10,870 linear feet (LF)); road upgrades to SE Front Street (2,200 LF); construction of a secondary access road and 13<sup>th</sup> Street (8,000 LF); construction laydown area (35 Acres); installation and construction of utilities to include; natural gas, stormwater facilities, sanitary sewer facilities (3,500 LF), watermain (9,500 LF), and electric power, gas and communication, acquisition and expansion of the bulk facility, and the purchase of a lift machine

To ensure that social, economic and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed development of this project. We are particularly interested in any property within the project area that you may own have interest in. We would also appreciate being made aware of any planned development(s) your department may be contemplating in the area of the proposed project. Any information that might help us in our study would be appreciated.

Please provide your comments within **30-days** after receipt of this letter to: Andrea Martin, Federal Railroad Administration, 1200 New Jersey Avenue SE, Mailstop 20, Washington, DC 20590, or at the email below. We request your comments by this date to ensure that there is ample time to review and incorporate the comments into the EA. If you have any questions or need further information, please contact Mr. Steve Best at (701) 250-5904 or by email [steve.best@kljeng.com](mailto:steve.best@kljeng.com). Andrea Martin of my staff is available for questions at (202) 493-6201 or by email at [andrea.martin@dot.gov](mailto:andrea.martin@dot.gov). Thank you for your time and cooperation.

Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

JUN 11 2011

Mr. Simons Petroleum, INC  
Local Business  
P.O. Box 644  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Simons Petroleum:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Dick Irvin  
INC Local Business  
P.O. Box 950  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Dick Irvin:

The Port of Northern Montana and in cooperation with the US Department of Transportation - Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

JUN - 1 2012

Mr. Gregory Nesbo  
Local Landowner Atten: Jane Nesbo;  
470 O'Haire Blvd  
Shelby MT 58474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Gregory Nesbo:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

109-1111  
Robert and June Bogie  
Local Landowner  
P.O. Box 494  
Cut Bank MT 59427

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Robert and June Bogie:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map





U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Guy Smith and Sue Peterson  
Local Landowner  
20 Panhead LN  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Guy Smith and Sue Peterson:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Bryce and Coby Kluth  
Local Landowner  
P.O. Box 670  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Bryce and Coby Kluth:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

JUN - 1 2012

Travis and Beth Collier  
Local Landowner  
P.O. Box 277  
Whitefish MT 59937

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Travis and Beth Collier:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Tracy King  
President- Tribal Council Fort Belknap Indian Community  
RR 1 Box 66  
Harlem MT 59526

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Tracy King:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

JUN - 1 - 12

Mr. Timothy Rambo  
Local Landowner  
3424 Belgian Church Road  
Valier MT 59486

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Timothy Rambo:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map





U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Steve Hoffman  
Executive Director Montana Audubon  
P.O. Box 595  
Helena MT 59624

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Steve Hoffman:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Sir or Madam  
Manager of Public Projects  
Northwestern Energy  
1944 Monad Road  
Billings MT 59102

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Sir or Madam:

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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Rick Stefanic  
Chief, Environmental Services US Bureau of Indian Affairs  
316 North 26th Street  
Billings MT 59101

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Rick Stefanic:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

- Railroad construction (10,870 linear feet (LF)); road upgrades to SE Front Street (2,200 LF); construction of a secondary access road and 13<sup>th</sup> Street (8,000 Lf); construction laydown area (35 Acres); installation and construction of utilities to include; natural gas, stormwater facilities, sanitary sewer facilities (3,500 LF), watermain (9,500 LF), and electric power, gas and communication, acquisition and expansion of the bulk facility, and the purchase of a lift machine

To ensure that social, economic and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed development of this project. We are particularly interested in any property within the project area that you may own have interest in. We would also appreciate being made aware of any planned development(s) your department may be contemplating in the area of the proposed project. Any information that might help us in our study would be appreciated.

Please provide your comments within **30-days** after receipt of this letter to: Andrea Martin, Federal Railroad Administration, 1200 New Jersey Avenue SE, Mailstop 20, Washington, DC 20590, or at the email below. We request your comments by this date to ensure that there is ample time to review and incorporate the comments into the EA. If you have any questions or need further information, please contact Mr. Steve Best at (701) 250-5904 or by email [steve.best@kljeng.com](mailto:steve.best@kljeng.com). Andrea Martin of my staff is available for questions at (202) 493-6201 or by email at [andrea.martin@dot.gov](mailto:andrea.martin@dot.gov). Thank you for your time and cooperation.

Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Mike Sheard  
Manager - Northern Telephone Cooperative Inc.  
P.O. Box 190  
Sunburst MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Mike Sheard:

The Port of Northern Montana and in cooperation with the US Department of Transportation - Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Pat Simmons  
Local Landowner  
530 W. Roosevelt Highway  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Pat Simmons:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map





U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Mark Albers  
District Manager Hiline District  
Bureau of Land Management  
1101 15th Street North  
Great Falls MT 59403

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Mark Albers:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

JUN - 1 2012

1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Mark Baumler  
State Historic Preservation Officer  
Montana Historical Society  
1410 Eighth Avenue  
Helena MT 59620

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Mark Baumler:

The Port of Northern Montana and in cooperation with the US Department of Transportation - Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

JUN - 1 2012

Mr. Mark Grotbo  
General Manager - Marias River Electric Cooperative  
910 W Roosevelt HWY  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Mark Grotbo:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Mark Wilson  
Field Supervisor -Montana Field Office  
US Fish and Wildlife Service  
585 Shepard Way  
Helena MT 59601

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Mark Wilson:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Ms. Mary Burch  
Local Landowner  
P.O. Box 345  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Mary Burch:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Michael Johnson  
District Administrator District 3MT  
Department of Transportation  
P.O. Box 1359 Great Falls MT 59403-1359

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Michael Johnson:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Ms. Karen Salo  
Registered Sanitarian Environmental Health Toole County  
226 1st. Street South, Suite 1  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Karen Salo:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Ms. Kat Imhoff  
State Director- The Nature Conservancy of Montana  
32 South Ewing, Suite 215  
Helena MT 59601

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Kat Imhoff:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Kraig Van Voast  
Deputy Regional Manager Water Resources Division MT  
Department of Natural Resources & Conservation  
P.O. Box 1828  
Havre MT 59501-1828

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Kraig Van Voast:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Larry Bonderud  
Mayor City of Shelby  
112 1st Street South  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Larry Bonderud:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

- Railroad construction (10,870 linear feet (LF)); road upgrades to SE Front Street (2,200 LF); construction of a secondary access road and 13<sup>th</sup> Street (8,000 Lf); construction laydown area (35 Acres); installation and construction of utilities to include; natural gas, stormwater facilities, sanitary sewer facilities (3,500 LF), watermain (9,500 LF), and electric power, gas and communication, acquisition and expansion of the bulk facility, and the purchase of a lift machine

To ensure that social, economic and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed development of this project. We are particularly interested in any property within the project area that you may own have interest in. We would also appreciate being made aware of any planned development(s) your department may be contemplating in the area of the proposed project. Any information that might help us in our study would be appreciated.

