Finding of No Significant Impact

for

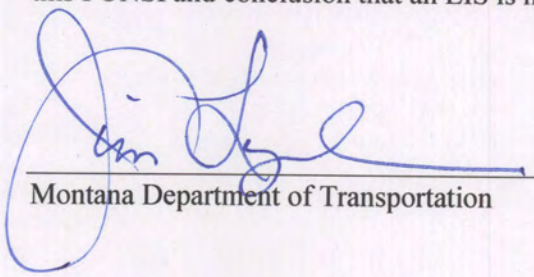
Kearl Module Transportation Project

in

Missoula, Powell, Lewis and Clark, Teton, Pondera, Cascade, Glacier, and Toole Counties, Montana

The Montana Department of Transportation (MDT) has determined that the Preferred Alternative, as described in this document and the attached Environmental Assessment (EA) dated April 2010, will have no significant impact on the human environment. This Finding of No Significant Impact (FONSI) is MDT's Decision Document and is based on the April 2010 EA, information obtained during the public and agency review process, and the additional information included in this document. After an independent evaluation of the EA, MDT concludes that the EA adequately and accurately discusses the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. The EA provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. MDT takes full responsibility for the accuracy, scope, and content of this EA and Decision Document.

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



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Montana Department of Transportation — Date

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1.0 INTRODUCTION

In April 2010 an Environmental Assessment (EA) for the Kearl Module Transportation Project (KMTP) was released for public review and comment. The KMTP EA was prepared in response to a request from Imperial Oil for MDT to issue certain permits to facilitate the KMTP. MDT's issuance of those permits would be considered a "state action", requiring MDT to conduct an environmental review and demonstrate compliance with the Montana Environmental Policy Act (MEPA). MDT permits required for the proposed project are oversized load permits, utility occupancy permits, and encroachment permits. This document is intended to provide additional clarification to the April 2010 EA for the KMTP and to document the decision regarding the proposed KMTP.

Section 2.0 of this document describes the public and agency review of the EA that have occurred subsequent to the release of the EA. Section 3.0 summarizes comments received and MDT's response to those comments. Section 4.0 outlines corrections or clarifications to the EA. Section 5.0 states the selection of the Preferred Alternative.

2.0 PUBLIC AND AGENCY REVIEW

MDT conducted an extensive effort to notify the public of the availability of the EA and of the hearings that would be held regarding the EA, and to solicit public and agency comments regarding the EA. Public involvement efforts met and exceeded applicable Administrative Rules of Montana (ARM), including ARM 18.2.240 and ARM 18.2.257. The public review period for this document was April 13, 2010 to May 14, 2010. Comments on the EA were due to MDT by May 14, 2010. Some comments were received subsequent to May 14, 2010. MDT has made efforts to consider those late comments.

2.1 Public Notice and Availability of EA

MDT signed the EA on April 8, 2010, published the EA on its website on April 13, 2010, distributed copies of the EA to 18 public viewing locations, and distributed the EA to local, state, federal, and tribal offices/agencies. **Table 1** summarizes the public viewing locations. **Table 2** summarizes the governmental offices and agencies to which MDT sent copies of the EA for review and comment. EA recipients were independently confirmed by Imperials Oil's consultant through review of FedEx records. **Appendix A** includes copies of the EA Distribution Cover Letters.

Table 1
EA Viewing Locations

Viewing Location Name	Viewing Location Mailing Address	Viewing Location City
State Library	1515 East 6th Avenue	Helena, MT 59620
Missoula Public Library	301 East Main	Missoula, MT 59801
William K. Kohrs Library	501 Missouri Avenue	Deer Lodge, MT 59722
Lincoln Branch Library	102 9th St.	Lincoln, MT 59639
Augusta Branch Library	205 Main St	Augusta, MT 59410
Choteau/Teton Public Library	17 Main Ave. N	Choteau, MT 59422
Conrad Public Library	15 4th Ave. SW	Conrad, MT 59425
Valier Public Library	400 Teton Ave.	Valier, MT 59486
Browning Branch Library	9 1st St. NW	Browning, MT 59417
Glacier County Public Library	21st Ave. SE	Cut Bank, MT 59427
Toole County Library	229 2nd Ave. S.	Shelby, MT 59474
Great Falls Public Library	301 2nd Ave. N	Great Falls, MT 59401
MDT Headquarters	2701 Prospect Avenue	Helena, MT 59620
MDT Great Falls District Office	200 Smelter Ave. NE	Great Falls, MT 59403
MDT Missoula District Office	2100 W Broadway	Missoula, MT 59807
MDT Butte District Office	3751 Wynne Ave.	Butte, MT 59702
Lewis and Clark Public Library	120 So. Last Chance Gulch	Helena, MT 59601
Butte/Silver Bow Public Library	226 West Broadway	Butte, MT 59701

Table 2
List of Local, State, Federal, and Tribal Offices/Agencies that Received the EA

Agency	Name	Title
Blackfeet Environmental Office	Gerald Wagner	Director
Blackfeet Nation	John Murray	Tribal Historic Preservation Officer
Blackfeet Tribal Council	Willie A. Sharp, Jr.	Tribal Chairman
Cascade County	Joe Briggs	Commissioner
City of Butte	Paul Babb	Chief Executive Officer
City of Choteau	Jay Dunckel	Mayor
City of Cut Bank	Doug Embody	Mayor
City of Great Falls	Michael Winters	Mayor
City of Helena	James Smith	Mayor
City of Missoula	John Engen	Mayor
City of Valier	MacKenzie Grayde	Mayor
Deer Lodge County	Peter Lorello	Commissioner
Department of Environmental Quality	Jeff Ryan	Water Protection – Water Quality Discharge Permits Section Environmental Science Specialist
Department of Environmental Quality	Kari Smith	Water Protection - Compliance and Technical Support Section Supervisor
Montana Highway Patrol	Capt. Gary Becker	District 3 Commander
Montana Highway Patrol	Capt. Brad Snagray	District 8 Commander
Environmental Quality Council	Todd Everts	Legislative Environmental Analyst, Staff Attorney
Glacier County	Michael Des Rosier	Commissioner
Granite County	Cliff Nelson	Commissioner
Jefferson County	Tom Lythgoe	Commissioner
Lewis and Clark County	Mike Murray	Chairman - County Commissioners
Missoula County	Michele Landquist	Chair of County Commissioners
Montana Department of Environmental Quality	Tom Ellerhoff	MDEQ Director's Office
Montana Department of Fish, Wildlife and Parks	Jim Darling	Habitat Section Supervisor
Montana Department of Fish, Wildlife and Parks	Walt Timmerman	Recreation Section Chief
Montana State Library	Ann Retzinger	State Publications Content Specialist
National Park Service	Mary G. Scott	Acting Regional Director
Northern Tier Investigation and Security	Art Rooney	Owner
Pondera County	Sandra J. Broesder	Chair of County Commissioners
Powell County	Ralph Mannix	Chair of County Commissioners
Silver Bow County	Dave Palmer	Chair of County Commissioners
State of Montana	Brian Schweitzer	Governor
State of Montana Historical Society	Dr. Mark Baumler	Montana State Historic Preservation Office
Teton County	Arnold Gettel	County Commissioner
Toole County	Allan Underdal	Chair of County Commissioners
US Army Corps of Engineers	Todd Tillinger	Montana Program Manager
US Environmental Protection Agency, Region 8	Steve Potts	Region 8 Montana Operations Officer
US Fish and Wildlife Service	Scott Jackson	Fish/Wildlife Biologist

Table 2
List of Local, State, Federal, and Tribal Offices/Agencies that Received the EA

Agency	Name	Title
US Forest Service - Lewis and Clark National Forest	Spike Thompson	Forest Supervisor
US Forest Service - Lolo National Forest	Debbie Austin	Forest Supervisor
US Forest Service - Lolo National Forest	Ed DeClava	Archaeologist
US Forest Service - Helena National Forest	Steve Wyatt	Realty Specialist

MDT submitted news releases to 54 media outlets listed in **Table 3**, and purchased advertisements in 12 publications summarized in **Table 4**. These news releases and advertisements announced the availability of the EA, summarized the EA contents, provided information on EA viewing locations, public hearing times/locations, and provided information on submitting public comment. **Appendix B** includes copies of MDT's Press Releases and Display Ads.

Table 3
List of News Releases Publications

Associated Press	KRTV – TV GREAT FALLS
Blackfoot Valley Dispatch	KRTV-TV
Carroll Radio 88.5	KSEN-AM-KZIN-FM
Choteau Acantha	KTGF-TV GREAT FALLS
Cut Bank Pioneer Press	KTVH-TV
Glacier-Reporter - News	KUFM-TV / KUFM-FM
Great Falls Tribune	KVCM-FM
Helena Civic Television	KVVR-FM
Helena Independent Record	KXLH-TV
Independent-Observer	KZOQ – KBQQ
Jefferson County Courier	Lee State Bureau
KAAK-FM	Lolo Peak News
KBGF	Lumen Press
KBLL-AM/FM Helena	Missoula Independent
KCAP	Missoulian
KDTR-FM	Montana Living
KECI-TV	Prospector
KEIN-AM/KTZZ-FM	Queen City News
KFBB Helena	Rural Montana
KFBB-TV	Seeley Swan Pathfinder
KGFC-FM	Shelby Promoter
KGGL - KGRZ - KYLT	Silver State Post
KGVO-KYSS-KLCY	Sun Times
KLFM-FM & KVVR-FM	The Kaimin
KMS0-FM	The Prairie Star
KPAX	The Valierian
KQRV-FM/KBCK-AM	Traders Dispatch

Table 4
Paid Advertisements

Town	Newspaper	Town	Newspaper	Town	Newspaper	Town	Newspaper
Browning	Glacier Reporter	Helena	Independent Record	Seeley Lake	Seeley-Swan Pathfinder	Fairfield	Sun Times
Great Falls	Tribune	Missoula	Missoulian	Lincoln	Blackfoot Valley Dispatch	Choteau	Acantha
Valier	The Valierian	Conrad	Independent Observer	Cut Bank	Pioneer Press	Shelby	Promoter

2.2 Public Meetings and Hearings

Imperial Oil and MDT hosted three public meetings to provide information to the public and hearings to collect comments. The gatherings provide opportunities for:

- Imperial Oil and MDT to present the EA and the proposed project,
- the public to pose technical questions on the EA, and
- the public to provide formal testimony on the EA.

The public meetings were held in Cut Bank on April 27, 2010, Lincoln on April 28, 2010, and Missoula on April 29, 2010. Each public meeting followed the same format with an open house followed by a presentation and technical question and answer (Q & A) period, and then a formal hearing and recording of testimony. Approximately 26 people attended the Cut Bank hearing; approximately 57 people attended the Lincoln hearing; and approximately 173 people attended the Missoula hearing. **Appendix C** contains copies of the visual aids from the public meetings.

MDT representatives also attended public meetings before the Missoula Transportation Policy Coordinating Committee (TPCC) on April 20, 2010, and the Missoula City Council on May 10, 2010.

3.0 COMMENTS ON THE EA

A 30-day public comment period for the EA was provided from April 13, 2010 to May 14, 2010. Comments on the EA were due to MDT by May 14, 2010. Some comments were received subsequent to May 14, 2010. MDT has made efforts to consider late comments.

MDT's process allowed for a variety of means for the public to comment. MDT established a web link that allowed for submittal of email comments. Comments could also be mailed to the MDT headquarters building in Helena or the MDT District Headquarters buildings in Missoula, Great Falls, and Butte. Comments could also be faxed to MDT. Written comments were solicited and accepted at the three public hearings. Verbal comments, via formal testimony, were accepted at the three public hearings. Comments were also received over the phone by MDT personnel and via MDT voicemail. Verbal comments have been transcribed for inclusion in the public process. Comments received and responses to those comments are included in **Appendix D**.

3.1 Summary of Comments Received

At the three public hearings, 35 people gave testimony either on their own behalf or on the behalf of their organizations. In addition to testimony taken at the hearings, MDT received 17 written comments at the hearings. **Table 5** summarizes comments collected at the hearings.

Table 5
Comments Collected at MDT Hearings

Hearing Location	Number of People Providing Verbal Testimony	Number of Written Comments
Cut Bank	3	0
Lincoln	4	1
Missoula	28	16
Total	35	17

MDT received comment from approximately 7,200 individuals, organizations, and/or agencies via public hearing verbal and written comments, mail, facsimile, email, and telephone. **Table 6** lists agencies and organizations that submitted comments during the public review period. **Table 7** shows the percentage of comments that came from each state with one or more percent. MDT received at least one comment from every state in the US.

Many of the comments received were identical or nearly identical to two different form letters. One of the form letters consisted of approximately 6,300 emails forwarded by the Natural Resources Defense Council (NRDC) on behalf of individuals. The other form letter consisted of approximately 290 post cards produced by the Clark Fork Coalition and submitted by individuals. Some individuals included handwritten comments. Approximately 24 people submitted the text of the post card as e-mails. To a large extent those submittals followed a similar format and included similar information.

Approximately 13% of the comments received came from Montana addresses. The other approximately 87% were received from addresses in other states, US territories, and foreign countries. International comments were received from Canada, Mexico, Ireland, United Kingdom, Spain, New Zealand, Greece, Brazil, Australia, Costa Rica, Thailand, Columbia, Japan, Argentina, Germany, France, Netherlands, Portugal, Czech Republic, Belgium, and United Arab Emirates or there was no address provided.

Table 6
Agencies and Organizations that Provided Comments During the Comment Period

Adventure Cycling Association	Montana Ecosystem Defense Council
Alberta Pressure Vessel Manufactures Association	Montana Environmental Information Center
Alliance for the Wild Rockies	Montana Outdoor Learning Adventures
Bike/Walk Alliance for Missoula (BWAM)	Montana Petroleum Association
Bonner Milltown Community Council	Motor Carriers of Montana
Clark Fork Coalition	National Wildlife Federation
Community Action for Justice in the America, Africa, Asia	Native Ecosystems Council
Ecology Project	Natural Resources Defense Council
Friends of the Clearwater	Northern Rockies Rising Tide
Friends of Two Rivers	Pondera County Commission
Idaho Rivers United	Ponderosa Snow Warriors
Lewis and Clark County Commission	Rocky Mountain Contractors, Inc.
Lochsa River Conservancy	Save Our Wild Salmon Coalition
Lolo Watershed Group	SAROC, Inc
Missoula Advocates for Sustainable Transportation	State Representative Michele Reinhart
Missoula City Council	State Representative Susan Malek
Missoula Board of County Commission	State Representative Betsy Hands
Montana Audubon	Teton County Board of County Commissioners
Montana Contractors' Association	Toole County Commission
Montana Chapter of the Sierra Club	UM Climate Action Now
	Upper Blackfoot Valley Community Council

Table 7
Origination of All Comments

State	Percent of Total	State	Percent of Total	State	Percent of Total
Arizona	2	Maryland	1	Ohio	2
California	22	Maine	1	Oregon	4
Colorado	4	Michigan	2	Pennsylvania	3
Connecticut	1	Minnesota	1	Tennessee	1
Florida	3	Missouri	1	Texas	3
Georgia	1	Montana	13	Utah	1
Hawaii	1	North Carolina	2	Virginia	2
Idaho	1	New Hampshire	1	Vermont	1
Illinois	3	New Jersey	2	Washington	5
Indiana	1	New Mexico	1	Wisconsin	1
Kansas	1	Nevada	1		
Massachusetts	2	New York	6		

Note: All other states had less than one percent (1%).

3.2 Common Comments and Responses

Imperial Oil and MDT have reviewed the comments received and identified many common comments. Those common comments and responses are included below.

Common Comment A: The analysis should have been a NEPA analysis rather than a MEPA analysis.

Response to Comment A: MDT has no authority to conduct the analysis in terms of the National Environmental Policy Act (NEPA). NEPA is a federal law that is applicable to federal agencies conducting federal actions. MDT is not a federal agency. MDT is a state agency conducting a state action. In Montana, state agencies conducting a state action must comply with the Montana Environmental Policy Act (MEPA), which is why MDT conducted the environmental analysis in terms of MEPA.

Most MDT projects receive federal funds through the Federal Highway Administration (FHWA). As a result, those projects constitute both state and federal actions. In those cases, MDT and FHWA conduct environmental reviews jointly in compliance with NEPA, as well as MEPA.

The KMTP proposal is different from most MDT projects in that the encroachment permits, utility use permits, and 32-J permits required for the KMTP are state actions. FHWA's involvement with the KMTP proposal is limited to the utility modifications and one turnout modification on I-90. Utility crossings and turnout modifications on the interstate are regulated by both FHWA and MDT.

FHWA reviewed the interstate utility modifications and turnout modification, and concluded that the proposed modifications are categorically excluded under 23 CFR 771.117(c)(2) and (d)(1).

The US Forest Service (USFS) has concurrent jurisdiction with MDT for utility modifications within existing right-of-way on certain USFS lands. Initially, the USFS reviewed the KMTP utility modification proposal and concluded it was categorically excluded under USFS rules. Subsequently, the USFS rescinded that categorical exclusion and re-initiated their NEPA process to include additional consultation with the Nez Perce Tribe, public participation and analysis of impacts on lands recently acquired by USFS. At this point, USFS intends to conduct the review in terms of a categorical exclusion, but acknowledges that information gained through the review process may necessitate a higher level of environmental documentation.

