



U.S. Department
of Transportation

**Federal Highway
Administration**

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August 3, 2023

In Reply Refer To: HFL-17

Peter Brown
State Historic Preservation Officer
Montana State Historic Preservation Office
PO 201202
Helena, MT 59620 - 1202

Re: Sun River Bridge Replacement Project, MT FLAP BOR 2980(1)
Section 106 No Adverse Effect Recommendation and Section 4(f) *de minimis* Determination

Dear Mr. Brown:

The Western Federal Lands Highway Division of the Federal Highway Administration (FHWA), in partnership with the Bureau of Reclamation (Reclamation), Bureau of Land Management (BLM), Greensfield Irrigation District (GID), and U.S. Forest Service (USFS), is proposing the Sun River Bridge Replacement Project, MT FLAP BOR 2980(1). Historical Research Associates, Inc. (HRA) will send digital and hard copies of their cultural resource inventory for this proposed project and accompanying documents and files, including this cover letter, according to the Montana State Historic Preservation Office's (SHPO) guidelines. FHWA believes that the HRA report prepared for and reviewed by FHWA is adequate and we agree with their methods and recommendations throughout the report.

The proposed improvements consist of replacing the existing single lane bridge, which is structurally deficient, with a new bridge that meets current design and safety standards. The new bridge will follow a new alignment, separate from the existing alignment. Geotechnical investigations for the new bridge are proposed for this fall (2023) and the project is examining removal of the existing bridge superstructure based on funding availability and HRA's recommendation (see below) the existing bridge is not eligible for the National Register of Historic Places (NRHP).

The project is a federally funded undertaking and subject to Section 106 of the National Historic Preservation Act (Section 106). The FHWA defines the area of potential effects (APE) as the areas where project activities and direct areas of impact will occur (see report Figure 1-1 and 1-2). The project APE includes 33.9 acres, which encompasses the old bridge alignment, as well as the proposed revised bridge alignment (Figure 1-1 and Figure 1-2). The APE is in Township (T) 22 North (N), Range (R) 9 West (W), and T22N, R8W, in Lewis and Clark and Teton Counties, Montana. The APE is within areas managed by Reclamation, BLM, GID and USFS. The APE includes areas to be used for staging and stockpiling of equipment and materials and excess waste. Material sources for the proposed project will be identified during future design development phases or during construction by the awarded construction contractor. FHWA believes that the APE as defined adequately considers all reasonable potential effects to Historic Properties from this proposed undertaking.

Six cultural resources extend into or border the project APE: Sites 24LC806, 24LC808, 24LC2147, 24LC2695, 24TT134, and 24TT199. **Pursuant to regulations found at 36 CFR 800 we request SHPO**

review of the enclosed inventory, and the National Register of Historic Places (NRHP) eligibility determinations presented in Table 1 below.

Table 1. HRA Management Recommendations for Sites within the APE.

Site Name	Smithsonian/Field Number	Site Description	NRHP Eligibility Recommendations	Management Recommendations
Bureau Tract Neighborhood	24LC806	Historic-period residence	Remains Eligible, Criterion A	No further work
Pishkun Canal	24LC808/24TT134	Historic-period irrigation system	Remains Eligible, Criterion A	No further work
Willow Creek Feeder Canal	24LC2147	Historic-period irrigation system	Remains Eligible, Criterion A	No further work
Sun Canyon Road	24LC2695	Historic-period road	Remains Eligible, Criterion A	No further work
Sun River Bridge	24TT199	Historic-period bridge	Not eligible	No further work
	3523.02-01i	Historic-period debris isolate	Not eligible	No further work
	3523.02-02i	Historic-period debris isolate	Not eligible	No further work

FHWA requests your concurrence that: historic-period residence site 24LC806 remains NRHP-eligible under criterion A; historic-period irrigation system site 24LC808/24TT134 remains NRHP-eligible under criterion A; historic-period irrigation system site 24LC2147 remains NRHP-eligible under criterion A; and historic-period road site 24LC2695 remains NRHP-eligible under criterion A. FHWA requests your concurrence that historic-period bridge site 24TT199 **is not eligible for the NRHP**. This is a change in NRHP-eligibility status for this site. FHWA also requests your concurrence that historic-period debris isolates 3523.02-01i and 3523.02-02i are not eligible for the NRHP. A summary of these NRHP eligibility recommendations can also be found in Table 6-1 in the HRA report. In their report, HRA recommended that no sites within the APE will be adversely impacted by the proposed project and recommended no further work.

On April 20, 2023, the FHWA emailed Tribal consultation letters to the Assiniboine and Sioux Tribes of the Fort Peck Reservation; Blackfeet Tribe of the Blackfeet Indian Reservation; Chippewa Cree Tribe of Rocky Boy, Montana; Little Shell Tribe of Chippewa Indians; Crow Tribe of Montana; Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; Nez Perce Tribe; Northern Arapaho Tribe; Shoshone-Bannock Tribes of the Fort Hall Reservation; Northern Cheyenne Tribe of the Northern Cheyenne Reservation; Eastern Shoshone Tribe; and the Confederated Salish and Kootenai Tribes of the Flathead Reservation. FHWA mailed hard copies of the Tribal consultation letters on the week of April 24, 2023 and followed up with phone calls. The Nez Perce Tribe deferred to other Tribes. The Northern Cheyenne Tribe of the Northern Cheyenne Reservation requested a copy of the HRA cultural resources report. The Little Shell Tribe of Chippewa Indians, Blackfeet Tribe of the Blackfeet Indian Reservation and Assiniboine and Sioux Tribes of the Fort Peck Reservation requested continued consultation. No other Tribes have expressed interest in the project and no Tribes have provided specific

cultural resources information or concerns. FHWA will mail hard copies of HRA's cultural resources report along with a letter stating FHWA's No Adverse Effect Section 106 finding of effect recommendation based on the report findings to all the Tribes listed above except the Nez Perce Tribe who deferred to other Tribes for project consultation.

Based on the scope of the project, details presented in the HRA report and the information presented above, the FHWA recommends that the Sun River Bridge Replacement Project, MT FLAP BOR 2980(1), will result in **No Adverse Effect** and should proceed as planned. **The FHWA requests the SHPO's concurrence with this Section 106 finding of effect recommendation.**

Section 4(f) of the Department of Transportation Act of 1966 affords protection to publicly-owned parks, recreation areas, and wildlife and waterfowl refuges, as well as publicly or privately-owned historic properties. The FHWA recommends the proposed project will result in No Adverse Effect to cultural resources listed on or eligible for the NRHP. Therefore, the FHWA intends to make a de minimis Section 4(f) impact determination according to 23 CFR § 774.5(b)(1)(ii) contingent upon the SHPO's concurrence with the FHWA's aforementioned No Adverse Effect recommendation. This letter informs the SHPO of the FHWA's intent to make a de minimis impact determination according to 23 CFR § 774.5(b)(1)(ii). I appreciate your attention to these requests. If you have any questions, or should you require any additional information, please contact me at the above address, by phone at (360) 619-7636, or by e-mail at michael.schurke@dot.gov.

Sincerely yours,



Michael Schurke, MA
FHWA Archeologist

MCS

cc: Jennifer Chariarse, Senior Environmental Technical Specialist, FHWA
Mike Traffalis, Project Manager, FHWA
Rick Hanson, Area Archaeologist, Reclamation
Arian Randall, Acting Forest Archaeologist and Heritage Program Manager, USFS
Joshua Chase, Archaeologist, BLM