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Ms. Leslie Weldon  
Regional Forester - Region 1  
US Forest Service  
P.O. Box 7669  
Missoula MT 59807

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Leslie Weldon:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Lloyd Omdahl  
Road Supervisor -Road Department Toole County  
226 1st Street South  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Lloyd Omdahl:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
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U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Ms. Julie DalSoglio  
Director Region 8, Montana Operations Office  
US Environment Protection Agency  
10 West 15th Street, Suite 3200  
Helena MT 59626

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Julie DalSoglio:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. John Murray  
Tribal Historic Preservation Officer  
Blackfeet Nation  
P.O. Box 850  
Browning MT 59417

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. John Murray:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. John Kilpatrick  
Director - MT Water Science Center  
US Geological Survey  
3162 Bozeman Avenue  
Helena MT 59601

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. John Kilpatrick:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
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U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Jerry Smith  
Chairman -North Central Montana Resource  
Conservation and Development Area  
1125 Oilfield Ave.  
Shelby MT 58474-1698

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Jerry Smith:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

003 - 1 112

Mr. Jeffrey White  
Senior Environmental Coordinator- Amtrak  
530 Water Street, 5th Floor  
Oakland CA 94607

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Jeffrey White:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Harvey Hawbaker  
City Council - City of Shelby  
112 1st Street South  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Harvey Hawbaker:

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U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

JUN - 1 2013

Mr. Gary Bertellotti  
Regional Supervisor Region 4MT Fish, Wildlife & Parks  
4600 Giant Springs Road  
Great Falls MT 59405

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Gary Bertellotti:

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U.S. Department  
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1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Garry Williams  
Area Manager -Central Land Office MT  
Department of Natural Resources & Conservation  
8001 N Montana Avenue  
Helena MT 59602

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Garry Williams:

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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Francis Auld  
Tribal Historic Preservation Officer-Tribal Preservation  
Department Confederated Salish &  
Kootenai Tribes of the Flathead Reservation  
P.O. Box 278  
Pablo MT 59855

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Francis Auld:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Eugene Haroldson  
City Council - City of Shelby  
112 1st Street South  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Eugene Haroldson:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Doug Mitchell  
Managing Director- Montana Land Reliance  
P.O. Box 355  
Helena MT 59624

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Doug Mitchell:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Ms. Donna Whitt  
Sheriff - Sheriff's Department Toole County  
P.O. Box 550  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Donna Whitt:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map





U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Don R. Lee  
City Council- City of Shelby  
112 1st Street South  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Don R. Lee:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Ms. Diann Seymour-Winterburn  
Transportation Commissioner District 3 MT  
Department of Transportation  
4385 Wylie Dr.  
Helena MT 59602

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Diann Seymour-Winterburn:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Dave Stelling  
Manager, Helena Airports District  
Office Federal Aviation Administration  
FAA Building, 2725 Skyway Drive, Suite 2  
Helena MT 59602

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Dave Stelling:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Dave Miller  
Chairman County Commission Toole County  
226 1st. Street South  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Dave Miller:

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Federal Railroad Administration  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Darrell Youpee  
THPO Cultural Resources Department  
Fort Peck Assiniboine and Sioux Tribes  
P.O. Box 1027  
Poplar MT 59255

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Darrell Youpee:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Darrell Stafford  
Coordinator Disaster and Emergency Services Toole County  
360 E. Marias Road  
Cutbank MT 59427

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Darrell Stafford:

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Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Dale Old Horn  
Tribal Historic Preservation Officer  
The Crow Tribe of Indians  
P.O. Box 159  
Crow Agency MT 59022

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Dale Old Horn:

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Division Chief, Environment and Systems Planning  
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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Conrad Fisher  
Tribal Historic Preservation Officer  
Northern Cheyenne Tribe  
P.O. Box 128  
Lame Deer MT 59043

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Conrad Fisher:

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U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Ms. Cindy Doane  
City Council - City of Shelby  
112 1st Street South  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Cindy Doane:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

- Railroad construction (10,870 linear feet (LF)); road upgrades to SE Front Street (2,200 LF); construction of a secondary access road and 13<sup>th</sup> Street (8,000 LF); construction laydown area (35 Acres); installation and construction of utilities to include; natural gas, stormwater facilities, sanitary sewer facilities (3,500 LF), watermain (9,500 LF), and electric power, gas and communication, acquisition and expansion of the bulk facility, and the purchase of a lift machine

To ensure that social, economic and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed development of this project. We are particularly interested in any property within the project area that you may own have interest in. We would also appreciate being made aware of any planned development(s) your department may be contemplating in the area of the proposed project. Any information that might help us in our study would be appreciated.

Please provide your comments within **30-days** after receipt of this letter to: Andrea Martin, Federal Railroad Administration, 1200 New Jersey Avenue SE, Mailstop 20, Washington, DC 20590, or at the email below. We request your comments by this date to ensure that there is ample time to review and incorporate the comments into the EA. If you have any questions or need further information, please contact Mr. Steve Best at (701) 250-5904 or by email [steve.best@kljeng.com](mailto:steve.best@kljeng.com). Andrea Martin of my staff is available for questions at (202) 493-6201 or by email at [andrea.martin@dot.gov](mailto:andrea.martin@dot.gov). Thank you for your time and cooperation.

Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Chip Miller  
City Council - City of Shelby  
112 1st Street South  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Chip Miller:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Ms. Carol McCracken  
Local Landowner  
3828 Swallow Lane  
Billings MT 59102

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Carol McCracken:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Ms. Candace Gorton  
Chief, Env., Economics, & Cultural Resource Section  
Omaha District- US Army Corps of Engineers  
106 S. 15th St.  
Omaha NE 68102-1618

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Candace Gorton:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map





U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Alvin Windy Boy, Sr.  
Tribal Historic Preservation Officer  
Chippewa Cree Tribe of Rocky Boy's Reservation  
P.O. Box 544  
Box Elder MT 59521

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Alvin Windy Boy, Sr.:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Mr. Allan Underdahl  
Commissioner - County Commission Toole County  
226 1st. Street South  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Allan Underdahl:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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To ensure that social, economic and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed development of this project. We are particularly interested in any property within the project area that you may own have interest in. We would also appreciate being made aware of any planned development(s) your department may be contemplating in the area of the proposed project. Any information that might help us in our study would be appreciated.

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

Ms. Bonnie Lovelace  
Special Projects Directors Office MT  
Department of Environmental Quality  
P.O. Box 200901  
Helena MT 59620

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Bonnie Lovelace:

The Port of Northern Montana and in cooperation with the US Department of Transportation -- Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Ben Ober  
Commissioner- County Commission Toole County  
226 1st. Street South  
Shelby MT 59474

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Mr. Ben Ober:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Ms. Barbara Ranf  
Executive Director- Government Affairs, BNSF Railway  
825 Great Northern Boulevard, Suite 105  
Helena MT 59601

Re: Port of Northern Montana Multimodal Hub-*Toole County, Montana*

Dear Ms. Barbara Ranf:

The Port of Northern Montana and in cooperation with the US Department of Transportation – Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT. The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35 (see Project Location Map). The total project area covers approximately 150 acres. The construction of the Hub would consist of the following items, and is anticipated to begin in 2013:

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Sincerely,

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
Enclosure: Project Location Map

# AFFIDAVIT OF PUBLICATION

STATE OF MONTANA

ss.

County of Toole

I, Patty Grubb, being duly sworn, deposes and says: That she is the Legals Editor of *The Shelby Promoter*, a weekly newspaper of general circulation, printed and published in Shelby, Toole County, Montana, and that the notice annexed:

Federal Railroad Admin  
Seeks Public Comment

has been correctly published in the regular and entire issue of every number of said paper for one (1) consecutive issues, commencing on the 6<sup>th</sup> day of June, 2012 and ending on the 6<sup>th</sup> day of June, 2012

Patty Grubb

Subscribed and sworn before me this 6<sup>th</sup> day of June, A.D., 2012

Dawn M. Texidor



DAWN M. TEXIDOR  
NOTARY PUBLIC for the  
State of Montana  
Residing at Cut Bank, Montana  
My Commission Expires  
February 1, 2015

## Federal Railroad Administration Seeks Public Comment on Port of Northern Montana Project

The Port of Northern Montana in cooperation with the US Department of Transportation - Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) to meet the FRA's obligations under the National Environmental Policy Act (NEPA). The proposed action includes the construction of the Port of the Northern Montana Multimodal Hub (Hub) within the city of Shelby in Toole County, MT.