Although MDT's analysis was not conducted in terms of NEPA, MDT has coordinated with FHWA, USFS, and other federal agencies. Those coordination efforts are documented in Section 4.1.1 of the EA and in Section 4.5 of the Decision Document.

Common Comment B: The analysis should have been an EIS instead of an EA.

Response to Comment B: MEPA environmental analyses can take several forms, including Categorical Exclusions (CEs), Environmental Assessments (EAs), and Environmental Impacts Statements (EISs). The substantive requirements for EAs and EISs are similar. However, an EIS is conducted when a proposal has "significant" impacts. An EA is prepared when it is unclear whether a proposed action may generate impacts that are significant. The EA process is used to help determine the potential significance of the impacts of the proposal. If the EA determines that the proposed action will have significant impacts, then an EIS must be conducted prior to initiation of the proposed action. If no significant impacts are identified, the EA analysis is sufficient.

In this case, MDT initially considered conducting the environmental analysis in terms of a CE. Under the provisions of ARM 18.2.261, utility installations, installation of traffic signals, modernization of an existing highway for parking or turning, and hauling of oversized loads may be categorically excluded and do not require the preparation of an EA. However, due to the number of proposed modifications and the number of oversized load permits requested, MDT concluded that an EA was the appropriate level of review to allow additional public input and to determine if the actions would significantly impact the natural or human environment. Through the EA process, MDT has concluded that the project will not result in significant

environmental impacts, as described in ARM 18.2.238. Therefore, pursuant to MEPA, there is no need to conduct an EIS.

Common Comment C1: The analysis should have included a programmatic review for the KMTP proposal.

Response to Comment C1: According to ARM 18.2.251, MDT is required to prepare a programmatic review whenever it is contemplating a series of agency-initiated actions which in part or in total may constitute a major state action significantly affecting the human environment. In this case, the KMTP is not an agency-initiated action as discussed in ARM 18.2.236. As a result, a programmatic review is not necessary. In any event, the analysis conducted for the EA does in fact meet the requirements for the preparation, content, and distribution of a programmatic review. Through the EA process, MDT has concluded the KMTP will not significantly affect the human environment.

Common Comment C2: The analysis should have included a programmatic review for the establishment of a permanent industrial transportation corridor.

Response to Comment C2: The proposed KMTP route is an existing transportation corridor that facilitates oversize and commercial loads. This route currently and historically has been used to move materials and freight, including oversize loads. The issuance of the KMTP permits does not establish a permanent high wide corridor that would allow for the unrestricted movement of future oversized loads along this route. As a result, a programmatic review of a high wide corridor is not necessary.

ARM 18.2.251 requires MDT to prepare a programmatic review whenever it is contemplating a series of agency-initiated actions which in part or in total may constitute a major state action significantly affecting the human environment. In this case, the KMTP is not an agency-initiated action as discussed in ARM 18.2.236. In any event, the analysis conducted for the EA does in fact meet the requirements for the preparation, content, and distribution of a programmatic review. Through the EA process, MDT has concluded the KMTP will not significantly affect the human environment.

Many commenters expressed concern that the KMTP modifications would make the route attractive for future oversize loads. Some commenters requested MDT to evaluate the potential for heavy use of the route by oversized vehicles. While MDT concludes it is reasonably foreseeable that oversize vehicles will use the route in the future, transport of oversize loads along this existing route must be independently reviewed pursuant to 61-10-101, et. seq. MCA (Montana Code Annotated). MDT is required to consider cumulative impacts of a proposed project. However, according to 75-1-208(11) MCA, related future actions may only be considered when the actions are under concurrent consideration by any agency through preimpact studies, separate impact statement evaluations, or permit processing procedures. MDT considered the proposed action individually and cumulatively in conjunction with Emmert International's proposed actions, and concluded that no significant adverse impacts would result. MDT has received an incomplete application from ATS Specialized Inc. Based on the review of the incomplete information, no adverse impacts have been identified. The review process for ATS Specialized Inc. is ongoing.

Common Comment D1: The analysis should have included detailed studies of other routes through British Columbia using Canada's existing transportation system, through Houston and north using existing transportation systems in the US, or via the St. Lawrence River.

Response to Comment D1: The KMTP is not an agency-initiated action; rather, the state action involves the issuance of permits. MDT can approve the permit, conditionally approve the permits, or deny the permits, with cause. Imperial Oil presented MDT with the proposed route after it considered and eliminated alternate routes as infeasible. See Section 2.3 of the EA. Pursuant to 75-1-201(1)(b)(iv)(C)(II), MCA, MDT gave due weight and consideration to the sponsor's comments regarding those proposed alternatives. MDT has no jurisdiction to approve routes outside its boundaries.

MDT considered denying the permits in the No Action Alternative of the EA. MDT's authority to deny or conditionally approve permits must be based upon MDT's permitting statutes. In this case, the No Action Alternative does not meet the purpose of or need for the Project, and the analysis demonstrated no reasonable or scientific basis upon which to deny the permits. The no action alternative is considered a reasonable alternative according to ARM 18.2.236 (2). The alternatives considered in the EA meet the requirements of MEPA.

Common Comment D2: The analysis should have included detailed study of other routes through Montana, such as the interstate system.

Response to Comment D2: MDT considered and rejected use of I-90 and I-15 as infeasible because approximately 25 existing overpasses are too low and have no by-pass ramps or feasible detours to allow passage of the modules. Please refer to Section 2.3 of the EA and Response to Common Comment D1.

Common Comment D3: Commenters suggested that MDT should analyze the feasibility of manufacturing the modules in Alberta or reducing the size of the modules prior to transport.

Response to Comment D3: Manufacturing the modules in Alberta would eliminate the need for a permit (the No Action Alternative). MDT considered denying the permits in the No Action Alternative of the EA. However, MEPA is strictly procedural, and MDT's authority to deny or conditionally approve permits must be based upon MDT's permitting statutes. In this case, the No Action Alternative does not meet the purpose of or need for the Project, and the analysis demonstrated no reasonable or scientific basis upon which to deny the permits.

Reducing the size of the modules would eliminate the need for a permit. MDT considered denying the permits in the No Action Alternative of the EA. The modules are considered non-divisible under 61-10-124(6)(a)&(b), MCA. See Section 4.3 of the Decision Document. As previously stated, MDT's authority to deny or conditionally approve permits must be based upon MDT's permitting statutes. In this case, the No Action Alternative does not meet the purpose of or need for the Project, and the analysis demonstrated no reasonable or scientific basis upon which to deny the permits.

Common Comment E1: The analysis should have included environmental impacts of the Alberta Oil Sands development.

Response to Comment E1: It is not within MDT's decision-making authority to grant or deny permits based on the ultimate location or use of items transported over Montana highways. While NEPA requires recognition of worldwide and long-range environmental problems, MEPA is silent on global environmental issues. MEPA does not apply outside of Montana nor does MDT have authority to review decisions made by foreign nations. MDT's authority to deny or conditionally approve permits must be based upon MDT's permitting statutes. MDT has no authority to deny or conditionally approve permits based upon the potential impacts of the Alberta Oil Sands development. Since the data cannot impact the decision, MDT is not required to analyze the information in the EA.

Common Comment E2: The analysis should have included environmental impacts in Idaho.

Response to Comment E2: MEPA does not apply outside of Montana nor does MDT have authority to review decisions made by neighboring states. MDT has no authority to deny or conditionally approve permits based upon potential environmental impacts in Idaho. Since the data cannot impact the decision, MDT is not required to analyze the information in the EA.

Common Comment F1: The comment period for the EA should have been extended due to the length of the EA and the complexity of the KMTP.

Response to Comment F1: MDT provided appropriate opportunities for public review and comment pursuant to ARM 18.2.240

Several commenters indicated that the document was too long and complex to be adequately evaluated in the 30-day comment period. In MDT's experience, the document would not be considered excessive in length (approximately 70 pages of text) or unusual in complexity. MDT provided public review opportunities appropriate to the level of public interest. (See Section 2.0 of the Decision Document and ARM 18.2.240.) MDT considered, but found no good cause to extend the public review period.

Common Comment F2: The comment period for the EA should have been extended due to a disruption of one of MDT's email comment systems.

Response to Comment F2: If email delivery was affected, the sender was notified that their email had not been received. Electronic commenting is provided as a service to the public to promote efficiency and involvement in the environmental process, but it is not the only available means of commenting. Various other means of providing comment were still available, including mail, hand delivery, facsimile, and use of MDT's "Contact Us" web link. As a result, MDT concludes that an extension of the comment period was not necessary or appropriate. MDT has considered all substantive comments received on the project. (See Section 3.1 of the Decision Document.)

Common Comment G: Some commenters expressed concern that the KMTP would adversely impact traffic safety or inconvenience the traveling public.

Response to Comment G: MDT is mindful of its responsibilities for planning, designing, constructing and maintaining State Highways, roadways, and associated transportation facilities, including associated pull-offs, parking areas, and rest areas for the use and benefit of the traveling public, in a safe and efficient manner in accordance with Title 23 United States Code (USC) and Title 60 Montana Code Annotated (MCA).

MDT has required the applicant to develop the Montana Transportation Plan (MTP). The MTP, which is available for public review, details how traffic flow will be maintained during module transportation and considers such factors as road use by other vehicles, road conditions, weather conditions, and community events. MDT has independently reviewed the MTP and has determined that traffic safety and flow will be maintained, as reflected in the Section 3.5.2.5 of the EA. MDT concluded that the KMTP would not significantly impact traffic safety or significantly inconvenience the traveling public.

Module movements will be tracked and module movement schedule and location information will be posted on a web site maintained by Imperial Oil so that the public has real time information on the location of the modules and the shipping schedule. (See Section 2.2.1.7 of the EA.)

MDT has prohibited Imperial Oil from transporting modules during weekends or holidays. Additionally, to minimize disruption to the traveling public, MDT required Imperial Oil to modify its anticipated travel times to occur at night on most of the route, as discussed in Section 2.3.3 of the EA. Imperial Oil has also agreed not to haul when it would interfere with local events. (See Section 3.6.2.6 of the EA.)

Common Comment H1: Some commenters expressed concern that the KMTP would pose a significant safety risk in terms of spills/hazardous materials.

Response to Comment H1: These issues are discussed in a variety of places in the EA. No hazardous materials or ancillary petroleum products will be transported in the modules. (See Section 2.2.1.7 and 3.8 of the EA.) The pull/push trucks will carry only those products necessary for their operation. Imperial Oil will ensure that all vehicles are equipped with spill kits. (See MTP Section 4.7.) Spill pans will be used, if necessary, when the vehicles are parked to catch any dripping fluid. Refueling of the pull/push trucks will occur by disconnecting the trucks from the module trailers at a turnout area and traveling to the nearest truck service center. MDT concludes that the risk of a spill is minimal. If a spill occurs, Imperial Oil will

implement the Emergency Response Plan in the revised MTP. (See Section 4.7 of the MTP and the Incident Specific Emergency Response Plan - Appendix 14 of the MTP.) MDT does not consider potential for spills/hazardous materials to present a significant impact or significant safety risk. Imperial Oil will post a surety bond in the amount of two million dollars to ensure sufficient funds for removal of turnouts and potential environmental rehabilitation or remediation of any environmental damage resulting from the design and construction of the turnouts or use of the turnouts and transportation route.

Common Comment H2: Some commenters expressed concern that the KMTP would pose a significant safety risk in terms of an accident/event (such as a rollover or road blockage).

Response to Comment H2: During the EA process, MDT concluded that the risk of a specific incident or accident event is minimal and not reasonably foreseeable. As a result, MDT does not consider the potential for a serious accident/event to present a significant impact or a significant safety risk. If an incident occurs, Imperial Oil will implement the Emergency Response Plan and the Incident Specific Emergency Response Plan. (See Section 4.7 of the MTP and Appendix 14 of the MTP.) The MTP is available for public review on MDT's website.

In response to public comment, Imperial Oil provided information regarding a planned response to a specific catastrophic incident. (See Section 4.3 of the Decision Document and Appendix 14 of the MTP.) Upon review of the supplemental information, MDT does not consider the potential for a serious accident/event to present a significant impact or a significant safety risk.

Common Comment H3: Some commenters expressed concern that the KMTP would pose a significant risk in terms of emergency response time.

Response to Comment H3: MDT concludes that the module transport poses no significant impact to emergency response time. The Montana Highway Patrol (MHP) will provide constant escort to the modules through the State. MHP escort will assure constant communication with local law enforcement and emergency responder agencies including fire departments, ambulances, and EMTs. See Section 2.2.1.7 of the EA.

During the public hearing process, some commenters expressed concern that the Emergency Response Plan did not account for private citizen's accessing emergency services. That information is summarized in Section 4.3 of this document. Upon review of the supplemental information by Imperial Oil in its Incident Specific Emergency Response Plan, MDT still concludes that the safety risk is minimal and that if a specific incident or event were to occur, implementation of the Emergency Response Plan and the Incident Specific Emergency Response Plan (see Section 4.7 of the MTP and Appendix 14 of the MTP) will minimize impacts. This revised MTP is available for public review on the MDT website.

Common Comment I: Some commenters expressed concern that the KMTP would adversely affect biological resources.

Response to Comment I: Potential impact to biological resources were investigated and summarized in a variety of places within the EA. See Section 3.9, 3.10, and 3.11 of the EA. Many commenters made general reference to biological impacts, but identified no information that would require new or additional analyses. One commenter provided specific substantive comments. That comment is included and addressed in Specific Comment A found in Section 3.3 of the Decision Document. Associated corrections and clarifications to the EA are included in Section 4.4 of the Decision Document.

RAPTORS**:** The EA prohibits construction activities within ½ mile of an active nest after January 1 and prior to August 1. Subsequent to publication of the EA, Montana Fish, Wildlife and Parks (FWP) informed MDT of three nest locations identified during a Spring 2010 survey. One nest located on Highway 12, at Woodman School, west of Lolo was determined to be more than ½ mile from proposed modification. Two nests located along Highway 200 near Ovando at Monture Hill and Ovando-Warren Creek are located within ½ mile of

proposed turnout modifications and utility relocations. MDT reviewed this information and concluded that the KMTP is in compliance with the requirements of the Bald and Golden Eagle Protection Act. Through informal consultation, on November 26, 2010, the US Fish and Wildlife Service (USFWS) provided written concurrence that the KMTP is not expected to disturb eagles in the vicinity of the route.

AVIAN LINE STRIKES: With or without inclusion of techniques to reduce line strikes, MDT concludes that impacts to trumpeter swans, raptors, and other birds will not be significant. Approximately 1/3 of the overhead lines will be relocated underground, reducing the potential for strikes. Lines will only be raised where they cross the highway, not for the entire length of the line. Overhead utility relocations will be raptor-proofed, in accordance with APLIC guidelines. After publication of the EA, additional coordination with USFWS and FWP resulted in identification of localized areas of concern where trumpeter swan mitigation measures are appropriate. Imperial Oil has agreed to fund those mitigation measures.

WATER RESOURCES: Since the EA was published, wetland specialists conducted field reviews for potential wetlands (areas that showed any sign of past or present standing water or riparian vegetation) and streams near all utility crossings, turnout work locations, and road modifications. The wetland specialists re-visited all sites near potential wetlands with the construction supervisors and utility engineers. Areas to be avoided were flagged, avoidance measures developed, and sediment control measures specified to avoid wetland impacts. (See Section 4.4 of the Decision Document.)

Twenty-four existing utility pole locations were identified that had the potential to be in a wetland or affect a nearby stream. In those locations, utility companies have modified their plans to avoid impacting wetlands or streams.

One existing turnout (Highway 12 at MP 15.4) originally proposed for modification would have impacted an adjacent wetland. To avoid wetland impact, Imperial Oil has identified a different existing turnout (at MP 16.4) for use instead. The new location does not require modification other than additional pavement to allow snow removal.

Imperial Oil has hired environmental compliance inspectors to monitor and document implementation of the mitigation measures identified in the EA, with particular emphasis on wetlands, riparian areas and streams. Imperial Oil will monitor and document mitigation measures and will submit a report to MDT periodically. MDT will also inspect construction to ensure mitigation measures are followed.

THREATENED AND ENDANGERED SPECIES (T&E Species): The EA discloses the listed species and critical habitat that may occur in the project areas, along with a summary of potential effects of the KMTP, and the rationale for those determinations. (See Section 3.10 of the EA.) In evaluating the effects on T&E Species, Imperial Oil's consultant worked with MDT biologists and conferred with the USFWS regarding determinations of effect. (See Table 28, Section 3.10 of the EA.)

Wolves were recently re-listed due to a federal court ruling. In anticipation of potential re-listing, Imperial Oil consulted with the USFWS regarding wolves on February 8, 2010. USFWS indicated that the KMTP did not present concerns for wolves; further consultation with the USFWS was not necessary; and that the KMTP would result in a "no effect" determination in the event of wolves re-listing. (See Section 4. 1.1.4 of the EA.)

WILDLIFE AND FISHERIES: MDT has analyzed the potential impact of the KMTP on wildlife along the route. Due to the slow speed that the modules would travel, there would be fewer impacts on wildlife species from transportation of the modules than normal traffic. (See Section 3.11 of the EA.) MDT has likewise analyzed the potential impact of the KMTP on fisheries as related to water quality and determined that no measurable impact on fish or their habitat is expected. (See Sections 3.9 and 3.11 of the EA.)

NATIVE VEGETATION AND WEEDS: MDT has analyzed the impact of the KMTP on native vegetation and potential for weed establishment and determined there would be no significant impact. Topsoil will be salvaged and replaced at construction locations. Disturbed areas will be seeded with desirable plant species as

soon as practicable after construction, and seed mixes will be certified weed free. (See page S-3 and Section 3.13 of the EA.)

Based on the original analysis included in the EA and subsequent investigation and analysis, MDT still concludes that the impact to biological resources will not be significant.

Common Comment J: Some commenters expressed concern that the KMTP would have negative visual/scenic impacts on Highway 12 and 200.

Response to Comment J: The proposed KMTP route is an existing permanent transportation corridor that currently facilitates oversize and commercial truck traffic. The route is currently and has historically been used to move materials and freight and provide easement areas for utilities.

All proposed modifications are set to occur within the existing right-of-way of this transportations corridor, and all new turnouts would conform to MDT Standard Design Specifications and Procedures. The highways that make up the proposed route already have a number of turnouts. Placement of one new turnout along an approximately 32-mile stretch of Highway 12 and 12 new turnouts on an approximately 112-mile stretch of Highway 200 will not appreciably change the visual character of the corridor.

There are three locations where modules are planned to be parked during the day, weekends and holidays along Highway 12 and 200. These are existing turnouts located at the junction of Highway 12 and 93 (old weigh station in Lolo), at MP 1.9 on Highway 200 (east of the Bonner Mill) and MP 75.0 on Highway 200 (an existing, large snowmobile parking area). It is common to see large or multiple commercial vehicles parked at these locations. The use of other turnouts for extended parking would only occur if there was an emergency, inclement weather, or some other delay.

At numerous locations along the route, overhead utilities will be replaced by underground utilities, which will permanently improve the visual quality along the route.

MDT concludes that the visual/scenic impact of the proposed KMTP will not be significant.

A few commenters raised specific concerns about the visual effects of the tree trimming in Bonner along Highway 200. The tree trimming in Bonner will entail removing a few of the lowest branches from approximately seven trees. (See page 11 of the EA.) The amount of trimming would be consistent with normal tree maintenance. The impact would be minor to negligible and temporary. (See Section 4.4 and Appendix G of the Decision Document). Some commenters expressed concern that trees would be cut down. No trees will be cut down.

Common Comment K: Some commenters expressed concern that the project sets a precedent for future hauling of large loads or establishes a high-wide corridor through the state of Montana.

Response to Comment K: The proposed KMTP route is an existing permanent transportation corridor that currently and historically has been used to move materials and freight, including oversize and commercial loads. Imperial Oil is proposing to improve the existing transportation corridor by relocating some utilities and by modifying existing turnouts and/or constructing new turnouts to comply with the "10-minute Rule" for its large freight. Following Imperial's construction of these improvements, the proposed KMTP route will remain a permanent transportation corridor, as it is currently, and as it has been historically. To the extent that the improvements made by Imperial remain after the project, it is anticipated that these improvements would improve safety and reduce delays for future transportation of oversize materials and freight in comparison to transports that occurred prior to the improvements by Imperial. Because the KMTP route traverses from Idaho to Alberta, Canada, any changes to the transportation of freight, positive or negative, would be limited to freight traveling between those two points.

Some individuals have commented that the proposed KMTP route will be used by Imperial to haul similar size freight in the future. In order to meet Montana's "10-minute Rule," Imperial's transportation plan

requires the existence of each new and existing turnout along the KMTP route. Imperial Oil has signed a Memorandum of Agreement with MDT that requires Imperial Oil to remove turnouts at MDT's request, and it has posted a surety bond to ensure sufficient funds for the removal of turnouts. MDT will assess the removal of turnouts along the KMTP route based upon a variety of factors such as safety and maintenance. Turnout removal will reduce the functionality of this route for loads with similar size and weight. As always, MDT retains the discretion under Montana law to reject or condition future permit requests for oversized loads.

Common Comment L: Some commenters expressed concern that the KMTP will create a financial burden for Montana due to costs associated with damage and repairs to Montana roads and bridges, additional maintenance costs, design and construction costs.

Response to Comment L: MDT is mindful of its responsibility for maintaining state highways for the use and benefit of the traveling public in a safe and efficient manner. MDT has analyzed the KMTP and concludes that it will not create a financial burden for Montana. Financial responsibilities are discussed in ARM 18.8.1101(10) and Section 2.2.1.2 of the EA. Additional information is provided below.

Damage and Repairs to Montana's Roads and Bridges: MDT has reviewed the KMTP and through engineering analysis established the maximum transport vehicle axle loading to comply with road and bridge design along the KMTP route. MDT will confirm each transport complies with appropriate axle weights.

Prior to turnout construction and module transport, Imperial Oil will develop a video log of the route to establish baseline visual conditions of the roadway. In addition, at Imperial Oil's expense, an independent contractor will conduct engineering analyses to determine accelerated damage to the roadway and infrastructure as a result of the KMTP. MDT will review that analysis. During the transports, MDT will monitor the road and bridge conditions. After completion of the project, Imperial Oil will pay for any repairs to roadways and bridges identified by MDT associated with the project and removal of any turnouts directed by MDT.

MDT will require Imperial Oil to post a twenty million dollar bond and Imperial Oil's transport company (Mammoet Canada Western Ltd.) to post a ten million dollar bond to ensure compliance with the provisions and conditions of the special permits and agreements for the KMTP and damage to persons and property.

Additional Road Maintenance Costs: The new turnouts will result in additional maintenance costs after the completion of the KMTP. Imperial Oil will retain maintenance responsibility for the turnouts that it uses for the duration of the project. Following completion of the project, MDT will identify those locations where turnouts will be removed and where turnouts will remain in place. Imperial Oil at its sole cost and expense will remove any turnouts identified by MDT following the project. For those turnouts that will remain in place, MDT will inspect the condition and accept ownership and responsibility for turnouts brought into an acceptable condition. If the turnouts are not in acceptable condition, MDT will provide Imperial Oil a list of improvements that must be made before the turnouts will be accepted. Once the turnouts are accepted, MDT assumes responsibility for those turnouts, and will cover the cost of routine road maintenance.

Design and Construction Costs: Imperial Oil will pay the design and construction costs including MDT's staff time and associated expenses incurred by MDT for oversight during construction of permitted improvements, and any MDT construction engineering activities.

Common Comment M: The economic analysis in the EA should consider the costs to Montanans through loss of revenue from tourism and recreation.

Response to Comment M: Impacts on tourism and recreation would be minimized by meeting the 10-minute delay rule (See Section 3.6.2.6 of the EA); traveling at night (See Section 2.3.3 of the EA.); and avoiding travel on weekends, federal holidays, days of community events such as Valier's Homesteader Days and the Augusta Rodeo. Impacts are not expected to be significant. See Section 3.6.2.6. for information on the financial responsibilities of Imperial Oil, see the response to Common Comment L.

Common Comment N: Some commenters expressed concern that the proposed project would adversely impact Historic Landmarks and Scenic Highways.

Response to Comment N: The Lolo Trail/Nez Perce Historical Trail is a National Historic Landmark that is located near the proposed project area along Highway 12. Imperial Oil investigated potential impacts to the Lolo Trail/Nez Perce Historical Trail and documented those potential impacts in a Cultural Resources Report. MDT determined the KMTP project would have no impact to the National Historic Landmark. SHPO concurred. In addition, ground disturbing work along Highway 12 will be observed by a cultural resources monitor.

In regard to the Scenic Highways comment, there are eight federal scenic byways and the Beartooth All American Road in Montana. However, none are located along the KMTP route in Montana.

Common Comment O: Some commenters expressed concern that the proposed project would adversely impact Lolo Creek and/or the Blackfoot River.

Response to Comment O: As discussed in Table 26 (Section 3.9.2.1 of the EA), the KMTP will involve seven turnout modifications and one newly constructed turnout on Highway 12. Utility work on Highway 12 will include 43 above ground and 32 underground utility relocations. On Highway 200 between Bonner and Rogers Pass (a distance of approximately 86 miles), approximately 175 utility relocations (15 to be removed, 69 to be buried, and 91 to be raised), eight turnout modifications and eight newly constructed turnouts are proposed.

During the field review for wetlands at each turnout, a field evaluation of the distance to water resources was conducted. The field investigation verified the location of the streams so that a more accurate distance could be measured on the aerial photos. That new information on turnouts less than 100 feet from Lolo Creek and Blackfoot River is provided in **Table 8** below.

Table 8
All Turnouts Less than 100 Feet from Lolo Creek or Blackfoot River

Highway	Turnout	Type	Mile Post	Feet From Lolo Creek
12	Existing	Park	MP 16 .4*	45 (opposite side of road from Lolo Ck)
12	Existing	Park	MP 19.1	52 (opposite side of road from Lolo Ck)
12	Existing	Park	MP 20.3	30
12	Existing	Clear	MP 21.8	95 (opposite side of road from Lolo Ck)
Highway	**Turnout**	**Type**	**Mile Post**	**Feet From Blackfoot River**
200	Existing	Night/ Extended	MP 62.9	45
200	Existing	Park	MP 85.0	38

* This turnout is relocated. See response to Common Comment I.

None of the new turnouts are closer than 100 feet to Lolo Creek or the Blackfoot River.

Lolo Creek: Four existing turnouts are less than 100 feet from Lolo Creek (see **Table 8** above). Three turnouts are on the other side of Highway 12 from Lolo Creek. The third location is the turnout at MP 20.3 on Highway 12 which is being extended approximately 40 feet to the east. The extension of the turnout is along the highway rather than toward the stream. At all sites, existing drainage will be maintained and BMPs will be implemented. No adverse impacts are expected to Lolo Creek.

Blackfoot River: Two of the turnouts are less than 100 feet from the Blackfoot River. The turnout work at MP 62.9 on Highway 200 will be adding gravel and paving. BMPs will be used to minimize sediment transport. The work on the turnout on Highway 200 at MP 85.0 is limited to paving.

Utility modifications associated with the KMTP are not expected to adversely impact Lolo Creek or the Blackfoot River since disturbance areas will be minimal and BMPs will be implemented.

Common Comment P: Some commenters indicated that the analysis should have included an analysis of global warming impacts and/or greenhouse gas emissions.

Response to Comment P: Unlike NEPA, MEPA does not require agencies to consider global environmental issues and impacts. Montana law does not include applicable provisions related to global warming or greenhouse gas emissions. MEPA is a procedural rather than substantive law. MDT's authority to deny or conditionally approve permits must be based upon MDT's permitting statutes. MDT has no authority to grant or conditionally approve permits based upon potential impacts of greenhouse gas emissions or global warming. Since the data cannot impact the decision, MDT is not required to analyze the information in the EA.

That said, as with all other vehicles that use highways in Montana, emissions, including greenhouse gas emissions, would be produced from the combustion of fuels in the trucks and equipment. The volume of emissions produced would be negligible when added to the emissions emitted by vehicles that travel on Montana roadways each day. As shown in Table 1, Summary Section of the EA, overall the KMTP would result in a slight increase in emissions and dust, with no long-term or significant impacts.

Common Comment Q: Some commenters noted that there is no requirement for Imperial Oil to hire Montana residents for the work and therefore the economic analysis was misleading.

Response to Common Comment Q: It is true that there is no requirement for Imperial Oil to hire Montana residents, nor is it within MDT's authority to require Montana residents to be hired. Imperial Oil has used Montana contractors or in some instances required their contractors to use Montana resources. The economic analysis is based on existing contracts with Montana employees currently residing within Montana. The EA also recognizes that some work will be done by non-Montana residents. Economic benefits from those workers would be limited to fuel, hotel, and food purchases.

Common Comment R: Some commenters noted that the Montana constitution states that all the people of the state of Montana have an inalienable right to a clean and healthful environment.

Response to Common Comment R: MDT is mindful of the right to a clean and healthful environment under Article II, Section 3 of the Montana Constitution. Through the MEPA process, MDT has analyzed the proposed project and found no significant impacts to the environment and no impacts that would violate the right to a clean and healthful environment under Article II, Section 3.

Common Comment S: Some commenters noted that the MDT has to meet the requirements under MEPA to analyze the direct, indirect, secondary and cumulative impacts of projects.

Response to Common Comment S: MDT is mindful of its obligations under MEPA. The EA analyzed potential permanent and temporary direct, indirect, secondary and cumulative impacts of the overall proposal in accordance with 75-1-208(11) MCA. Subsequent to the publication of the EA, MDT received permit applications for proposed similar projects, and analyzed the cumulative impacts as reflected in Section 4.4 of the Decision Document. State agencies may only consider related future actions when these actions are under concurrent consideration by any agency through pre-impact statement studies, separate impact statement evaluations or permit processing procedures. (See Section 3.2 of the EA and Section 4.4 of the Decision Document.) MDT considered the proposed action individually and cumulatively in conjunction with other proposed actions, and concluded that no significant adverse impacts would result.

Common Comment T: Some commenters voiced concern that MDT counted the bulk comments (emails and postcards) as one comment.

Response to Common Comment T: MDT appropriately considered the bulk emails. A representative sample of the text included in the bulk comments is included in the response to comments section (Appendix D of the Decision Document) along with an appropriate response. A list of the names of the people who submitted the bulk comment is also included in Table D-1. While the level of public participation can be an indication of the level of public acceptance of a proposal, MEPA is not a public referendum.

3.3 Additional Substantive Comments and Responses

Specific Comment A: One commenter expressed concern about potential impacts to raptors. This commenter noted that the EA referenced an outdated set of raptor safe guidelines. This commenter also noted that while the recommendations include modifications to power pole structures, they do not include techniques to reduce line strikes, such as application of bird flight diverters or fireflies.

Response to Specific Comment A: Imperial Oil will require its contractors to adhere to the most recent set of raptor safe guidelines (APLIC 2006). With or without inclusion of techniques to reduce line strikes, MDT concludes that impacts to raptors will not be significant, as approximately 1/3 of the overhead lines will be removed and placed underground, reducing the potential for strikes, and those that are raised are only raised where they cross the highway, not for the entire length of the line. All overhead utility relocations will be raptor-proofed, in accordance with APLIC guidelines. After publication of the EA, additional coordination with USFWS and FWP resulted in identification of localized areas of concern where trumpeter swan mitigation measures are appropriate. Imperial Oil has agreed to fund those mitigation measures.

Specific Comment B: One landowner expressed concern with the location of a new turnout on Highway 287 because of the proximity to his driveway.

Response to Specific Comment B: Imperial Oil has proposed relocating this particular turnout to alleviate the landowner's concern. This change is reflected in Section 4.3 of the FONSI.

Specific Comment C: Concern was expressed in regard to the impact tree trimming may have on the historic resource in Bonner.

Response to Specific Comment C: The Bonner Company Town Historic District was nominated for listing on the National Register of Historic Places in April 2009. Subsequent to the publication of the EA, the Keeper of the National Register of Historic Places rejected the nomination for technical and substantive revisions. Although the nomination has been rejected, the Bonner Company Town Historic District remains eligible for listing on the National Register and MDT analyzed potential impacts as such. The EA, Section 3.3.2.4 Tree Trimming, noted that the tree trimming would likely be noticeable, but the visual effect would be minor and temporary and would not affect the Bonner historic district. To illustrate the effects from tree trimming in Bonner, an artist's rendering of the visual effects has been included in Section 4.4 of this Decision Document and new Appendix G of the EA.

Specific Comment D: Some commenters expressed concern regarding the use of the Montana Highway Patrol for escorts, either because of taxpayer expense or because it would divert the Patrol from their normal duties.

Response to Specific Comment D: Imperial Oil will enter into a contract with MHP to pay for vehicles, gas, and salary (including overtime pay). MHP officers will be used on a voluntary basis; therefore it will not impact normal MHP services.

4.0 CORRECTIONS AND CLARIFICATIONS TO THE EA

The following corrections and clarifications are to be considered part of the approved EA prepared for this project. These corrections and clarifications are in response to modifications to the KMTP proposal, new information, public comment, or additional consultation. The EA text is italicized, a strikeout indicates deletion and new text is shown as underlined. Page numbers refer to the EA which is provided in Appendix E. Recognizing these changes and clarifications, MDT has determined that the original EA adequately addressed the proposed action and issuance of a revised EA is not necessary.

One change that is reflected throughout the EA is that the return trailer route has been modified. Trailers will be reconfigured, will no longer be oversized, and will not require 32-J permits for the return trip. In the following sections, this change is referred to "Due to the change in the return trailer route, the following changes have been made."

4.1 Corrections and Clarifications to EA Summary

Page S-1 Summary

Due to the change in the return trailer route, the following changes have been made:

The return trailer route enters at Sweetgrass and follows ~~mostly the interstate transportation system before exiting~~ Interstate 15 to the junction with US Highway 200 near Vaughn, proceeds west on Highway 200 to Interstate 90, then south on Highway 93 and west on Highway 12 over Lolo Pass (Montana/Idaho border).