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- Railroad Construction (10,870 linear feet (LF))
- Road Upgrades to SE Front Street (2,200 LF)
- Construction of a Second Access Road and 13th Street (8,000 LF)
- Construction Laydown Area (35 Acres)
- Installation and Construction of Utilities to include: Natural Gas, Storm Water Facilities, Sanitary Sewer Facilities (3,500 LF), Water Main (8,500 LF), and Electric Power, Gas and Communication

- Acquisition and Expansion of the Bulk Facility, and the purchase of a Lift Machine

To ensure that social, economic and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed development of this project. We are particularly interested in any property within the project area that you may own or have interest in. Any information that might help us in our study would be appreciated.

Please provide your comments within 30-days to: Andrea Martin, Federal Railroad Administration, 1200 New Jersey Avenue SE, Mailstop 20, Washington, DC 20590. We request your comments by this date to ensure that there is ample time to review and incorporate the comments into the EA.

For more information regarding this press release please contact Steve Best at Kadmas Lee & Jackson at 701-250-5904.

Publish: June 6, 2012





## Port of Northern Montana

# Multimodal Hub

The Port of Northern Montana, in cooperation with the US Department of Transportation-Federal Railroad Administration, is preparing an Environmental Assessment for the proposed construction of the Port of the Northern Montana Multimodal Hub within the city of Shelby in Toole County, Montana.

The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35. The construction of the Hub is anticipated to begin in 2013 and is proposed to include:

**Railroad Construction • Road Upgrades to SE Front Street • Construction of a Secondary Access Road and 13th Street • Construction Laydown Area • Installation and Construction of Utilities including Natural Gas, Storm Water Facilities, Sanitary Sewer Facilities, Water Main, and Electric Power, Gas and Communication • Acquisition and Expansion of the Bulk Facility, and the purchase of a Lift Machine**

Please provide your comments within 30-days of July 6, 2012 to:

Andrea Martin

Federal Railroad Administration

1200 New Jersey Avenue SE, Mailstop 20

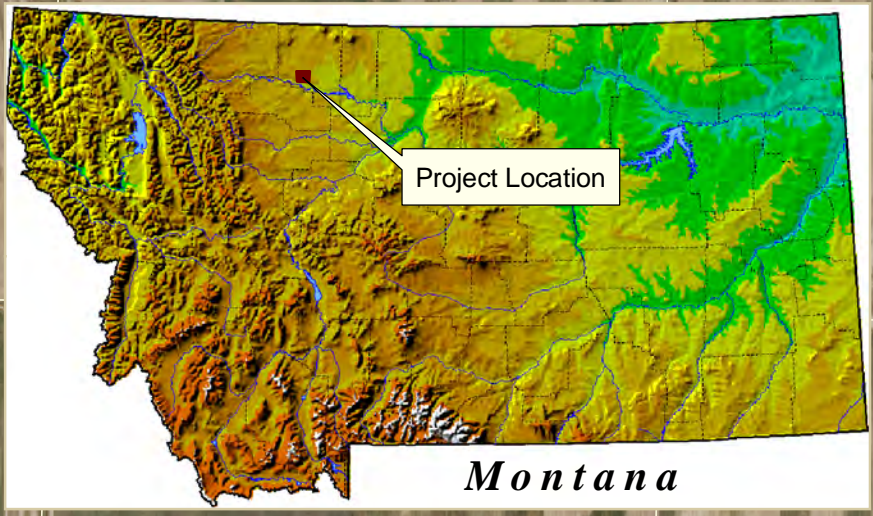
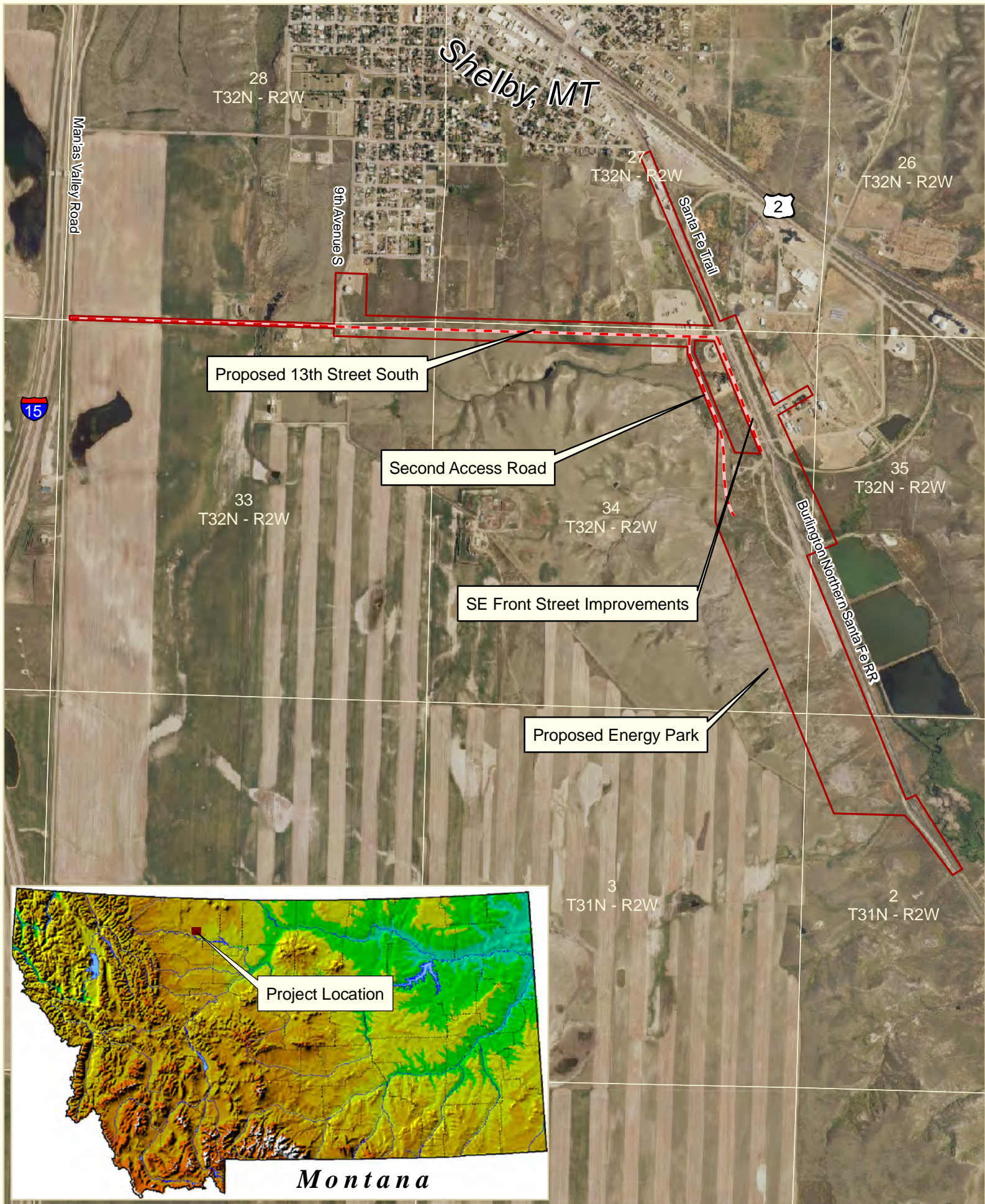
Washington, DC 20590

You may also contact Steve Best for more information at 701.250.5904 or [steve.best@kljeng.com](mailto:steve.best@kljeng.com).





# Port of Northern Montana Multimodal Hub Project Location Map Shelby, Montana





# Appendix F

## *Agency Scoping Responses*





# United States Department of the Interior

## Fish and Wildlife Service



Ecological Services  
Montana Field Office  
585 Shepard Way  
Helena, Montana 59601-6287  
Phone: (406) 449-5225 Fax: (406) 449-5339

June 11, 2012

Mr. David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Dear Mr. Valenstein:

We have examined the information, aerial photo and map attached to your June 01, 2012 letter, describing plans to construct various infrastructure (roads, gas lines, stormwater and sewer facilities, electrical and communications) for the Port of the Northern Montana Multimodal Hub near Shelby, Montana. These response comments are authorized under the authority of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et. seq.), and the Migratory Bird Treaty Act of 1918 (MBTA), as amended (16 U.S.C. 703 et. Seq.).

This project is proposed for an area that is previously impacted from the disturbance effects of industrial and agricultural development, in addition to disturbance associated with a semi-urban setting. Because the area is currently of generally low value as fish and wildlife habitat, we have determined that the proposed action is unlikely to have any significant adverse effects to fish, wildlife, or habitat resources under the purview of the U.S. fish and Wildlife Service.

Please telephone me at 406/449-5225, ext. 205, if you have any questions regarding this matter.

Sincerely,

R. Mark Wilson  
Field Supervisor

## Stacie Taylor

---

**From:** Carol McCracken <cjm1950@live.com>  
**Sent:** Monday, July 02, 2012 10:06 PM  
**To:** Steve Best; andrea.martin@dot.gov  
**Subject:** Port of Northern Montana Multimodal Hub - Toole County, Montana

Steve and Andrea:

Please advise me on how to file a formal complaint/concern with the Federal Railroad Administration regarding my property at 5 Iron Horse Lane, Shelby, Montana, which lies within the project boundaries. I have left several messages with Mayor Bonderud and they have gone unanswered. My tenant informs me that the survey stakes for the road work on the extension of 13th Street South to the east are located as such that the storage shed on my property would be bisected by the right of way. The storage shed sits only 15 - 20 feet off the north side of my house. I cannot believe that the construction on this road and the anticipated 300 trips on that road per day will not devalue my property.

Please advise me of how to proceed with a formal complaint to the Fedea Railroad Administration or what my options are in regard to opposing the situation as it now stands - that being no consideration toward me in regard to devaluation of my property. I seriously doubt the \$10M grant was given with the intention of some property owners losing their property values while the overall community benefits from the project.

I will be traveling from Billings, where I live, to Shelby (300+ miles one way) within the next two weeks to look the Mayor in the eye if I can find him and demand to know what his plan is. If necessary, I will retain an attorney to protect my rights. I cannot afford an attorney but I will not be the loser in this situation when so many others will benefit from this grant. I have no desire to foil the progress of the project but I must protect myself. Please advise Mr. David Valenstein of my concerns. I will await some direction from you on how to file a formal complaint as I feel this email correspondence is quite informal and I do not wish to lose my window of opportunity to do so. Thank you for your prompt attention.

Carol McCracken  
3828 Swallow Lane  
Billings, MT 59102  
406-860-1472

**From:** [Carol McCracken](#)  
**To:** [andrea.martin@dot.gov](mailto:andrea.martin@dot.gov); [Steve Best](#)  
**Subject:** FW: Northern Montana Multimodal Hub - Toole County, MT  
**Date:** Thursday, June 21, 2012 7:33:12 AM

---

In reference to the email below, the letter I received from Mr. Valenstein was dated June 1, 2012 and requested a reply within 30 days. I cannot reply until I have more information, which I have requested from both you and Steve Best, who was also listed as a contact for information. Mr. Best replied to my initial email asking for the same information I have asked you for. Could you at least respond and acknowledge that you have received my email and advise me if you can provide the information I have requested? It is impossible to respond in 30 days when I can get no answers. If no response is forthcoming I will certainly send a letter to Mr. Valenstein advising him of that. Thank you for a timely reply.

Carol McCracken

---

**From:** [cjm1950@live.com](mailto:cjm1950@live.com)  
**To:** [andrea.martin@dot.gov](mailto:andrea.martin@dot.gov)  
**Subject:** Northern Montana Multimodal Hub - Toole County, MT  
**Date:** Mon, 18 Jun 2012 05:57:16 -0700

Ms. Martin:

I am in receipt of a letter from David Valenstein of the Federal Railroad Administration regarding the future development of the Port of Northern Montana Multimodal Hub in Toole County, Montana. My residential property lies within the mapped area of the project. I believe that my property and the one across the road from mine are the only two residential properties located within the project and are located on the corner of 13th St South and 9th Ave South where the proposed extension of 13th Street South to the east will be.

My question is: what is the protocol in regard to properties such as mine in the midst of a project such as this. I currently rent that property but have had it on the market through Craigs List for the past few months. I am unsure what the future holds for that property and would like clarification. Are the properties purchased or condemned? Please advise me on this. I have no problem with selling the property for market value but, obviously, I can't sell it now with this project taking place. I look forward to hearing from you regarding this. Thank you.

Carol McCracken  
3828 Swallow Ln  
Billings, MT  
406-860-1472



**From:** Steve Best  
**To:** [Brad Koon](#)  
**Subject:** FW: Port of Northern Montana Multimodal Hub  
**Date:** Wednesday, June 13, 2012 8:16:01 AM

---

Brad,

I received this comment today regarding the Shelby project. Do you know what action would be taken or how this project would affect her property?

-Steve

---

**From:** Carol McCracken [<mailto:cjm1950@live.com>]  
**Sent:** Wednesday, June 13, 2012 8:10 AM  
**To:** Steve Best  
**Subject:** RE: Port of Northern Montana Multimodal Hub

My property is right on the corner of 13th Street where it turns north toward the water tank. My address is 5 Iron Horse, Lane which is a gravel road that comes south of the water tank. The broad legal description off tax records is T 32N R 02W SEC 33 (.55 acre) On the map it is right where the red boundary lines widen out at the east end of 13th Street. The proposed extension of 13th Street to the east would go within feet of my house. Thank you.

---

From: [steve.best@kljeng.com](mailto:steve.best@kljeng.com)  
To: [cjm1950@live.com](mailto:cjm1950@live.com)  
Subject: RE: Port of Northern Montana Multimodal Hub  
Date: Wed, 13 Jun 2012 12:59:24 +0000

Carol,

To clarify, your property is located south of 13<sup>th</sup>? This would directly south of the water tank, right? I will check into getting an answer to your question.

-Steve

---

**From:** Carol McCracken [<mailto:cjm1950@live.com>]  
**Sent:** Wednesday, June 13, 2012 7:50 AM  
**To:** Steve Best  
**Subject:** Port of Northern Montana Multimodal Hub

Mr. Best:

I am in receipt of a letter from David Valenstein of the Federal Railroad Administration regarding the future development of the Port of Northern Montana Multimodal Hub in Toole County, Montana. My residential property lies within the mapped area of the project. I believe that my property and the one across the road from me are the only two residential properties located within the project and are located where the proposed extension of 13th Street South will be.

My question is: what is the protocol in regard to properties such as mine in the midst of a project such as this. I currently rent that property but have had it on the market through Craigs List for the past few months. I am unsure what the future holds for that property and would like clarification. Are the properties purchased or condemned? Please advise me on this. I have no problem with selling the

property for market value but, obviously, I can't sell it now with this project taking place. I look forward to hearing from you regarding this. Thank you.

Carol McCracken  
3828 Swallow Lane  
Billings, MT 59102  
406-860-1472

July 2, 2012

Mary L Burch

#7 Iron Horse Lane, Shelby MT

Phone: 406-450-2696

Called Friday, June 29<sup>th</sup> and left a Message.