Since the returning haul trailers ~~do not have the same height restrictions and can travel at speeds up to 50 miles per hour, the interstate return trailer route was selected to minimize public impacts and for efficiency~~ will be reconfigured, they will not be oversized (in height, weight, length, or width), and will not need 32-J permits.

One turnout location was changed due to its proximity to a cultural site. Originally, the turnout to be used was an existing turnout at MP 17.7. The replacement turnout would be a new turnout at MP 17.8. As a result, the following changes are made to the required infrastructure improvements.

- Permanently modifying ~~22~~ *21* existing highway turnouts;
- Building ~~53~~*54* new highway turnouts;

Page S-2 Figure 1

Figure 1 has been revised to reflect the revised return trailer route as noted above.

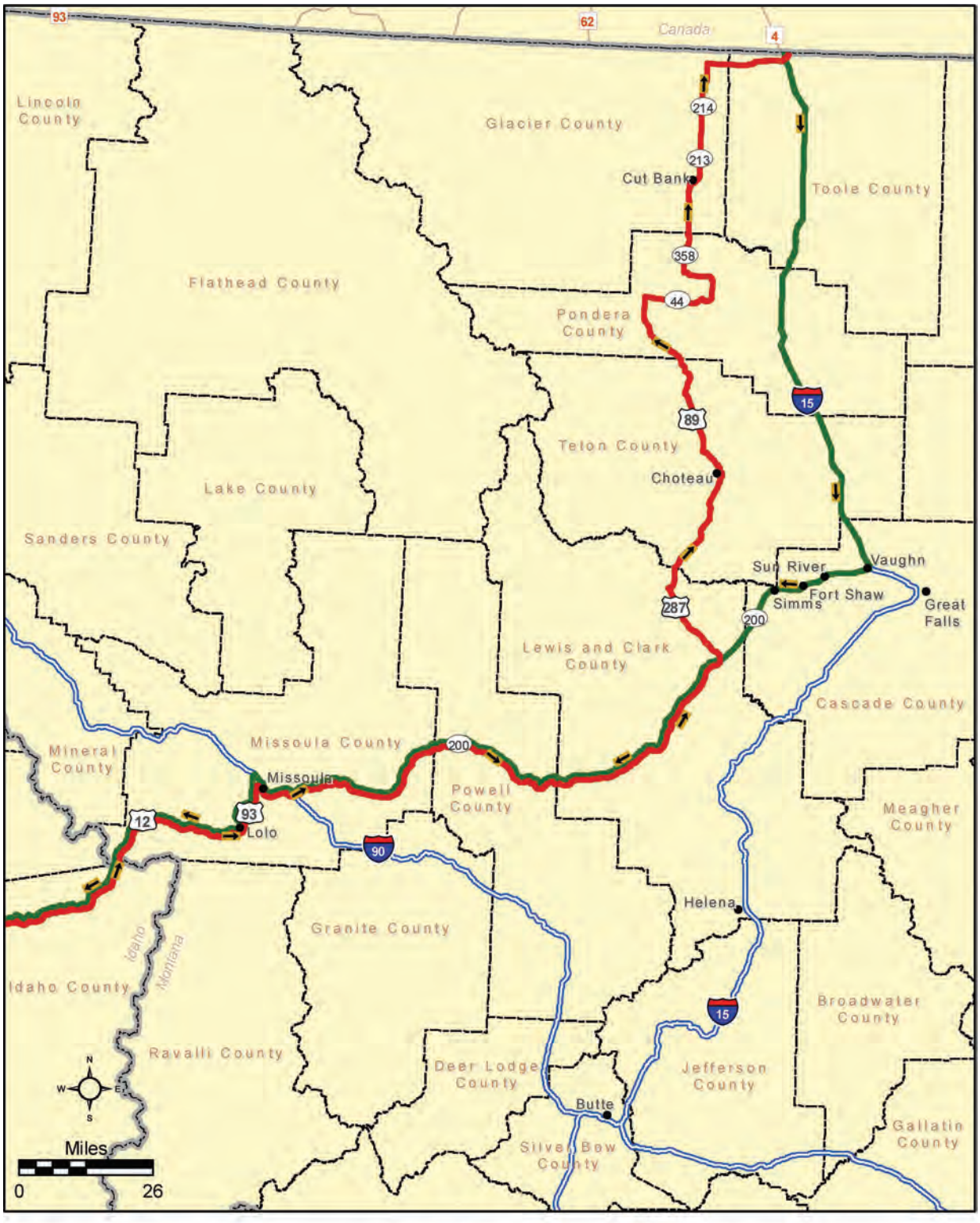

Figure 1
Location Map
Transportation Route
Kearl Project

Planned Mitigation to Avoid Impacts

Utility Relocations

The APLIC guidelines cited in the EA were not the most current. The following sentence has been changed.

- *All overhead utility structures will be constructed in compliance with raptor safe guidelines (APLIC ~~1996~~2006).*

The following sentence has been changed.

- *To avoid impacts on eagles, construction within ½ mile of active nests will not be allowed ~~after~~ between January 1 and ~~prior to~~ August 1 ~~at utility locations~~ unless the ~~with active~~ nests ~~is vacated within ½ mile~~.*

The following sentence has been added.

- *Imperial Oil will install bird strike diverters at locations along Highway 200 to reduce the risk to trumpeter swans.*

Page S-6

Planned Mitigation to Avoid Impacts

Module Transport

Based on consultation with the USFS National Trails Coordinator, in order to protect interpretive signs along the highways, the following sentence has been added:

- *Imperial Oil will ensure that any roadside interpretive signs damaged during module transportation activities will be repaired or replaced.*

Page S-7

Table 1, Conclusion and Summary of Effects

The text has been revised to accurately summarize the effects on grizzly bears.

Table 1
Conclusion and Summary of Effects

	Road Modifications	***Utility Relocations***	***Traffic Structures***	***Tree Trimming***	***Module Transport***	***Overall***
T&E Species	*No effect*	*No effect*	*No effect*	*No effect*	*No Impact for all except grizzly bears, May effect, not likely to adversely affect.*	*~~No Impact~~ No Impact for all except grizzly bears, May effect, not likely to adversely affect.*

4.2 Corrections and Clarifications to EA Chapter 1 Purpose and Need

Page 1

1.2 Purpose of the Project

Due to the change in the return trailer route, the following change has been made:

The purpose of the proposed project is for Imperial Oil to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads through Montana to the Canadian border ~~and return trailers through Montana to the Idaho border~~.

Page 2

1.4 Brief Description of the Proposed Action

Due to the change in the return trailer route, the following changes have been made:

The return route ~~for 16-foot wide trailers~~ would be south on Interstate 15 (I-15), west on Highway 200 and I-90, south on Highway 93, then west on US Highway 12 to the Montana/Idaho border. ~~An alternative route for the 10-foot wide trailers would be south on I-15 to Helena, then travel west on US Highway 12 from I-15 in Helena, to I90 at Garrison then west on I-90, south on US Highway 93, then west on US Highway 12 to the Idaho/Montana border.~~

One turnout location was changed due to its proximity to a cultural site. Originally, the turnout to be used was an existing turnout at MP 17.7. The replacement turnout would be a new turnout at MP 17.8. As a result, the following changes are made to the required infrastructure improvements:

- *Permanently modifying ~~22~~ 21 existing highway turnouts;*
- *Building ~~53~~54 new highway turnouts;*

Page 3

1.6 Permits

These changes are to clarify the permits granted or needed.

Table 2, State, Federal and Tribal Permits.

Table 2
State, Federal and Tribal Permits

Agency	*Permit*
USDA Forest Service	*Amend existing Special Use Permit for utility occupation ~~and highway modifications~~*
Missoula County Conservation District	*MEC secured a 310 Permit for work near Lolo Creek.*

4.3 Corrections and Clarifications to EA Chapter 2 Alternatives

Pages 5 and 6

2.2.1.1 Location

Due to the change in the return route, the following change is made.

The return route ~~for 16-foot wide trailers~~ would be south on I-15, west on Highway 200 and I-90, south on Highway 93, then west on US Highway 12 to the Montana/Idaho border. ~~An alternative route for the 10-foot wide trailers would be south on I-15 to Helena, then travel west on US Highway 12 from I-15 in Helena, to I-90 at Garrison then west on I-90, south on US Highway 93, then west on US Highway 12 to the Idaho/Montana border.~~

Page 6

The Memorandum of Agreement was finalized after the EA was distributed to the public. Based on the Memorandum of Agreement, the following changes to the financial responsibility section have been made.

2.2.1.2 Financial Responsibility

Imperial Oil and the MDT are currently in the process of negotiating ~~Memorandums of~~ Agreements regarding the responsibilities of each party should the decision be made to proceed with the project. It is anticipated that the responsibilities will be as described as follows; however, until the ~~memorandums~~ Agreements are completed and signed, it is possible that some responsibilities will change.

Generally, Imperial Oil will cover the cost of the planning, permitting, construction, and operation of the project in Montana. Imperial Oil will hire and pay for consultants to manage project design, engineering (including utility relocations through the utility companies), permit application preparation, environmental investigation and review, document preparation, and public consultation. Should permits be approved, Imperial Oil will hire and pay for construction activities (turnouts, utilities, traffic structures, and tree trimming), construction compliance inspections, and costs associated with module transport including public notification of module movements via newspaper and internet, highway patrol escort vehicles and traffic control. Imperial Oil will reimburse MDT for snow-removal efforts in excess of normal snow removal efforts. Once hauling is complete, Imperial Oil will pay for any needed repairs to roadways and bridges due to their activities and removal of any improvements deemed unneeded by the MDT.

MDT will require Imperial Oil to post a twenty million dollar bond and Imperial Oil's transport company (Mammoet Canada Western Ltd.) to post a ten million dollar bond to ensure compliance with the provisions and conditions of the special permits and agreements for the KMTP and damage to persons and property.

Additional Road Maintenance Costs: The new turnouts will result in additional maintenance costs after the completion of the KMTP. Imperial Oil will retain maintenance responsibility for the turnouts that it uses for the duration of the project. Following completion of the project, MDT will identify those locations where turnouts will be removed and where turnouts will remain in place. Imperial Oil at its sole cost and expense will remove any turnouts identified by MDT following the project. For those turnouts that will remain in place, MDT will inspect the condition and accept ownership and responsibility for turnouts brought into an acceptable condition. If the turnouts are not in acceptable condition, MDT will provide Imperial Oil a list of improvements that must be made before the turnouts will be accepted. Once the turnouts are accepted, MDT assumes responsibility for those turnouts, and will cover the cost of routine road maintenance.

Design and Construction Costs: Imperial Oil will pay the design and construction costs including MDT's staff time for oversight during construction of permitted improvements, and any MDT construction engineering activities.

~~The MDT will cover the cost of MDT's review of permit applications, review of the EA, construction oversight, as needed, and normal obligations for road maintenance, including normal snow removal efforts. Following completion of the project, MDT will assume the responsibility for maintenance of any improvements they decide should remain for the benefit of the public.~~

Page 7

2.2.1.3 Turnout Construction and Road Modifications

The EA described an existing turnout at MP 1.75 on Highway 12. This turnout is located at MP 1.8.

The existing turnout at MP 15.4 on Highway 12 will not be used due to proximity of adjacent wetlands. An existing turnout at 16.4 will be used instead. Additional pavement will be placed on the turnout.

The new turnout proposed at MP 36.1 on Highway 287 will not be constructed at the request of the adjacent landowner. A new turnout will be constructed at MP 35.6 instead.

The EA described using an existing turnout at MP 17.7 on Highway 358. Instead of using the existing turnout at MP 17.7, Imperial Oil is now proposing a new turnout at MP 17.8. This new location was chosen to increase the distance from the cultural resource located near MP 17.7.

Table 5
Turnout Construction

Highway	*Mile Post*	*Status*	*Turnout Type*	*Work to be Completed*
12	*~~1.75~~1.8*	*Existing*	*Night/extended*	*Place additional aggregate, grade and pave*
12	*15~~6~~.4*	*Existing*	*Park*	*Place additional aggregate, grade and pave*
287	*~~36.1~~35.6*	*New*	*Clear*	*Construct new turnout and pave*
358	*~~17.7~~17.8*	*~~Existing~~ New*	*Park*	*~~Place additional aggregate, grade and pave~~ Construct new turnout and pave*
Total		*New*	*~~53~~ 54*	
Total		*Modified*	*~~22~~ 21*	
Total		*New and Modified*	*75*	

Page 7

2.2.1.3 Turnout Construction and Road Modifications

To more accurately reflect MDT's requirements for KMTP, the following changes have been made.

All turnouts and minor road modifications will be designed in accordance with MDT Standard Design Specifications, ~~Codes, and Standards~~ and Procedures, including sediment control, drainage, traffic safety, material handling, weed control, waste disposal and revegetation and constructed by a qualified contractor.

Page 11

2.2.1.5 Traffic Structures and Road Sign Modifications

To more accurately reflect MDT's requirements for KMTP, the following changes have been made.

All turnouts and minor road modifications will be designed in accordance with MDT Standard Design Specifications, Codes, and Standards and Procedures, including sediment control, drainage, traffic safety, Americans with Disabilities Act, material handling, weed control, revegetation and waste disposal.

The intended modifications include the following:

- *Installation of rotator bases (retrofit) and associated electrical work on 25 traffic signals in Missoula and Lolo, 1 in Lincoln, 1 in Choteau, 1 in Valier, and 2 in Cut Bank;*
- *Removing 2 sign bridges on Interstate 90 and replacing with roadside signs;*
- *Installation of 1 railroad crossing signal on rotator base in Bonner, ~~and~~*
- *Relocation of a gas line to facilitate one rotator base installation; and*

- *Reinstallation of 2 sign bridges on Interstate 90 following project completion.*

2.2.1.7 Module Transportation

Due to changing the number of new turnouts, the following changes have been made.

The MTP discusses the logistics of the module movement, including the overall transportation strategy, traffic clearing procedures, major stages of travel, emergency response, and empty trailer return routes. There are a total of 123 traffic clearing locations that would be utilized (48 existing turnouts, ~~22~~ 21 modified, ~~53~~ 54 new) (see ***Appendix A****).*

Page 12

2.2.1.7 Module Transportation

Table 9 on page 12 of the EA has been clarified. The following changes have been made.

Table 9
Combined Dimensions of Module, Truck and Trailer
~~***Truck and Trailers Maximum and Minimum Configurations***~~

Trailer Type	*Percent of Loads*	*Weight of Truck, Trailer and Module ~~Weight~~ (pounds)*		*Length (feet)*		*Width (feet)*		*Height (feet)*	
		Min	*Max*	*Min*	*Max*	*Min*	*Max*	*Min*	*Max*
10 feet wide	~~*22*~~ *40 %*	~~*73,753*~~ *263,300*	~~*179,400*~~ *398,000*	*170*	*210*	*20*	*24*	*18*	*30*
16 feet wide	~~*78*~~ *60 %*	~~*133,206*~~ *316,500*	~~*334,568*~~ *580,000*	*170*	*210*	~~*13*~~ *16*	*24*	*14*	*30*

Source: Mammoet Canada Ltd.

Notes:
1) Weights above do not include push trucks.
2) The modules cannot reasonably be dismantled and are non-divisible. (61-10-124(6) (a) and (b) MCA.)

Due to the change in the return trailer route, the following change has been made.

Returning empty trailers ~~are over-width, but not over-height, generally up to 10 feet wide and up to 175 feet long or up 16 feet wide and up to 175 feet long~~ will not require 32-J permits.

Page 13

The EA used "police" and "Montana Highway Patrol" interchangeably. For clarity, the text has been revised.

Emergency Response

~~Police~~ Montana Highway Patrol escorts will increase the safety of the module transport and provide a means for the module transport crew to coordinate with authorities in the event of an emergency. The motoring public is more inclined to yield to blue/red flashing lights than conventional amber lights. ~~Police~~ Montana Highway Patrol embedded with the module transport entourage will provide added visibility for approaching traffic, increasing the public safety.

~~Police~~ Montana Highway Patrol communication with local agencies will be a means of keeping the module transport crew informed on local conditions. The convoy will also be traveling with a satellite phone to

ensure communication in areas with limited wireless coverage. Montana Highway Patrol costs will be paid by Imperial Oil.

Additional information was provided in the MTP to address certain specific situations. The following summary of the new Appendix (Appendix 14 – Incident Specific Emergency Response Plan) that has been included in the MTP (available for review at MDT's website) is added to the text in the EA.

Incident Specific Emergency Response Plan

In addition to the emergency response procedures discussed above, Imperial Oil has developed and included an Incident Specific Emergency Response Plan in the MTP, illustrating four specific incident scenarios.

- *Jack knifing situation with the transporter*
- *Load sliding partially off the trailer situation*
- *Rollover situation into water*
- *Private vehicle in an emergency situation*

Page 14

Subsequent to the issuance of the EA and at the request of the affected utility companies, MDT issued some priority utility relocation permits under a categorical exclusion prior to making the decision on the overall Project. MDT's issuance of those permits was not predecisional and did not commit MDT to any course of action with regards to the overall Project. Imperial Oil assumed all risk and cost associated with any priority utility relocations undertaken prior to final Project approval. The following clarification has been added to the EA.