I called Ms. Burch back on July 2, 2012 at 8:20 am.

Ms. Burch has serious concerns regarding the improvements to and the extension of 13<sup>th</sup> Avenue South. She said that she owns piece of property that is shown as deeded to Rona McCardle at the end of 13<sup>th</sup> Street Avenue. She has been onsite when surveyors have been out there and according to her survey flags are within 3-4 feet of her house.

Ms. Burch does not think that she will have access to her property or garage throughout the construction process and has concerns about construction dust and noise. She has spent a lot of money fixing the property up and moving buildings as needed and fencing. She said that the construction limits fall 8' inside her existing fences. She is worried about safety issues associated with the number of trucks that are projected to utilize the road, damage they may cause, and noise that will result from the trucks so close to the house.

Ms. Burch is especially concerned about the amount that this road being so close to her property, the character of its use and how it will significantly de-value her property making it unsellable.

She said that if this project were to go through she would probably lose a lot of money that she has tied up in the property.

Ms. Burch has sent a comment letting in the mail and we should receive it shortly.

July 3, 2012

Ms. Burch

Vickie Sulenes

1323 13<sup>th</sup> Street South, Shelby, MT

Phone: 406-450-2643

I received a phone call from Ms. Sullins on July 2, 2012 at 9:20am. Vickie is a resident of 13<sup>th</sup> Street South and is concerned with the potential improvements to and the extension of 13<sup>th</sup> Street South. She is wondering how new ROW will affect her property. She said that her fences would have to be moved. She is also concerned about the gully that fills up near her property. She is also concerned about the amount of truck traffic that will be going next to their property. She sent a letter but we probably have not received it yet.

## Stacie Taylor

---

**From:** lgrotbo@3rivers.net  
**Sent:** Tuesday, June 19, 2012 2:11 PM  
**To:** Steve Best  
**Subject:** Port of No Central Montana Multi model Hub

Dear Mr. Steve Best,

On behalf of North Central MT RC&D in Shelby MT I am happy to support the Toole County project. We do not have any property located in the area and/or project planned for this area in the future. Pls feel free to contact me direct at 406 460 2861 if you have any questions.

Sincerely,

**Jerry Smith**

**Chairman**

North Central Montana RC&D Area Inc.

1125 Oilfield Ave

Shelby, MT 59474

406 434-9161 Ext 111

[lgrotbo@3rivers.net](mailto:lgrotbo@3rivers.net)

---

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## Stacie Taylor

---

**From:** andrea.martin@dot.gov  
**Sent:** Friday, June 08, 2012 12:27 PM  
**To:** dmurdo@mt.gov  
**Cc:** Steve Best  
**Subject:** RE: PORT OF NORTHERN MONTANA MULTIMODAL HUB-TOOLE COUNTY MT

Thank you for your email. I have copied your request to the environmental consultant working on the project. We will make sure to work with your office as the Project moves forward. Please do not hesitate to contact me if needed.

**ANDRÉA E. MARTIN**

*Environmental Protection Specialist*  
U.S. Department of Transportation  
Federal Railroad Administration  
1200 New Jersey Avenue SE, Mail Stop 20  
Washington, DC 20590

(d) 202.493.6201 (f) 202.493.6333

[andrea.martin@dot.gov](mailto:andrea.martin@dot.gov)

---

**From:** Murdo, Damon [<mailto:dmurdo@mt.gov>]  
**Sent:** Friday, June 08, 2012 12:51 PM  
**To:** Martin, Andrea (FRA)  
**Subject:** PORT OF NORTHERN MONTANA MULTIMODAL HUB-TOOLE COUNTY MT



June 8, 2012

David Valenstein  
Attn: Andrea Martin  
Federal Railroad Administration  
1200 New Jersey Ave, SE  
Washington, DC 20590

RE: PORT OF NORTHERN MONTANA MULTIMODAL HUB-TOOLE COUNTY MT. SHPO Project #: 2012060804

Dear Mr. Valenstein:

Thank you for your letter regarding the above-cited project. Based on the amount of ground disturbance required by this undertaking we feel that this project has the potential to impact cultural properties. We,

therefore, recommend that a cultural resource inventory be conducted prior to any disturbance, in order to determine whether or not sites exist and if they will be impacted.

We would also ask that a formal file search request be conducted prior to the projects initiation. This will allow us to inform your agency of any previously recorded historic or archaeological sites that may be impacted as a result of this project, as well as any that may be eligible for listing on the National Register of Historic Places. We do have a charge for all file searches coming in to our office, and request that our File Search Request Form be filled out and emailed in to us. I have attached our File Search Request Form.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at [dmurdo@mt.gov](mailto:dmurdo@mt.gov). Thank you for consulting with us.

Sincerely,

Damon Murdo  
Cultural Records Manager  
Montana State Historic Preservation Office

File: STB/2012



**From:** Steve Best  
**To:** [Carol.McCracken \(cjm1950@live.com\)](mailto:Carol.McCracken@live.com)  
**Subject:** Port of Northern Montana Project  
**Date:** Thursday, June 21, 2012 9:44:14 AM

---

Carol,

I wanted to give you an quick update of what I have found out this morning.

In regards to your concerns about writing a letter outlining your comments or concerns about the project within the 30-day timeframe, we will keep a record of e-mails/phone conversations. These emails are sufficient and you can continue to email myself and Andrea Martin with FRA as needed. We will consider the comments in the decision-making process.

Also, I wanted to let you know that your comments and concerns are not being ignored at FRA. Andrea Martin let me know that your correspondence is being looked at by appropriate staff to help determine an appropriate course of action as we continue with the Environmental Assessment.

Please contact me with any other questions or comments and I will keep you updated as I find out more.

Thanks,

-Steve

**Steven Best**  
Environmental Planner

Kadrmas Lee & Jackson  
128 Soo Line Drive  
Bismarck, ND 58501

Phone: 701-250-5904

Kljeng.com

## Stacie Taylor

---

**From:** andrea.martin@dot.gov  
**Sent:** Friday, June 08, 2012 12:28 PM  
**To:** mgr@mariasriverec.com  
**Cc:** Steve Best  
**Subject:** RE: Port of Northern Montana Multimodal Hub-Toole County, Montana

Thank you for your email. Please do not hesitate to contact me if you have any questions or concerns as the Project moves forward.

**ANDRÉA E. MARTIN**

*Environmental Protection Specialist*  
U.S. Department of Transportation  
Federal Railroad Administration  
1200 New Jersey Avenue SE, Mail Stop 20  
Washington, DC 20590

(d) 202.493.6201 (f) 202.493.6333

[andrea.martin@dot.gov](mailto:andrea.martin@dot.gov)

---

**From:** Mark Grotbo [<mailto:mgr@mariasriverec.com>]  
**Sent:** Friday, June 08, 2012 1:06 PM  
**To:** Martin, Andrea (FRA)  
**Subject:** Port of Northern Montana Multimodal Hub-Toole County, Montana

Dear Ms. Martin,

This email is in response to the letter from Mr. Valenstein on the EA asking for comments to the Port of Northern Montana additions within Toole County. Marias River Electric Cooperative and Shelby Gas Association are in support of the proposed construction. The Port has been working with us to relocate and install our facilities to serve the proposed additions. We do not see any negative social, economic or environmental effects from this construction. We see only positive value added to the local and surrounding area of Toole County.

This construction will enable other economic benefits to the County, State, and region. Without this step the benefits will not be realized. There will be minimal disruption to the environment and the area is well suited for such an expansion.

If there are further comments or questions please feel free to ask.

Sincerely,  
Mark S. Grotbo  
General Manager  
Marias River Electric Cooperative  
Shelby Gas Association

## Stacie Taylor

---

**From:** Francis Auld <francisa@cskt.org>  
**Sent:** Tuesday, June 12, 2012 11:35 AM  
**To:** andrea.martin@dot.gov  
**Cc:** Steve Best; Alvin Windyboy; Jo'Etta Buckhouse; blkftthpo@aol.com; D Conrad; Dave Belgarde; Conrad Fisher; Curley Youpee; Mike Durglo Sr; Ira Matt; Kevin Askan; Clarinda Burke; hubertt@crownsations.net; Robert O'Boyle  
**Subject:** RE: Shelby, MT Multimodal Hub: Telephone Call  
**Attachments:** flier\_from jpeg.pdf  
**Importance:** High

Andrea,

Thank you for your quick response.

As I mentioned to you over the phone that the Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation will defer to the nearing Tribes of the proposed project. We do hold in reserve that if any inadvertent discoveries happen during the project that our Tribes back contacted.

*Sukni, Xest,*

Francis Auld/Mike Durglo Sr.  
Tribal Preservation Office  
Pablo, Montana 59855  
(406) 675-2700  
[francisa@cskt.org](mailto:francisa@cskt.org) ext.1076  
[mikeds@cskt.org](mailto:mikeds@cskt.org) ext.1330

*Salish/Pend d'oreille and Kootenai*

---

**From:** [andrea.martin@dot.gov](mailto:andrea.martin@dot.gov) [<mailto:andrea.martin@dot.gov>]  
**Sent:** Tuesday, June 12, 2012 8:49 AM  
**To:** [francisa@cskt.org](mailto:francisa@cskt.org)  
**Cc:** [steve.best@kljeng.com](mailto:steve.best@kljeng.com)  
**Subject:** Shleby, MT Multimodal Hub: Telephone Call

Dear Mr. Auld; Thank you for your telephone call earlier today (June 12, 2012). The Federal Railroad Administration sent a letter on June 1, 2012 to the groups listed below about the Port of Northern Montana's Multimodal Hub to be located in Shelby, MT. These groups are located along Highline Drive (Highway 2). We will be happy to contact additional parties if needed, please let us know. I have attached a flier for your information about the project.

Mr. Rick Stefanic  
Environmental Services

US Bureau of Indian Affairs

Mr. Darrell Youpee  
Cultural Resources Department  
Fort Peck Assiniboine and Sioux Tribes

Mr. John Murray  
Tribal Historic Preservation Officer  
Blackfeet Nation

Mr. Dale Old Horn  
Tribal Historic Preservation Officer  
The Crow Tribe of Indians

Mr. Conrad Fisher  
Tribal Historic Preservation Officer  
Northern Cheyenne Tribe

Mr. Francis Auld  
Tribal Preservation Department  
Confederated Salish & Kootenai Tribes of the Flathead Reservation

Mr. Alvin Windy Boy, Sr.  
Tribal Historic Preservation Officer  
Chippewa Cree Tribe of Rocky Boy's Reservation

Mr. Tracy King  
Tribal Council  
Fort Belknap Indian Community

Please do not hesitate to contact me or Mr. Steven Best (701) 250-5904, [steve.best@kljeng.com](mailto:steve.best@kljeng.com) if you have future questions or concerns about the project as we move forward.

Thank you!

**ANDRÉA E. MARTIN**

*Environmental Protection Specialist*  
U.S. Department of Transportation  
Federal Railroad Administration  
1200 New Jersey Avenue SE, Mail Stop 20  
Washington, DC 20590

(d) 202.493.6201 (f) 202.493.6333

[andrea.martin@dot.gov](mailto:andrea.martin@dot.gov)

**From:** [andrea.martin@dot.gov](mailto:andrea.martin@dot.gov)  
**To:** [Steve Best](#)  
**Cc:** [christopher.vannostrand@dot.gov](mailto:christopher.vannostrand@dot.gov)  
**Subject:** RE: Carol McCracken  
**Date:** Thursday, June 21, 2012 9:28:24 AM

---

Let her know all her emails are sufficient, and she can email you and me, and we will consider the comments in the decision-making process. Thanks!

---

**From:** Steve Best [mailto:steve.best@kljeng.com]  
**Sent:** Thursday, June 21, 2012 10:27 AM  
**To:** Martin, Andrea (FRA)  
**Subject:** RE: Carol McCracken

Sounds good, I am working on the Environmental Resources, Impacts and Mitigation section at this point.

Ms. McCracken is wanting some answers prior to writing a her comments about the project. Should I advise her to send a letter regarding her comments/concerns since they will be addressed in the EA? Or is keeping record of her e-mail outlining her concerns suffice?

-Steve

---

**From:** [andrea.martin@dot.gov](mailto:andrea.martin@dot.gov) [mailto:andrea.martin@dot.gov]  
**Sent:** Thursday, June 21, 2012 9:16 AM  
**To:** Steve Best  
**Cc:** [christopher.vannostrand@dot.gov](mailto:christopher.vannostrand@dot.gov)  
**Subject:** RE: Carol McCracken

Thanks for getting back to Ms. McCracken. I passed her request onto our Counsel's office to determine an appropriate response and course of action as we move forward.

Please forward the EA as the chapters are written, for my approval. The purpose and need you sent last week looked good.

---

**From:** Steve Best [mailto:steve.best@kljeng.com]  
**Sent:** Thursday, June 21, 2012 9:11 AM  
**To:** Martin, Andrea (FRA)  
**Subject:** Carol McCracken

Andrea,

I called Carol McCracken this morning to touch base with her regarding her concerns. I am going to be contacting the PM in Helena again regarding this issue as I have not heard back from him. In conversation with her it sounds like the ROW would be right up against the house she owns. She has been trying to sell the property but feels that if the project goes forward and is completed, the

truck traffic in and out of the terminal will devalue her property to the point that she will not be able to sell it. Also she owes money on the property.

-Steve

**Steven Best**

Environmental Planner

Kadmas Lee & Jackson

128 Soo Line Drive

Bismarck, ND 58501

Phone: 701-250-5904

[Kljeng.com](http://Kljeng.com)



**From:** Steve Best  
**To:** ["Carol McCracken"](#)  
**Subject:** RE: Port of Northern Montana Multimodal Hub  
**Date:** Wednesday, June 13, 2012 7:59:23 AM

---

Carol,

To clarify, your property is located south of 13<sup>th</sup>? This would directly south of the water tank, right? I will check into getting an answer to your question.

-Steve

---

**From:** Carol McCracken [mailto:[cjm1950@live.com](mailto:cjm1950@live.com)]  
**Sent:** Wednesday, June 13, 2012 7:50 AM  
**To:** Steve Best  
**Subject:** Port of Northern Montana Multimodal Hub

Mr. Best:

I am in receipt of a letter from David Valenstein of the Federal Railroad Administration regarding the future development of the Port of Northern Montana Multimodal Hub in Toole County, Montana. My residential property lies within the mapped area of the project. I believe that my property and the one across the road from me are the only two residential properties located within the project and are located where the proposed extension of 13th Street South will be.

My question is: what is the protocol in regard to properties such as mine in the midst of a project such as this. I currently rent that property but have had it on the market through Craigs List for the past few months. I am unsure what the future holds for that property and would like clarification. Are the properties purchased or condemned? Please advise me on this. I have no problem with selling the property for market value but, obviously, I can't sell it now with this project taking place. I look forward to hearing from you regarding this. Thank you.