2.2.1.8 Schedule

Table 10 shows the preliminary overall duration of activities. Construction associated with utilities, traffic structures, and turnouts will begin as soon as permits are issued and would take approximately 6 months to complete depending on the weather and availability of labor, equipment, and materials. *MDT issued some priority utility relocation permits under a categorical exclusion prior to making the decision on the overall Project. MDT's issuance of those permits was not predecisional and did not commit MDT to any course of action with regard to the overall Project. Imperial Oil assumed all risk and cost associated with any priority utility relocations undertaken prior to final Project approval.* Module transportation will begin as soon as construction work is completed and *32-J permits are issued. The module transportation* ~~*continue until completion, anticipated to be*~~ *is expected to be completed approximately one year from date of permit issuance* ~~fourth quarter 2011~~. Imperial Oil and their contractors will coordinate with and schedule the module movements around construction activities planned by MDT and local community events.

Page 15

2.3.4 Reducing the Size of the Modules

Alternate configurations of the modules were considered and eliminated as the loads were considered "nondivisible loads" pursuant to 61-10-124(6)(a)&(b), MCA. The loads are considered "nondivisible" since they could not be readily or reasonably dismantled, had been reduced to a minimum practical size and weight, and if separated into smaller loads, would have either destroyed the value of the load or required more than 8 work hours to dismantle using appropriate equipment.

4.4 Corrections and Clarifications to EA Chapter 3 Environmental Impacts

Page 16

Subsequent to the publication of the EA, MDT received permit applications from Emmert International and ATS Specialized Inc. concerning the transport of oversize loads in Montana. Also subsequent to the publication of the EA, some of MDT's projects have been completed and one additional project has been scheduled for construction.

3.2 Past, Present and Reasonably Foreseeable Actions

Present and Reasonably Foreseeable Activities by MDT:

- *Highway 89 southeast of Dupuyer, road reconstruction, approximately milepost 64.5 - 70.5 in 2012-2013*
- *Highway 358, asphalt overlay, approximate milepost 7.5-17.5, completed in summer 2010*
- *Highway 287 northeast of Augusta road reconstruction and rehabilitation at approximate milepost 38.5 – 39.8 during summer ~~2010~~ 2011*
- *Highway 200 at Roger's Pass culvert replacement at approximate milepost 99.5, 2010 or 2011*
- *Highway 358 slide, completed in summer and/or fall 2010*
- *Highway 89, Bynum Bridge repair, currently active*
- *Cut Bank Rail Road Overpass, 2011*
- *Highway 89, crack seal, approximate milepost 8.5 - 40.8, spring 2012*

Present and Reasonably Foreseeable Activities by Others:

- *Emmert International, on behalf of ConocoPhillips, applied for and MDT issued 32-J permits for the movement of four oversized loads. Emmert International's proposed route overlaps the KMTP route from the Idaho border to Bonner. The transport would enter Montana on Highway 12 and the final destination is an oil refinery near Billings. This proposed action must comply with the 10-minute maximum traffic delay rule, would be limited to travel at night and not during holidays or weekends, and will be required to post appropriate bond and insurance and develop an emergency response plan. The proposed action requires minor utility modifications and interruptions, but does not require the construction of new turnouts or modification to existing turnouts. Prior to ground disturbing activities associated with the utility relocations along Highway 12, a cultural resource specialist field reviewed the sites and cleared them for cultural resources. Prior to ground disturbing activities along Highway 12, a wetland specialist field reviewed proposed work sites for wetland features. One of the utility relocations was moved to avoid impacting a potential wetland. Additionally, the utility companies provided estimates of durations of utility interruptions and number of customers affected and means by which customers would be notified of the interruptions.*

  MDT considered the proposed action individually and cumulatively in conjunction with Emmert International's proposed actions, and concluded that no significant adverse impacts would result.

- *On January 5, 2011, ATS Specialized Inc., on behalf of Berry Y&V, submitted two 32-J permit applications to MDT. One application was for 15 fifteen loads. The other application was for 90 loads. The 15 loads would travel between April 1, 2011 and October 1, 2011. The 90 loads would travel between August 1, 2011, and July 31, 2012. Oversized loads would originate in Billings and travel to the Port of Sweetgrass. The proposed route overlaps the KMTP route for less than a mile prior to the Port of Sweetgrass. The applications indicate that the proposed action would not involve*

construction, ground disturbing activities, or utility interruptions. The review process for the ATS Specialized Inc. applications is ongoing.

- *MDT has received 32-J permit applications indicating that Imperial Oil will be hauling greater than 50 loads along Interstates 90 and 15 from the Idaho border to the Port of Sweetgrass. This route overlaps the KMTP route on I-90 from the Reserve Street Interchange to the Bonner Interchange and then on I-15 for less than a mile prior to the Port of Sweetgrass. The proposed loads are different weights and dimensions than those included in the KMTP. The applications indicate that the proposed action would not involve construction, ground disturbing activities, or utility interruptions. The review process for the applications is ongoing.*

Page 19

3.3.2.4 Tree Trimming

The town of Bonner has an historic district (Bonner Dam and Mill (24MO938)) that was recently submitted for admission to the National Register of Historic Places. Subsequent to the publication of the EA, the nomination was rejected for technical and substantive revisions. Although the nomination has been rejected, the Bonner Company Town Historic District remains eligible for listing on the National Register and MDT analyzed potential impacts as such. The district consists of the mill and historic residences along Highway 200. It is unclear based on the nomination documents whether the trees contribute to the historic setting. In any event, the proposed tree trimming will consist of cutting the lower, overhanging branches of approximately seven trees along the highway, similar to tree trimming that is regularly conducted along public streets. Although the trimming will likely be noticeable, the visual effect will be minor and temporary and would not impact the Bonner historic district. Appendix G shows an artist's rendering of the visual setting in Bonner following tree trimming.

Page 21

3.5 Transportation System

Due to the change in the return route, the following change has been made.

The discussion of the transportation system includes traffic, safety, and access. Most of the proposed module transportation route is two-lane highway; however, there is some four-lane controlled access (Interstate 90) and a county gravel road. Highways that would be used for module transport include US 12, US 93, Interstate 90, MT 200, US 287, MT 44, US 89, S-213, S-214, and Santa Rita Road. The return trailer route would include Interstate 15, US 200, Interstate 90, US 93, and US 12 (see revised ***Figure 1****).*

3.5.2.1 Turnout Construction and Road Modifications

Due to the change in the number of new versus existing turnouts, the following change to Table 11 has been made.

Table 11
Estimated Dump Truck Loads of Gravel and Asphalt Needed for Turnout Work

Type	*New or Modify*	*Average Dump Truck Loads of Gravel per Turnout*	*Average Dump Truck Loads of Asphalt per Turnout*	*Number of Turnouts*	*Total Loads*
Night/extended parking	*New*	*60*	*12*	*6*	*432*
Parking	*New*	*60*	*8*	*~~10~~ 11*	*~~680~~ 748*
Clearing	*New*	*30*	*4*	*38*	*1,292*
Clear/Park/Storage	*Modify*	*20*	*4*	*~~22~~ 21*	*~~528~~ 504*
Total				*75*	*2,93~~2~~76*

Page 23

3.5.2.5 Module Transportation

Due to the change in the return route, the following change has been made.

*The returning empty trailers ~~would also require oversized load permits for width and length, but not height. The route would be slightly different, with the majority on interstate highways~~ will not require 32-J permits. The return trailer route is shown on ~~(~~revised **Figure 1**).*

Page 24

3.6 Economic and Community Impacts

Due to the change in the return route, the following change has been made.

The module transportation route would traverse Missoula, Powell, Lewis and Clark, Teton, Pondera, Glacier and Toole Counties. The return trailer route would move through Toole, Pondera, Teton, Cascade, Lewis and Clark, ~~Jefferson, Silver Bow, Deer Lodge,~~ Powell, ~~Granite,~~ and Missoula Counties. ~~Since the~~ The return trailers can travel at speeds of ~~50~~ 65 miles per hour and will not require 32-J permits ~~travel mostly on four lane highways~~ , ~~they~~ They would have minimal impact on other road users. The impact of the module transportation is discussed in detail in Section 3.5.

Page 25

Table 14

Due to the change in the return route, the following changes to Table 14 have been made.

Table 14
Population of Towns Along the Trailer Return Route

~~*Trailers Greater Than 10 Feet Wide*~~			~~*Trailers 10 feet or Less Wide*~~		
Town	***County where Located***	***Population (2000)***	***Town***	***County where Located***	***Population (2000)***
~~*Great Falls*~~	~~*Cascade*~~	~~*56,690*~~	~~*Great Falls*~~	~~*Cascade*~~	~~*56,690*~~
~~*Helena*~~	~~*Lewis and Clark*~~	~~*25,780*~~	~~*Helena*~~	~~*Lewis and Clark*~~	~~*25,780*~~
~~*Butte*~~	~~*Silver Bow*~~	~~*33,892*~~	~~*Fort Harrison*~~	~~*Lewis and Clark*~~	~~*N/A*~~
~~*Missoula*~~	~~*Missoula*~~	~~*57,053*~~	~~*Elliston*~~	~~*Powell*~~	~~*225*~~
~~*Lolo*~~	~~*Missoula*~~	~~*3,388*~~	~~*Avon*~~	~~*Powell*~~	~~*124*~~
			~~*Garrison*~~	~~*Powell*~~	~~*112*~~
			~~*Missoula*~~	~~*Missoula*~~	~~*57,053*~~
			~~*Lolo*~~	~~*Missoula*~~	~~*3,388*~~
Vaughn	*Cascade*	*701*	*Ovando*	*Powell*	*71*
Sun River	*Cascade*	*131*	*Milltown/Bonner*	*Missoula*	*1,693*
Fort Shaw	*Cascade*	*274*	*Missoula*	*Missoula*	*57,053*
Simms	*Cascade*	*373*	*Lolo*	*Missoula*	*3,388*
Lincoln	*Lewis and Clark*	*1,100*			

3.6.1 No Action Alternative

The No Action Alternative discussion does not take into account the potential economic and community benefits that would not be realized if the utility modifications were not incorporated. Additional information is found below.

Selection of the No Action Alternative would mean that plans to modify utilities by converting above ground facilities to below ground facilities would not occur. As a result, those utility customers would not realize the improvement of increased service and reliability that would be associated with the proposed utility work. Alternatively, the costs of converting above ground facilities to below ground facilities would be passed on to the customer. Another benefit that would not be realized is the positive impacts to the view shed.

Page 26

3.6.2 Proposed Action

*The income to Montana residents (approximately ~~$40.7~~ $31.9 million, including modules transportation is subject to a Montana income tax and an indirect impact would be the revenue the state would gain on the income earned over the construction life (**Table 16**).*

Table 16
Estimated Direct Tax Revenue to Montana

Tax	*Revenue*
Fuel Tax Paid in Montana	*$62,000*
Income Tax Paid to Montana[1]	*$2,235,000 ~~2,849,000~~*
Bed Tax on Hotel Rooms	*$15,000 ~~16,000~~*
Total Direct Tax Paid	*$2,312,000~~2,232,000~~*

1.Montana income tax varies from 2 to 11% depending on income, this analysis assumes an average 7% state income tax rate of the approximately ~~$40.7~~ 31.9 million income to Montana residents ~~(see Table 13 total direct value)~~. Income tax does not consider secondary effects from merchants/hoteliers paying income tax.

Page 32

3.6.2.6 Module Transportation

The listing of events that would be avoided by module transportation included an inadvertent typographical error. The listing for Valier should read:

Valier

Home~~coming~~steader Days: last weekend June or first weekend July (2-4 July 2010).

Page 33

The addition of the Incident Specific Emergency Response Plan appendix in the MTP resulted in the modification of the following statement.

Section 2.7 (Communications) and Section 4 (Emergency Response Plan and Incident Specific Emergency Response Plan) of the MTP (available on the MDT website) address how transportation of the modules would be modified in the case of vehicle accidents, mechanical breakdowns, jackknifed trailers, module sliding partially off the trailer, module rollover into water, private vehicle in emergency situation, medical emergencies, fires, spills, extreme weather conditions and getting the module out of the way of emergency vehicles.

Page 34

Table 23

Reconfiguring the trailers for the return route so that they would not be oversized will reduce the amount of permit fees for oversized loads. This modification results in a change in the analysis of the economic impacts from module hauling indicated in Table 23. The overall total effect remains the same due to rounding.

Table 23
Estimated Value of Module Transportation to Montana

	Worker Hours	*Direct Value ($ million)*	*Economic Multiplier*	*Total Economic Activity Generated ($ million)*
Permit Fees Paid to MDT[1]	-	*$~~1.0~~0.~~9~~*	*1.2[2]*	*$1.~~2~~ ~~1~~*
Transportation Operations Labor benefiting Montana[3]	*170,000*	*$15.5*	*1.9[4]*	*$29.5*
Fuel	-	*$0.5*	*1.5[5]*	*$0.8*
Food/Lodging		*$0.5*	*1.1[6]*	*$0.6*
Total		*$17.5~~4~~*		*$32.0*

1/ Estimated at $4500 per module trip~~, $500 for the returning trailers~~ 2/ Minnesota IMPLAN Group 2001. SAM Multiplier for the State of Montana. State and Local Non-Education (504)
3/ Traffic control, security, Montana Highway Patrol add percentage
4/ Minnesota IMPLAN Group 2001. SAM Multiplier for the State of Montana. Truck Transportation (394)
5/ Minnesota IMPLAN Group 2001. SAM Multiplier for the State of Montana. Gasoline Stations (407)
6/ Minnesota IMPLAN Group 2001. SAM Multiplier for the State of Montana. Food Services and Drinking Places (481)

Page 34

3.7 Air Quality and Noise

Due to the change in the return route, the following changes have been made.

County and city ordinances and regulations were searched and reviewed along the module transportation and return trailer routes. Missoula County (Missoula City-County 2000) and Missoula City (Missoula City Municipal Code Title 9) have ~~direction and~~ regulations associated with noise. ~~Helena and Missoula County are the only locations on the return route with noise ordinances.~~

Page 35

3.7.2.2 Utility Relocations

Subsequent to the publication of the EA, the USFS rescinded its previous decision to allow the burial of approximately 10 miles of utility lines in the Lolo National Forest and is reconsidering that decision. Due to the delay of the USFS in reconsidering its decision, temporary utility moves may be necessary along Highway 12. To minimize adverse impact to utility customers, temporary emergency generators may be necessary. Due to this change, the following changes have been made to the EA.

Trucks and construction equipment used for the utility work will contribute minimally to air emissions.

The short-term construction activities require the use of trucks and heavy equipment which will add noise to the environment. Construction contractors will meet the standards for noise. Because all municipal code standards that apply to noise generation by equipment will be met, noise impacts would be minimal. If emergency generators are necessary, they will also add noise to the environment but will adhere to applicable noise regulations. Additional noise contributed by the generators would be short term and temporary; therefore, no adverse impacts are expected.

Temporary emergency generators may be employed during the KMTP to minimize utility interruptions to customers. While the generators will produce combustion emissions, the proposed emission rates are below permitting thresholds for regulated pollutants. No air quality permit is necessary. Emissions rates are not considered to contribute a significant adverse impact to air quality.

Page 36

3.7.2.6 Conclusion

Due to the change in the return route, the following change has been made.

There would be minimal, short-term impacts on air quality and noise. The only noise ordinance limits are for the section of the proposed route in Missoula County and through the City of Missoula. Noise would not increase above current levels and would not exceed the Missoula County and City of Missoula ordinance limits during transportation of the modules nor would noise levels increase above current levels from hauling the return trailers through the Missoula areas ~~and the City of Helena~~. Residences near parking turnouts would not be noticeably affected.

Page 40

3.9 Water Resources

3.9.2.1 Turnout Construction and Road Modifications

One turnout was relocated to avoid impacting a wetland and one turnout was relocated at the request of an adjacent landowner. A field review for wetlands was conducted during the first week of May 2010, and distances calculated between turnouts and water resources. In locations where the field review indicated a stream was within 100 feet of the turnout, the information has been corrected in Table 26 below. The distance to a new turnout at MP 35.6 on Highway 287 is also included.

Table 26
Turnout Construction Distance to Streams

Highway	*Mile Post*	*Status*	*Type*	*Feet from Stream*
12	*~~15.4~~16.4*	*Existing*	*Park*	*~~206~~45**
12	*19.1*	*Existing*	*Park*	*~~95~~52**
12	*20.3*	*Existing*	*Park*	*~~2~~30*
12	*21.8*	*Existing*	*Clear*	*~~127~~95**
200	*62.9*	*Existing*	*Night/ Extended*	*~~137~~45*
200	*85.0*	*Existing*	*Park*	*~~158~~38*
287	*~~36.1~~35.6*	*New*	*Clear*	*~~4,341~~3,112*
287	*38.1*	*New*	*Night/ Extended*	*~~145~~88*
358	*~~17.7~~17.8*	*New*	*Park*	*~~1,447~~1,063*
** Turnout located on the opposite side of the highway from the water resource.*				

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3.10 Threatened and Endangered Species

Subsequent to the publication of the EA, a federal court restored the listing of the gray wolf as an experimental non-essential population. In anticipation of potential relisting of wolves, impacts to wolves were evaluated in the EA.