Carol McCracken  
3828 Swallow Lane  
Billings, MT 59102  
406-860-1472

June 29, 2012

U.S. Department of Transportation  
Federal Railroad Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Re:Port of Northern Montana Multimodal Hub-Toole County, Montana

TO: Andrea Martin  
Federal Railroad Administration  
1200 New Jersey Avenue SE Mailstop 20  
Washington, DC 20590

From:  
Gary and Victoria Sulenes  
1323 13<sup>th</sup> Street South  
PO Box 233  
Shelby, Montana 59484

Ms. Martin,

We Gary and Victoria Sulenes request further information on the extension of the Port of Northern Montana Multimodal Hub of Shelby Montana. We live on 13<sup>th</sup> Street South and would like more information regarding the extension of the 13thstreet/highway that will detail our property.

Response is required before any action is taken.

There is a possibility of our lawyer contacting you So that Gary and I have a further understanding of what is going to take place. You may contact us at 406-450-2643 or vsulenes@hotmail.com

Sincerely  
Gary & Victoria Sulenes  
1323 13<sup>th</sup> Street South  
PO Box 233  
Shelby, MT 59474

*Gary & Victoria Sulenes*  
*Victoria*

*06-29-12*

June 30, 2012

U.S. Department of Transportation

Federal Railroad Administration

1200 New Jersey Avenue, SE

Washington, DC 20590

Re: Port of Northern Montana Multimodal Hub-Toole County, Montana

TO: Andrea Martin

Federal Railroad Administration

1200 New Jersey Avenue SE Mailstop 20

Washington, DC 20590

FROM: Mary Burch, Shelby Montana 59484

Ms. Martin,

I would like to request further information on the extension of Port of Northern Montana Multimodal Hub of Shelby Montana. According to the map and the flags that were set into the ground it appears this road is going right through my property (Barn) and also approximately 5 feet from my house. I need to know how this proposal is going to affect my property. I have left voice mails for Mr. Steve Best at 701-250-5904 and also Andrea Martin at 202-493-6201 and have not received a response.

Response is required before any action is taken.

If needed my lawyer may be contacting you for further understanding of what is going to take place.

You may contact me at 406-450-2696

Sincerely,

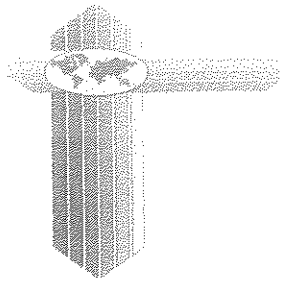
  
Mary Burch

#17 Iron Horse Lane  
Shelby, MT 59474

6/30/12

# CITY OF SHELBY

112 First Street South  
Shelby, MT 59474  
Telephone: (406) 434-5222  
FAX: (406) 434-2039  
[www.shelbymt.com](http://www.shelbymt.com)



**Mayor:** Larry J. Bonderud  
**Council:** Cindy Doane, Eugene Haroldson,  
Harvey Hawbaker, Lyle Kimmet,  
Don Lee, John "Chip" Miller, Jr.  
**Animal Control:** Mark Warila  
**Attorney:** William E. Hunt, Jr.  
**Building Inspector:** Rob Tasker  
**Community Development:** Lorette Carter  
**Finance Officer:** Teri Ruff  
**Judge:** Sherrie Murphy  
**Recreation Director:** Cindy Florez  
**Superintendent:** Bill Moritz

June 20, 2012

Andrea Martin  
Federal Railroad Administration  
1200 New Jersey Ave SW, Mail Stop 20  
Washington DC 20590

RE: Port of Northern Montana Multi-modal Hub

Dear Andrea:

On behalf of the City of Shelby, Montana we have reviewed the information sent to us on June 1, 2012.

The project will play a vital role in the economic well being of our community. It is located entirely within our corporate city limits in an area properly zoned for its purpose and is in total compliance with our adopted Growth Policy.

The construction phase of this project will bring needed construction jobs to our community and the permanent jobs will also have a permanent positive impact on the community.

The City of Shelby owns no property in the project area but does have several street road and utility dedicated right-of-ways. This project would utilize these dedicated right-of-ways and we are in total agreement with the development and use of these right-of-ways.

We believe that this project will create no adverse social, economic, or environmental impacts on our community and we eagerly await the projects construction and operational status.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry J. Bonderud". The signature is written in dark ink and is positioned above the printed name of the Mayor.

Larry J. Bonderud  
Mayor

LJB/tp  
cc: City Council

*SIMONS PETROLEUM INC.  
530 ROOSEVELT HWY  
P. O. BOX 644  
SHELBY, MT. 59474*

June 19, 2012

David Valenstein  
Division Chief, Environment and Systems Planning  
Federal Railroad Administration

Dear Mr. Valenstein,

In response to your solicitation of comments on the Port of Northern Montana Multimodal Hub at Shelby, MT; I can offer some information.

Simons Petroleum Inc. has a bulk fuel storage facility on the corner of proposed 13<sup>th</sup> Street South and the Second access road. I don't foresee any negative impact, including environmental, from the project. In fact, the positive economic effects and infrastructure improvements are most welcome.

At this time, Simons Petroleum is not contemplating any further development in the project area.

Sincerely,



Pat Simons, President  
Simons Petroleum, Inc.  
Shelby, Montana



U. S. Department  
of Transportation

**Federal Aviation  
Administration**

Helena Airports District Office  
2725 Skyway Drive, Suite 2  
Helena, MT 59602-1213

June 25, 2012

Federal Railroad Administration  
Attn: Ms. Andrea Martin  
1200 New Jersey Avenue SE  
Mailstop 20  
Washington, DC 20590

Subj: Port of Northern Montana Multimodal Hub  
Toole County, Montana

Dear Ms. Martin:

Thank you for the letter regarding the above-cited project. As requested, we have reviewed the documents enclosed with your letter in regard to potential impacts to local airports and their surrounding airspace.

From an environmental standpoint, we have reviewed this project in terms of its potential as a wildlife attractant due to its proximity to a public-use airport. FAA Advisory Circular (AC) 150/5200-33B, "Hazardous Wildlife Attractants on or Near Airports" discusses siting criteria for potential wildlife attractants (which could include stormwater facilities if standing water is held for extended periods). This AC advises a separation distance of 5,000 feet between a potential wildlife attractant and an airport serving piston-powered aircraft. This separation distance increases to 10,000 feet for airports serving turbine-powered aircraft. Additionally, Local, State, and Federal Laws may further restrict incompatible uses that could pose safety concerns or create an incompatible land use adjacent to an airport.

According to the location maps you provided, the Shelby airport appears to be located beyond 10,000 feet from the proposed project. Since the Shelby airport typically services piston-powered aircraft, this separation distance is acceptable, and the FAA has no objection to this project.

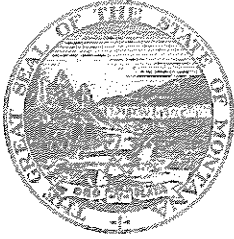
If significant changes are made to this project which may concern airport property, feel free to contact us for additional evaluation and comment. If you have any questions please call me at (406) 449-5271.

Sincerely,

Diane Stilson, P.E.  
Civil Engineer  
Environmental Specialist



DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
Central Land Office



BRIAN SCHWEITZER, GOVERNOR

(406) 458-3500  
FAX NUMBER (406) 458-3506

8001 NORTH MONTANA AVENUE  
HELENA, MONTANA 59602-9388

June 19, 2012

Andrea Martin  
Federal Railroad Administration  
1200 New Jersey Ave. SE, Mailstop 20  
Washington, DC 20590

Dear Ms Martin:

I am responding on behalf to the State of Montana Department of Natural Resources and Conservation (DNRC) to the letter dated June 1, 2012 from Mr. David Valenstein regarding the development at the Port of Northern Montana in Shelby, MT. Thank you for notifying us of the development.