3.10.2.1 Turnout Construction and Road Modifications

While turnout locations may occur within Canada lynx ~~and~~ grizzly bear, or wolf habitat, the proposed activities would occur within areas of long-term disturbance.

3.10.2.2 Utility Relocations

While turnout locations may occur within Canada lynx ~~and~~ grizzly bear, or wolf habitat, the proposed activities would occur within areas of long-term disturbance.

Page 44

3.10.2.5 Module Transportation

Due to the change in the return route, the following changes have been made.

Due to the slow speed ~~that~~ of the modules ~~and empty return trailers would move~~, there would be no additional impacts on listed or proposed threatened or endangered species from transportation of the modules. Special provisions (Appendix D) will be attached to the hauling contracts. Return trailers would have the same effect as current use by commercial vehicles.

3.10.2.6 Conclusion

*Bull trout, bull trout Critical Habitat, Canada lynx, Canada lynx Critical Habitat, ~~and~~ grizzly bears and wolves are the only threatened or endangered species and/or habitats that occur in the analysis area (**Table 28**).*

Page 46

Wolves have been added to Table 28.

Table 28
Threatened and Endangered Species Identified to Potentially Occur within the Project Area

Scientific Name	***Common Name***	***Status***	***Counties With Potential Occurrence****	***Potential to be Impacted by Proposed Activities***
Canus lupus	*Gray Wolf*	*Experimental, non-essential*	*All*	***No effect:** There would be no effect on gray wolves. The project would not affect their breeding habitat or their prey base.*

Page 47

The No Action Alternative discussion does not take into account the potential benefits to wildlife that would not be realized if the utility modifications were not incorporated. Additional information is found below.

Selection of the No Action Alternative would mean that plans to modify utilities by converting above ground facilities to below ground facilities would not occur. As a result, those areas where modifications are proposed would not realize the benefit of eliminating the potential for avian line strikes.

Selection of the No Action Alternative would mean that plans to modify above ground utilities would not occur. As a result, those areas where utility modifications are proposed would not realize the benefit of raptor-proofing the lines in accordance with APLIC 2006 guidelines.

Page 48

3.11.2.2 Utility Relocations

The EA cited an older version of APLIC. The following correction is made.

All overhead utility structures would be constructed in compliance with raptor safe guidelines (APLIC ~~1996~~2006). Additional coordination with US Fish and Wildlife Service (USFWS) and FWP resulted in

identification of localized areas of concern where trumpeter swan mitigation measures are appropriate. Imperial Oil has agreed to fund those mitigation measures.

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3.11.2.4 Module Transportation

Due to the change in the return route, the following changes have been made.

Due to the slow speed ~~that~~ of the modules ~~would travel~~ , there would be fewer impacts on wildlife species from transportation of the modules than normal traffic. ~~Returning trailers would travel mostly on the interstate highway system at a maximum speed of 50 miles per hour, slower than the posted 75 mile per hour speed.~~ Impacts on wildlife from returning trailers are not expected to be substantially different from normal traffic. No impacts are expected to any fish, wildlife, or Montana Species of Concern from module transport or return trailers.

Page 50

3.13 Mitigation to Avoid Impact

Turnout Construction and Road Modifications

The intent of the following mitigation measure was to avoid impacts on wetlands and streams. As these impacts can be avoided by use of BMPs, the following change has been made to the mitigation measure.

- *All but one ~~N~~new turnout~~s~~ will be located a minimum of ~~approximately~~100 feet away from streams, irrigation canals, or wetlands (potential presence of wetlands will be determined by a field review prior to construction). The exception is the turnout at MP 38.1 on Highway 287, which is approximately 87 feet from a water resource. While the presence of a 100 foot buffer zone is preferred, BMPs will be used to ensure water resources are properly protected.*

In response to concerns regarding potential impact on cultural resources Imperial Oil has agreed to the following measures:

- *Imperial Oil has agreed to have cultural monitors on-site during ground disturbing activity along the portions of the Nez Perce Trail located on USFS land.*

Page 51

Turnout Construction and Road Modifications

Based on consultation with the USFS National Trails Coordinator, in order to protect interpretive signs along the highways, the following sentence has been added:

- *Imperial Oil will ensure that any roadside interpretive signs damaged during construction activities will be repaired or replaced.*

Page 52

Utility Relocations

The APLIC guidelines cited in the EA were not the most current. The following sentence has been changed.

- *All overhead utility structure~~s~~ modifications located within MDT right-of-way will be constructed in compliance with raptor safe guidelines (APLIC ~~1996~~2006).*

The following sentence has been changed.

- *To avoid impacts on eagles, construction within ½ mile of active nests will not be allowed ~~after~~ between January 1 and ~~prior to~~ August 1 ~~at utility locations~~ unless the ~~with active~~ nests ~~is vacated within ½ mile~~.*

The following sentence has been added.

- *Imperial Oil will install bird strike diverters at locations along Highway 200 to reduce the risk to trumpeter swans.*

In response to concerns regarding potential impact on cultural resources Imperial Oil has agreed to the following measures:

- *Imperial Oil has agreed to have cultural monitors on-site during ground disturbing activity along the portions of the Nez Perce Trail located on USFS land.*

Page 54

Module Transport

Based on consultation with the USFS National Trails Coordinator, in order to protect interpretive signs along the highways, the following sentence has been added:

- *Any roadside interpretive signs damaged during module transportation activities will be repaired or replaced.*

4.5 Corrections and Clarifications to EA Chapter 4 Consultation

Page 58

The EA Table 30 misidentified the titles of Joe Carter and Craig Doolittle. The following changes have been made to Table 30. Additional consultation has been conducted since the EA was published. Table 30 has been updated to reflect the additional consultation.

Table 30
Consultation Meetings

Date / Time	***Entities / County / Location***	***Attendees***	
	Jefferson County	*Joe Carter*	*~~Sheriff/Coroner~~ Road & Bridge Supervisor*
	Jefferson County	*Craig Doolittle*	*~~Road & Bridge Supervisor~~ Sheriff*
Apr 22, 2010	Northern Chrysler Cut Bank;	Matt Waller - Manager,	
Jun 15, 2010	Toole County / Shelby	Alan Underdal - Commissioner	
Jun 15, 2010	Cut Bank School Dist. / Cut Bank	Steve Kincad - Transportation Superintendent	
Jun 15, 2010	Sunburst School Dist. / Sunburst	John Hvindsten - School Superintendent	
Jul 8, 2010	Glacier County / Cut Bank	Bill Bandell - Road Superintendent	
Jul 9, 2010	Proposed turnout on Hwy 287	Jerry Dombrouske - property owner	
Jul 9, 2010	Lewis and Clark County /Augusta	Commissioners Murray and Brown, 24 members of the public	
Jul 26, 2010	Lewis and Clark / Helena	Commissioners Murray, Hunthausen and Brown; Eric Griffin - Public Works Director; Eric Bryson - County CAO	
Jul 27, 2010	City of Missoula	Eng & Trans Director Steve King , Constr. Mgr Doug Harby	
Jul 27, 2010	Lolo Cmnty Council / Missoula	Sue Hadnot - Council Chair	
Jul 28, 2010	Toole County / Shelby; County	Alan Underdal - Commissioner (Chair)	
Aug 11, 2010	Valier Businesses / Valier	Holly Stoltz - Pony Expressions; Scott Curry - One Stop Cenex; Colleen Widhalm - Wells Fargo	
Aug 12, 2010	Augusta Resident / Augusta	Dwayne Nelson - Landowner	
Aug 12, 2010	Glacier County / Cut Bank	Bill Bandell - Road Superintendent	
Aug 12, 2010	Malmstrom AFB / Great Falls	Mike Miner - Engineer	
Sept 8, 2010	Glacier County / Cut Bank	Bill Bandell - Road Superintendent	

Table 30
Consultation Meetings

Date / Time	*Entities / County / Location*	*Attendees*
Sept 9, 2010	Town of Valier	McKenzie Graye - Mayor
Sept 9, 2010	Lewis & Clark County / Augusta	Linda Wolf - Manager of Augusta Senior Center
Sept 10, 2010	Montana Rail Link / Missoula	Steve Werner, Stan Boraz and Gary Lofferler – Eng. and Ops
Sept 10, 2010	City of Missoula	Eng & Trans. Director Steve King, Const. Mgr Doug Harby -
Sept 22, 2010	BNSF / Shelby	Jane Wolf - Trainmaster ; Greg Vallard - Roadmaster
Sept 22, 2010	City of Cut Bank	Mayor Doug Embody , Public Works Superintendent Jim Suta
Sept 23, 2010	Big Sky Property Mngt / Lolo	Michelle Varady and Cy Kohn Property Managers in Lolo,
Sept 23, 2010	MHP / Big Sky;	Major Tom Butler
Sept 24, 2010	Town of Valier	Mayor Graye, Pubic Works Dir. Skogen, Council Member Leo Malinalk
Nov 2, 2010	Montana Highway Patrol	Major Tom Butler
Nov 4, 2010	Toole County / Shelby	Toole County Sherriff Donna Matoon & Undersheriff Mike Lamey -
Nov 4, 2010	Pondera County / Conrad	Thomas Kuka - Sherriff; Cynthia Johnson and Joe Christiaens - Commissioners
Nov 4, 2010	Glacier County / Cut Bank	Wayne Dusterhoff - Sheriff; Vernon "Napi" Billedeaux - Sheriff elect; Jeff Kraft - Cut Bank
Nov 4, 2010	Teton County / Choteau	Keith Lloyd Van Setten - Sherriff
Nov 5, 2010	Lewis and Clark County / Helena	Leo Dutton - Sherriff; David Rau - Undersheriff
Nov 16, 2010	Teton County / Choteau	Emergency Responder Meeting with Sheriff, Montana Highway Patrol, and County Fire and Ambulance personnel.
Nov 17, 2010	Lewis and Clark County / Helena	Emergency Responder Meeting with Sheriff Department, Montana Highway Patrol, and County Fire and Ambulance personnel
Nov 18, 2010	Pondera County / Conrad	Emergency Responder Meeting with Sheriff Department, Montana Highway Patrol, and County Fire and Ambulance personnel
Nov 30, 2010	Town of Valier	Leo Malinak- Council Member, Jackie Sheble - President of Library Foundation
Dec 1, 2010	Glacier County / Cut Bank	Wayne Dusterhoff- Sheriff: Vernon "Napi" Billedeaux- Sheriff Elect: Jeff Kraft - Cut Bank Police
Dec 1, 2010	Toole County / Cut Bank	Emergency Responder Meeting with Sheriff Dept; Montana Highway Patrol; Homeland Security; and County Fire and Ambulance Personnel
Dec 2, 2010	Malmstrom Airforce Base / Great Falls	Mike Miner- Engineer, US Air Force; Aaron Jewett- US Air Force; Eric Lang- Malmstrom Plans and Scheduling
Dec 8, 2010	Powell County/ Helmville	Emergency Responder Meeting with Local fire and Ambulance Personnel; Montana Highway Patrol
Dec 16, 2010	Blackfeet Tribe / Browning	Emergency Responder Meeting - Local Fire, Ambulance and Police; Tribal Members and Disaster Emergency Services Personnel

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4.1.1.2 Montana SHPO

Subsequent to the publication of the EA, the Montana State Historic Preservation Office (SHPO) provided a written request for submittal of a cultural resources report in addition to the EA it had previously received. The following information is added to the EA:

Cultural resources along the proposed KMTP route have been documented in a cultural resources report, which was submitted to the SHPO. The report concluded that there would be no adverse impacts to cultural resources. SHPO responded to MDT, concluding that the KMTP would not adversely impact cultural resources protected under the Montana Antiquities Act.

4.1.1.3 US Army Corps of Engineers

On June 3, 2010, the US Army Corps of Engineers (USACE) provided written comments regarding a pre-application consultation review of the KMTP. The USACE identified one wetland near a planned turnout (MP 43 on Highway 200). The following information was added to the EA.

The USACE identified a potential wetland near MP 43 on Highway 200. The KMTP will not impact this wetland or any other wetland along the route.

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4.1.1.4 US Fish and Wildlife Service

Subsequent to the publication of the EA, the US Fish and Wildlife Service was consulted regarding trumpeters swans in the Blackfoot valley. After a field review with the USFWS and utility company personnel, MDT has adopted USFWS recommendations regarding the trumpeter swan bird diverters where appropriate. Imperial Oil will be funding the cost of installation of bird strike diverters in appropriate locations.

On July 22, 2010, FWP provided correspondence identifying new eagle nests along the route. MDT reviewed the new FWP data and concluded the proposed KMTP is in compliance with the requirements of the Bald and Golden Eagle Protection Act. Through informal consultation, on November 26, 2010, the US Fish and Wildlife Service (USFWS) provided written concurrence that the KMTP is not expected to disturb eagles in the vicinity of the route.

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4.1.1.5 USDA Forest Service

The following information was inadvertently omitted from the EA.

Tetra Tech presented the project to the USFS National Trails Coordinator for the Nez Perce Trail and discussed the project's potential impacts on the Trail. The Trails Coordinator expressed a concern about the interpretive signs that occur in turnouts that will be used for traffic clearing. Modifications to these particular turnouts include only smoothing the surface and adding pavement. As a result, a mitigation measure has been added to the turnout construction and module transportation activities that require Imperial Oil to repair or replace any interpretive signs that are damaged by their activities.

Discussions regarding utility relocations within MDT right-of-way continue. The following information has been added.

At Forest Service request, a cultural survey was conducted on the Lolo National Forest in the locations where the utilities were moved underground on a 10-mile segment of Highway 12 and turnouts to be constructed or modified adjacent to National Forest land. The Forest Service also requested that a qualified archeologist be on site when ground disturbing activities occur where Highway 12 crosses National Forest lands. MDT has required a qualified archaeologist to monitor the ground disturbing activities.

The Forest Service is having further discussions with the public and Nez Perce Tribe to determine what concerns the Nez Perce may have with the proximity of the underground utility movement to the Nez Perce Trail Historic Landmark.

The Forest Service corresponded with MDT regarding concerns with the Nez Perce Tribe that work along Highway 12 corridor has the potential to cause adverse affects to the Nez Perce National Historic Trail and to cultural sites and artifacts that could be disturbed with work within the right-of-way. Imperial Oil has agreed to ensure that a qualified archaeologist will be onsite during ground disturbing activities adjacent to National Forest lands. If artifacts or cultural resources are discovered, work will cease immediately and the appropriate personnel will be notified.

MDT and the Forest Service have reached agreement regarding permitting authority on MDT easements located on National Forest lands. MDT has the permitting authority for utility work on land that the Forest Service acquired subject to MDT's existing easement. The Forest Service and MDT have joint permitting authority for utility work within areas of the easement that the Forest Service conveyed to MDT via Highway Easement Deed.

Consultation with the Forest Service is on-going.

4.1.1.6 US Department of Interior National Park Service:

After the close of the comment period, the Lewis & Clark National Historic Trail superintendent submitted a letter expressing the following concerns:

- *The proposed turnouts could adversely impact tourists accessing the Lewis & Clark Auto Tour Route;*
- *Modules may obstruct tourists' view of interpretive signs at existing turnouts;*
- *The Project could adversely impact cultural resources;*
- *Certain turnouts on the route could adversely impact streams and fisheries; and*
- *The turnouts could have an adverse visual impact.*

MDT has addressed these concerns in response to Common Comments G, M, N, I, O and J

4.1.1.7 US Federal Highway Administration:

During the EA process, MDT consulted with FHWA concerning the utility relocations and roadway modification on I-90. This consultation was inadvertently omitted from the EA.

Most MDT projects receive federal funds through the Federal Highway Administration (FHWA). As a result, those projects constitute both state and federal actions. In those cases, MDT and FHWA conduct environmental reviews jointly in compliance with NEPA, as well as MEPA.

The KMTP proposal is different in that the encroachment permits, utility use permits, and 32-J permits required for the KMTP are state actions. FHWA's involvement with the KMTP proposal is limited to the utility modifications and one turnout modification on I-90. Utility crossings and turnout modifications on the Interstate are regulated by both FHWA and MDT. Utility crossings and turnout modifications outside the Interstate are regulated solely by MDT.

FHWA reviewed the interstate utility modifications and turnout modification, and concluded that the proposed modifications are categorically excluded under 23 CFR 771.117(c)(2) and (d)(1).

4.1.1.8 Montana Department of Fish, Wildlife and Parks

Consultation with Montana Department of Fish, Wildlife and Parks was inadvertently left out of the EA. The following has been added.

Tetra Tech spoke with FWP Habitat Section Supervisor on October 4, 2009, regarding the Project's potential impact on streams, fish habitat, and fish. FWP had no concerns as long as a SWPPP was followed to prevent stream sedimentation. Further consultation with FWP in June 2010 yielded no new concerns.

Subsequent to the close of the comment period, FWP Region 2 submitted written comments identifying the following concerns:

- *Potential impacts to Lolo Creek and Blackfoot River drainages;*
- *Potential conflicts between modules and recreationists using turnout locations;*
- *New turnouts facilitating public access to sensitive areas;*
- *Concerns about specific turnout locations;*
- *Potential impacts of raising utility crossings on birds, specifically raptors and trumpeter swans;*
- *Recently identified eagle nest locations; and*

- *Future use of the route by oversized loads.*

These comments are addressed in the responses to Common Comments O, M, I, J and K and Specific Comment A. Additional consultation occurred with FWP subsequent to receipt of the written comments.

4.1.2 Consultation with Indian Nations~~Blackfeet THPO~~

4.1.2.1 Consultation with Blackfeet THPO

Ongoing consultation with the Blackfeet Tribal Historic Preservation Officer (THPO) is summarized as follows:

As utility work began on the Blackfeet Indian Reservation, Tetra Tech arranged with the THPO to have cultural monitors on site during ground disturbing activities. The Blackfeet Nation provided two cultural monitors to oversee priority utility relocations, and will provide monitors for future utility relocations and turnout construction activities on the reservation. As part of the overall environmental monitoring, Tetra Tech is coordinating the Tribal cultural monitors with the utility companies and turnout construction contractors. Imperial Oil will pay for the Tribal cultural monitors.

Three meetings have been held with the Blackfeet Nation; two meetings with Tribal Employment Office and one with the Blackfeet Tribal Council, members, and staff.

4.1.2.2 Consultation with Nez Perce Tribe

Prior to the publication of the EA, Imperial Oil consulted with the Nez Perce Nation concerning the Idaho portion of KMTP's route, and potential impacts on the Nez Perce Trail. While MDT values this cultural resource, MDT has no agreements with the Nez Perce Nation. Thus, the USFS, by and through the Lolo National Forest took the lead in consulting with the Nez Perce Nation, regarding potential impacts of the Project on the portion of the Trail located on USFS lands in Montana. Although MDT received no comments from the Nez Perce Nation, Imperial Oil completed a cultural survey and agreed to have cultural monitors on-site during ground disturbing activity on USFS lands in response to concerns conveyed through the USFS.

MDT herein includes information regarding Imperial Oils direct contact with the Nez Perce Nation.

Prior to publication of the EA, representatives from Imperial Oil met with the Nez Perce Tribal Council on a number of occasions to provide information on the module transportation through Idaho and Montana and the associated modifications needed from Lewiston, Idaho to the Idaho/Montana border at Lolo Pass.

4.1.2.3 Consultation with Confederated Salish and Kootenai Tribes:

The Confederated Salish and Kootenai Tribes expressed the following concerns:

- *Potential impacts on aboriginal territories of the Salish, Pend d'Oreille, and Kootenai people;*
- *Potential impact to vital resources for fishing, hunting, gathering of food and medicinal plants, particularly camas; and*
- *Potential impacts of the Oil Sands development on global warming and the people of the Athabasca-Chipewyan Reserve.*

All ground disturbing activity will occur within the existing right-of-way of an established transportation corridor. Other concerns are addressed in MDT's response to Common Comments I, E1 and P.

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Consultation with ~~Counties and Cities~~ Local Agencies

Consultation with the counties along the KMTP route has been ongoing since the EA was published. The following changes update these sections to include the meetings and discussions between April 2010 and the signing of the Decision Document.

Montana Association of Counties

Imperial Oil attended the~~is~~ September 2009 meeting and provided an overview of the KMTP to the gathered attendees.

Missoula County and City of Missoula

Two meetings were held with the County and ~~three~~ five meetings were held involving City Officials in Missoula. The stage of travel through Missoula is at night and contains a majority of the traffic structures to be modified along the route. ~~The~~ The discussions ~~included~~ resulted in a~~n~~ Memorandum of U~~u~~nderstanding ~~of~~ between Imperial Oil and the City of Missoula for ~~requirements and the need to create an agreement to meet these requirements and facilitate overview by the~~ City Permits and Traffic Signal Modifications.

Lewis and Clark County

~~Eight~~ Eleven meetings have been held in Augusta, Lincoln, and Helena. ~~Four~~ Five of the meetings were held on Government Days in Augusta and Lincoln and included members from the public. Topics of importance were the traffic structure in Lincoln, compatibility with the Main Street reconstruction in Augusta and parking restrictions along one end of Main Street in Augusta. Feedback was requested on the impact of night travel through the county and no concerns were raised. Through a Road Use Agreement, Lewis and Clark County has granted Imperial Oil the right to use a contingency route if Main Street construction prevents module movement. The Agreement requires Imperial Oil to pay the cost of any required modifications, maintenance and repairs if the contingency route is used.

Glacier County

~~Three~~ Six meetings were held with the County, two meetings were held involving the Blackfeet Tribe and ~~one~~ three meetings with City of Cut Bank Public Works Superintendent. We clarified jurisdictional questions on N. Santa Rita Road and City of Cut Bank truck route along Railroad Street. Plans for traffic structure modifications and traffic control were reviewed and found acceptable. A County Road Use and Maintenance Agreement between Glacier County and Imperial Oil is ~~pending~~ in place. Other road modifications within the County have been discussed.

Pondera County

Three meetings were held with the County and ~~two~~ four meetings with the Town of Valier. Plans for traffic structure modification and traffic control were reviewed and found acceptable. Parking restrictions were also discussed. The Town water system upgrade project may affect portions of the route, but is scheduled to be completed prior to first module shipment. Feedback received from the County on suitable County Road parking locations resulted in a change to avoid the school bus route. A County Road Use Agreement between Pondera County and Imperial Oil is ~~pending~~ in place.

Toole County

~~Three~~ Five meetings were held with County and the County Road Board. The Loop Road / Highway 214 / N. Santa Rita Road / By-pass Road are gravel and a Road Use and Maintenance Agreement between Toole County and Imperial Oil is ~~pending~~ in place. No significant concerns were identified.

Local Emergency Responder Meetings

A series of meetings have been held or are scheduled in each of the seven Counties where module transportation will take place. The County Sheriffs have assisted in identifying the appropriate local response agencies such as fire and ambulance services. Structured workshops with the County Sherriff's Departments, Montana Highway Patrol, fire, ambulance, and other response agencies (including Blackfeet Tribal Police) are taking place. Information is exchanged and different response scenarios are reviewed and discussed.

Page 64

Due to the change in the return route, the following changes have been made.

Counties on the Trailer Return Route and Malmstrom AFB

~~Five meetings were held with these~~ Discussions were held with the c~~C~~ounties along the trailer return route and one meeting with the Malmstrom AFB Missile Support Group. Cascade County provided an introduction to Malmstrom AFB as they are an important traveler on some of these roads. The empty trailers move at highway speed~~ ~~and will utilize interstate highway systems which has provision for following traffic to pass~~. No significant concerns were identified. The return route has changed and will no longer go through Meagher, Jefferson, Silver Bow, Deer Lodge or Granite Counties.

Page 64-65

The agreements in Table 31 have been updated.

Table 31
Agreements

Stage	***Entity***	***Description***	***Comments***
All	*Montana Department of Transportation*	*Memorand~~um~~ of Agreement covering fundamental duties and responsibilities regarding the KMTP, including financial responsibility.*	*Th~~is~~ese ~~Memorandum~~ Agreements are ~~is~~ in development.*
All	*Montana Highway Patrol*	*Agreement with Montana Highway Patrol for transport escort services*	*Meetings held at District land Headquarters levels. ~~Once Transportation plan is finalized, a schedule will be developed for resource planning and contract formation.~~ Major Tom Butler observed the movement of modules through the city of Edmonton on November 2, 2010.* *Montana Highway Patrol agrees to escort the loads. Contract details are being finalized.*
2	*City of Missoula*	*House Moving Ordinance Permit with City of Missoula for Reserve Street. This document will address the ordinance requirements and includes details of traffic structure rotation.*	*~~Draft MOU wording to be provided by City. Agreement pending after MOU with MDT finalized. City overview requirements will be part of this agreement.~~ Two MOUs are in place dealing with the traffic signal reconstruction and permitting of the loads.*
2	*Montana Rail Link*	*Structure modification agreement at Railway crossing light at Bonner and intermittent rotation of structure for each shipment.*	*~~Structure modification design submitted for review. Agreement pending for construction and rotation by Rail Link staff.~~ The traffic structure has been modified and agreement for the rotation is in place.*
3	*Lewis and Clark County (Lincoln)*	*Reviewed location specific details of MTP including: time of travel, traffic structure modification, utility relocation and shared use of Hwy 200, MP 75, snowmobile parking turnout, traffic control plan for location at Hwy 200 MP 71.5.*	*Confirmation letter ~~to be sent to~~ received from the County on traffic structure modifications, traffic ~~S~~structure rotation and Traffic Control Plan.*

Table 31
Agreements

Stage	*Entity*	*Description*	*Comments*
4	*Lewis and Clark Co. (Augusta)*	*Reviewed location specific details of MTP including: time of travel, Traffic detour and Control Plan, utility relocations and schedule for Main St. reconstruction project.*	*Confirmation letter ~~to be sent to~~ received from the County on Traffic detour and Control Plan. Augusta contingency route Road Use Agreement is in place.*
5	*Teton County and City of Choteau*	*Reviewed location specific details of MTP including: time of travel, Traffic detour and Control Plan, tree trimming, traffic structure modifications, utility relocations, parking restriction areas and schedule for city construction activities.*	*Confirmation letter ~~to be~~ was sent to City on Traffic detour and Control Plan, traffic structure modification, traffic structure rotation and night parking restrictions.*
5	*Pondera County and Town of Valier*	*Reviewed location specific details of MTP including: time of travel, Traffic Control Plan, traffic structure modifications, utility relocations, restricted night parking and schedule for town construction activities.*	*Confirmation letter ~~to be~~ was sent to Town of Valier on Traffic Control Plan, restricted night parking, traffic structure modification and traffic structure rotation.*
5/6	*Pondera County*	*Road Use Agreement with Pondera County for parking Buena Vista Rd. at MP 3.0, on HWY 358.*	*~~Draft a~~Agreement for parking with County is ~~pending~~ in place.*
5/6	*BNSF Railroad*	*Permits and agreements for coordination and flagging at public railway crossings at Valier, Cut Bank, and Sweetgrass.*	*Applications have been made. Agreements are pending.*
6	*Dupuyer*	*Reviewed location specific details of MTP including: time of travel and detour at rest area Hwy 89 MP 76 and side street traffic control.*	*A meeting was held with Commissioner and Dupuyer resident, Joe Christiaens, and no concerns were raised.*
6	*Glacier County and City of Cut Bank*	*Reviewed location specific details of MTP including: time of travel, Traffic detour and Control Plan, traffic structure modifications, utility relocations, restricted day parking and schedule for railroad overpass construction activities.*	*Confirmation letters sent to City on Traffic Control Plan, traffic structure modification, traffic structure rotation, use of Railroad Street. ~~and n~~No City permit is required for Railroad Street utilities relocations.*
6	*Glacier County*	*Road Use Agreement with Glacier County for N. Santa Rita Rd. (cold rolled portion) including new turnouts and maintenance. No formal agreement required for Losing Rd. detour.*	*Glacier County ~~A~~agreements are in place ~~with County is pending. Confirmation letter to be sent on Losing Rd. detour~~.*
6	*Toole County*	*Road Use agreement for Hwy 214 / N. Santa Rita Road / Loop road / By-pass.*	*~~Agreement with County is pending.~~ Road use and maintenance agreements are in place for Toole County roads.*

4.6 Corrections and Clarifications to EA Chapter 5 References

Page 67

The APLIC guidelines cited in the EA were not the most current. The following sentence has been changed.

Avian Powerline Interaction Committee (APLIC). ~~1995~~2006. Suggested practices for raptor protection on powerlines: The state of the art in ~~1996~~2006. Edison Electric Institute, Avian Powerline Interaction

Committee, and California Energy Commission~~/Raptor fount., 701 Pennsylvania Ave. NW~~. CEC-500-2006-022. Washington D.C.~~20004-2696~~ and Sacramento, CA.

4.7 Corrections and Clarifications to EA Chapter 6 List of Preparers and Reviewers

Page 69

A typographical error appeared in the title of section 6.0. The following change has been made.

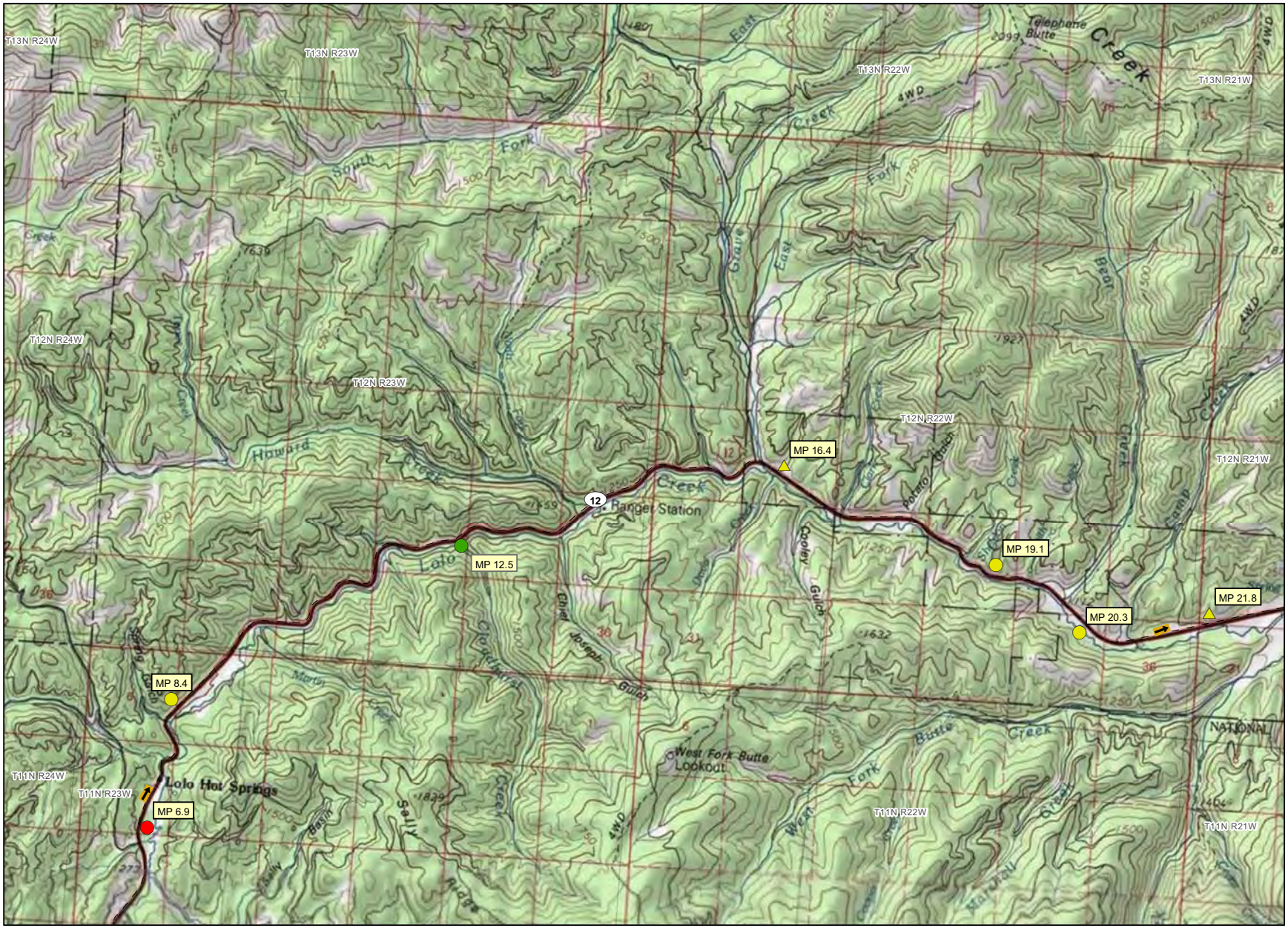
6.0 LIST OF PREPARERS AND REVIEWERS

Additional individuals and information on what each did were added to the list of preparers

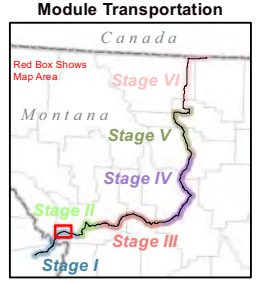
Preparer Name	***Preparer Responsibility***
Tetra Tech Project Manager, Cameo Flood	*Community, Economics, Traffic, Transportation, Cumulative Impacts, wetland review of utilities and turnouts*
Tetra Tech Wetland Specialist/Biologist, Vicki Regula	*Wetland ~~Delineator~~ investigations for turnouts and utilities, eagle nests*
Tetra Tech Biologist, Stacy Pease	*Wildlife, Water Quality, Threatened and Endangered Species, Farmlands*
Tetra Tech Cultural Specialist/Archaeologist, Lynn Peterson	*Historical/Cultural Resources*
Tetra Tech GIS Specialist, Patricia Williams	*Database, GIS, Maps*
Tetra Tech GIS Specialist, Mark R. Pearson	*Maps*
Tetra Tech GIS Specialist, Corey Richardson	*Cultural, Maps*
Tetra Tech Wetland Specialist/Biologist, Thad Jones	*Wetland Aerial interpretation, wetland review for utilities, eagle nests*
Tetra Tech Hydrogeologist, Natalie Morrow	*Hazardous Materials, Contaminated Sites*
Tetra Tech Manager, Ed Surbrugg, Ph. D.	*MEPA Review*
Tetra Tech Hydrogeologist, Bill Craig	*MEPA Review*
Tetra Tech Manager, Richard Dombrouski, P.E.	*MEPA Review*
Tetra Tech Graphics, Mitch Paulson	*Graphics, Document Production*
Imperial Oil Project Manager, Ken Johnson	*Effects analysis and project description. MEPA review*
Fluor Canada Project Manager, Anindya Gaine	*Project description, contract value data. MEPA review*
Kiewit Infrastructure Group Project Manager, Jeff Gaudet	*Turnout locations and descriptions, contract value data*
Kiewit Infrastructure Group Job Engineer, Justin Garza	*Utility locations description*
Fluor Canada Communications, Bruce Brockmann	*Consultation documentation, MEPA review*

4.8 Corrections and Clarifications to EA Appendix A

To reflect the new locations of turnouts, the following three maps (sheet 2 of 29, sheet 15 of 29, and sheet 24 of 29) have been updated. The rest of the maps in Appendix A remain the same. The turnout located on Highway 12 at MP 15.4 has been relocated to MP 16.4. The turnout on Highway 200 at MP 36.1 has been relocated to MP 35.6. The turnout on Highway 358 at MP 17.7 has been relocated to MP 17.8.