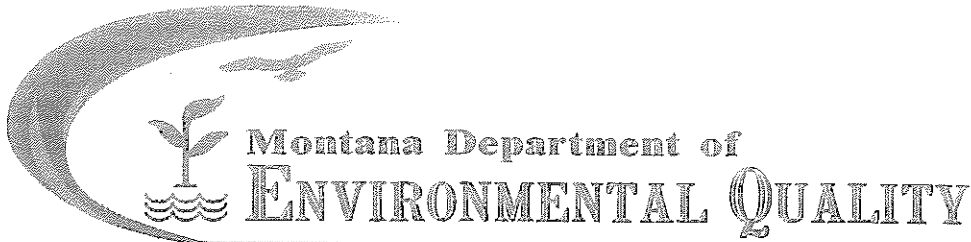
The DNRC manages several parcels of property for the States School Trust which are adjacent to the proposed development. These parcels are managed to create revenue for the School Trust. The DNRC views the proposed development as an opportunity for both the City of Shelby and the DNRC's management of the School Trust Land parcels.

I appreciate your keeping the DNRC informed regarding the progress of this project. Please feel free to contact me if you have any questions regarding the Trust Lands Properties. I can be reached at the address or phone/email below.

Sincerely,

A handwritten signature in cursive script that reads "Gavin Anderson".

Gavin Anderson  
Forest and Lands Program Manager  
Central Land Office \ DNRC  
8001 North Montana Ave.  
Helena, MT 59602  
406-458-3502  
gavinanderson@mt.gov



Brian Schweitzer, Governor

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • [www.deq.state.mt.us](http://www.deq.state.mt.us)

June 13, 2012

Andrea Martin  
Federal Railroad Administration  
1200 New Jersey Avenue SE  
Mailstop 20  
Washington, DC 20590

Re: Port of Northern Montana Multimodal Hub – Toole County, Montana

Dear Ms. Martin:

Thank you for your letter dated June 8, 2012, regarding the construction of a Port within the City of Shelby in Toole County, MT. I appreciate your concern with possible environmental impacts associated with such a project. I will take this opportunity to address your questions relative to Montana Department of Environmental Quality (DEQ) regulatory requirements.

DEQ Water Protection Bureau (WPB) regulates wastewater discharges, including storm water discharges, under the Montana Pollutant Discharge Elimination System (MPDES) permit program (Administrative Rules of Montana [ARM] Title 17, Chapter 30). The DEQ WPB would regulate the construction activity through Storm Water Construction and Storm Water Industrial General Permit authorizations. (For additional information, please see the WPB web page <http://deq.mt.gov/wqinfo/MPDES/StormwaterConstruction.mcp.x>.)

Construction of a new building or facility that will disturb more than one acre of land and that has the potential to discharge storm water from the site to state waters requires coverage under the Storm Water Construction General Permit. Permit coverage requires development of a Storm Water Pollution Prevention Plan and implementation of effective Best Management Practices (BMPs). BMPs at construction activity sites consist of various erosion and sediment control measures. The permittee may request termination when the construction activity is complete and the site has achieved final stabilization, which is when all soil-disturbing activities at a site have been completed and a vegetative cover has been established with a density of at least 70 percent of the pre-disturbance levels, or equivalent permanent physical erosion reduction methods have been employed.

In addition to storm water construction, you mentioned additional infrastructure developed including sanitary sewer facilities. Any discharge of wastewater to either ground water or surface water may also need appropriate permit coverage. Feel free to contact WPB at (406) 444-3080 or see our website for more information <http://deq.mt.gov/Permits.mcp.x#waterprotection>.

Although your letter does not mention what the ultimate uses of the proposed water and sewer mains will be, if the lines will supply drinking water or wastewater services to 25 or more people, they would be considered a public system. In this case, the main designs would need to be

Ms. Andrea Martin  
June 13, 2012  
Page 2 of 2

reviewed under the requirements of the Public Water Supply Act and approved by DEQ prior to the commencement of construction. For more information, please visit the Public Water and Subdivisions Bureau (PWSB) website at <http://deq.mt.gov/pcd/pwsub/default.mcp> and feel free to contact Rachel Clark at (406) 444-6722 with questions.

Thank you again for contacting DEQ. I hope I have addressed your questions as they relate to DEQ regulatory requirements.

Sincerely,



Bonnie Lovelace  
Regulatory Affairs Manager  
Director's Office  
(406) 444-1760

c: Jenny Chambers, DEQ WPB  
Jon Dilliard, DEQ PWSB

## Stacie Taylor

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**From:** andrea.martin@dot.gov  
**Sent:** Tuesday, June 12, 2012 9:49 AM  
**To:** francisa@cstkt.org  
**Cc:** Steve Best  
**Subject:** Shleby, MT Multimodal Hub: Telephone Call  
**Attachments:** flier\_from jpeg.pdf

Dear Mr. Auld; Thank you for your telephone call earlier today (June 12, 2012). The Federal Railroad Administration sent a letter on June 1, 2012 to the groups listed below about the Port of Northern Montana's Multimodal Hub to be located in Shelby, MT. These groups are located along Highline Drive (Highway 2). We will be happy to contact additional parties if needed, please let us know. I have attached a flier for your information about the project.

Mr. Rick Stefanic  
Environmental Services  
US Bureau of Indian Affairs

Mr. Darrell Youpee  
Cultural Resources Department  
Fort Peck Assiniboine and Sioux Tribes

Mr. John Murray  
Tribal Historic Preservation Officer  
Blackfeet Nation

Mr. Dale Old Horn  
Tribal Historic Preservation Officer  
The Crow Tribe of Indians

Mr. Conrad Fisher  
Tribal Historic Preservation Officer  
Northern Cheyenne Tribe

Mr. Francis Auld  
Tribal Preservation Department  
Confederated Salish & Kootenai Tribes of the Flathead Reservation

Mr. Alvin Windy Boy, Sr.  
Tribal Historic Preservation Officer  
Chippewa Cree Tribe of Rocky Boy's Reservation

Mr. Tracy King  
Tribal Council  
Fort Belknap Indian Community

Please do not hesitate to contact me or Mr. Steven Best (701) 250-5904, [steve.best@kljeng.com](mailto:steve.best@kljeng.com) if you have future questions or concerns about the project as we move forward.

Thank you!

**ANDRÉA E. MARTIN**  
*Environmental Protection Specialist*  
U.S. Department of Transportation  
Federal Railroad Administration  
1200 New Jersey Avenue SE, Mail Stop 20  
Washington, DC 20590

(d) 202.493.6201 (f) 202.493.6333

[andrea.martin@dot.gov](mailto:andrea.martin@dot.gov)





## Port of Northern Montana

# Multimodal Hub

The Port of Northern Montana, in cooperation with the US Department of Transportation-Federal Railroad Administration, is preparing an Environmental Assessment for the proposed construction of the Port of the Northern Montana Multimodal Hub within the city of Shelby in Toole County, Montana.

The proposed Hub would be located within Township 31 North, Range 2 West, Sections 2 & 3 and Township 32 North, Range 2 West, Sections 27, 28, 33, 34 and 35. The construction of the Hub is anticipated to begin in 2013 and is proposed to include:

**Railroad Construction • Road Upgrades to SE Front Street • Construction of a Secondary Access Road and 13th Street • Construction Laydown Area • Installation and Construction of Utilities including Natural Gas, Storm Water Facilities, Sanitary Sewer Facilities, Water Main, and Electric Power, Gas and Communication • Acquisition and Expansion of the Bulk Facility, and the purchase of a Lift Machine**

Please provide your comments within 30-days of July 6, 2012 to:

Andrea Martin

Federal Railroad Administration

1200 New Jersey Avenue SE, Mailstop 20

Washington, DC 20590

You may also contact Steve Best for more information at 701.250.5904 or [steve.best@kljeng.com](mailto:steve.best@kljeng.com).