Route Map for Module Transportation



Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- Mile Marker (MP 1.2)
- Route Direction

Turnout 15.4 changed to 16.4

N
W E
S

1:63,360

Miles
0 0.5 1

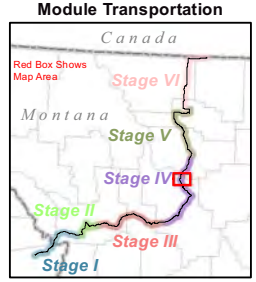
Traffic Clearing Location and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage 1

Sheet 2 of 29



Route Map for Module Transportation



Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- Mile Marker (MP 1.2)
- Route Direction

Turnout 36.1 changed to 35.6

N
W E
S

1:63,360

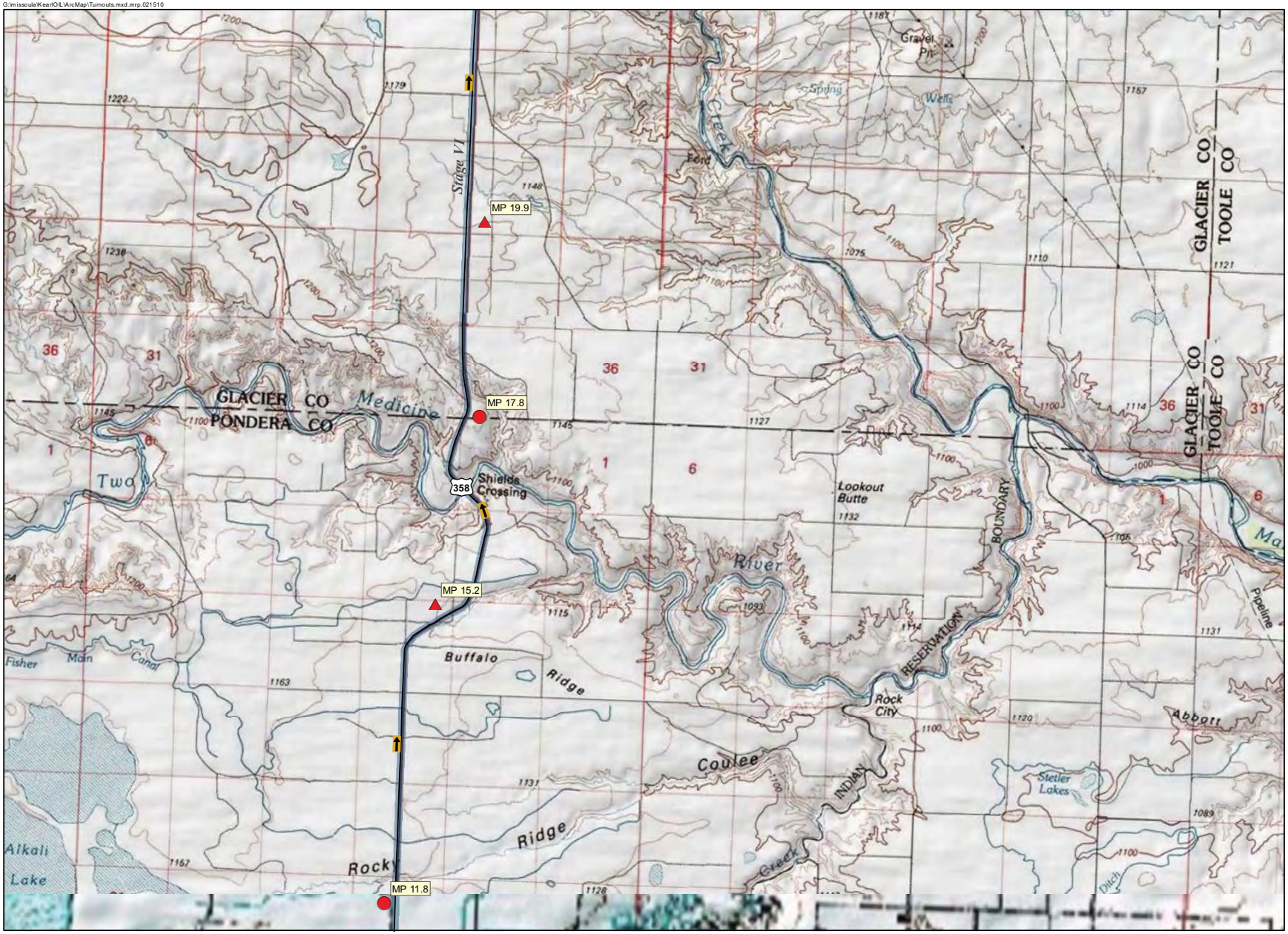
Miles
0 0.5 1

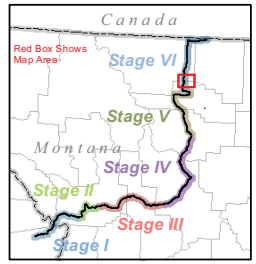
Traffic Clearing Location and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage 1

Sheet 15 of 29

G:\missoula\Kearl\OIL\ArcMap\Turnouts.mxd.mrp.021510





Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage VI

Sheet 24 of 29

4.9 Corrections and Clarifications to the EA – Appendix D

Included below are amended special provisions for bears and aquatic resources. These revisions supersede and replace those shown in the EA. The amendments were needed to allow for some text revisions and to correct a printing error in some of the documents. (Some of the EAs included two copies of the special provision for bears and omitted the special provision for aquatic resources.)

SPECIAL PROVISION: ENVIRONMENTAL MITIGATION AND COORDINATION MEASURES FOR BEARS

Portions of the Kearl Module Transport Project (KMTP) corridor are located within bear habitat. Bears are known to occur within the region of the project area and transient bears may infrequently occur within the vicinity of the project. To reduce the chance of bear-human conflicts and to minimize impacts to bears, all persons involved with the KMTP shall abide by the following provisions:

- Keep all areas in a neat condition; promptly clean up any project related spills, litter, garbage, etc.
- Keep all food and food related items inside a closed, hard-sided vehicle or special bear resistant container* except when preparing or eating food.
- Store petroleum products, antifreeze, and personal items such as deodorants, toothpaste, soap and lotions in the same manner as food, as these products may attract bears.
- Deposit garbage and waste items in bear-resistant containers. Remove the accumulated garbage and waste from the project site daily and dispose of it in accordance with all Tribal, Federal, State and local laws, regulations and ordinances.
- No overnight camping is allowed within the project vicinity, except in designated campgrounds, by any crew member or other personnel associated with this project.
- Promptly notify MDT Environmental Services (406-444-7228) of any road killed game animals found in the vicinity of the project. MDT will arrange to have the animals picked-up and disposed of.
- Promptly notify MDT Environmental Services (406-444-7228) and USFWS (Anne Vandehey at 406-449-5225) if a grizzly bear is observed in the vicinity of the project.

*A bear-resistant container is a securable container constructed of solid material capable of withstanding 200 foot-pounds of energy applied by direct impact. The container, when secured and under stress, will not have any openings greater than 6.35 mm (¼ inch), that would allow a bear to gain entry by biting or pulling with its claws.

SPECIAL PROVISION: ENVIRONMENTAL MITIGATION AND COORDINATION MEASURES FOR AQUATIC RESOURCES

Impacts to aquatic resources* are not expected for this project. Through the Environmental Assessment and Decision Document, Imperial Oil has agreed that impacts to aquatic resources will not occur. In order to ensure that impacts would not occur, all agents associated with the Kearl Module Transport Project (KMTP) shall abide by the following provisions:

- Avoid all equipment traffic, fill material, staging activities and other disturbances to aquatic resources;
- Conduct utility operations and construction work in a manner to avoid placement of materials in any water body including streams or irrigation ditches crossing the highway and any wetland areas;
- Impacts to any aquatic resources and associated consequences, without proper permitting, are the responsibility of Imperial Oil and/or its contractor; and
- If complete avoidance of impacts to aquatic resources is not possible, Imperial Oil and/or its contractor must secure the appropriate permits and/or authorizations prior to working in these areas.
- MDT must be notified immediately if impacts to aquatic resources are expected to occur or if permits are determined to be necessary.

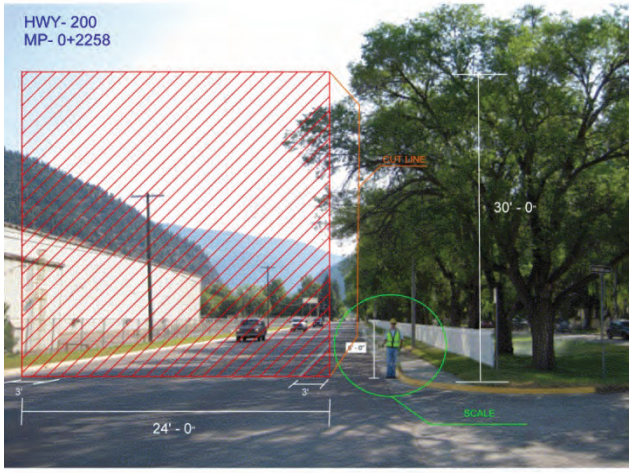
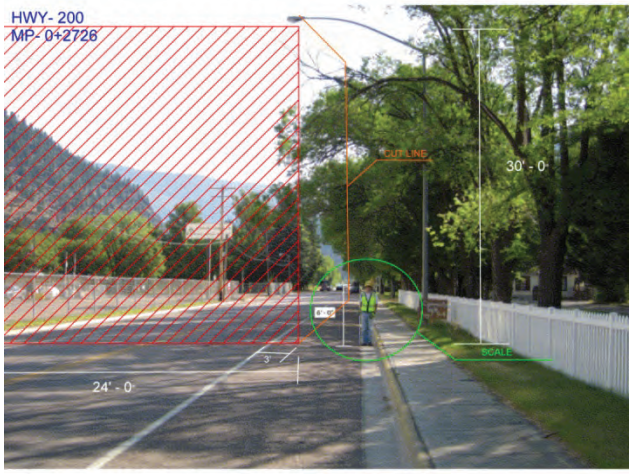
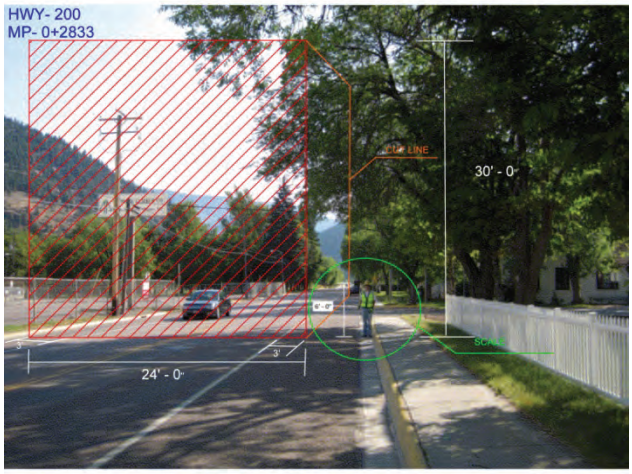
* Aquatic resources for this project include but are not limited to streams (perennial, ephemeral, and intermittent), rivers, lakes and reservoirs, irrigation systems and impoundments, springs, and wetlands.

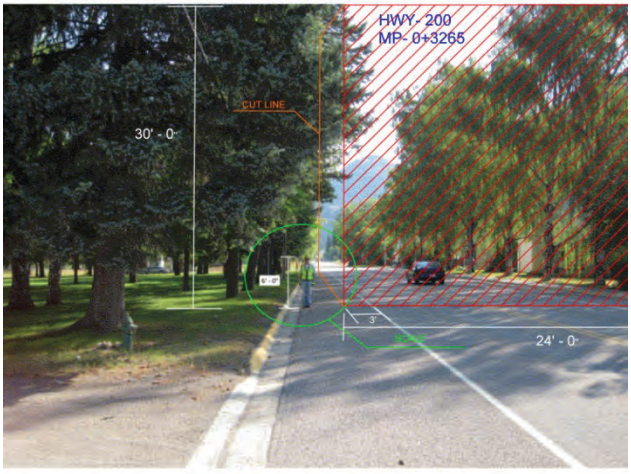
4.10 Corrections and Clarifications to the EA – Appendix G

Add Appendix G – Artist's Rendering of Tree Trimming in Bonner.

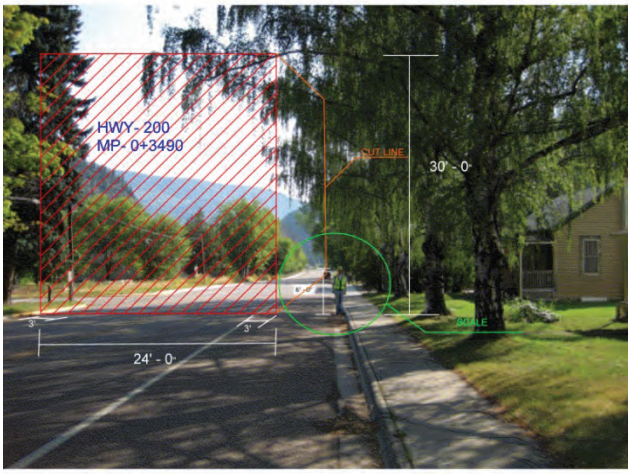
Appendix G
Artist's Rendering of Tree Trimming in Bonner

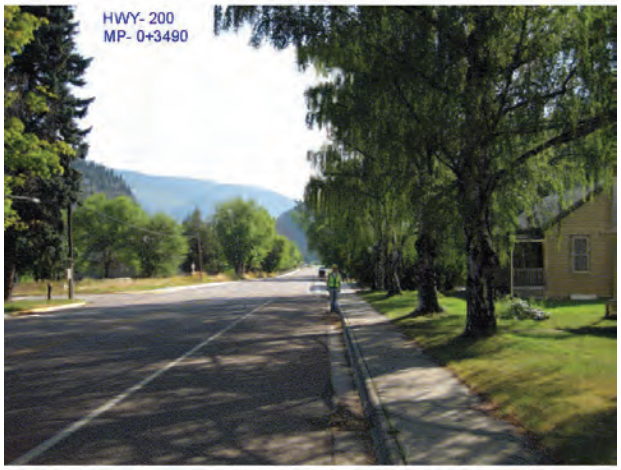
The trees to be trimmed in Bonner were photographed. The left photo indicates the size of the module in relation to the trees (before) and the right is an artist's rendering of the visual setting of Bonner following the tree trimming (after).

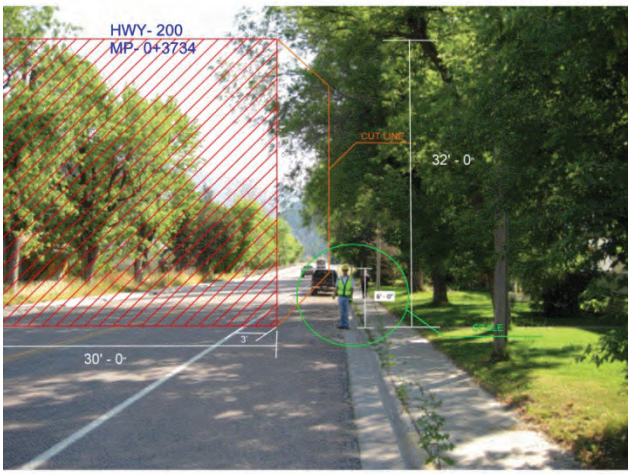
Before	After Trimming
	
	
	


HWY- 200
MP- 0+3265
CUT LINE
30' - 0"
24' - 0"


HWY- 200
MP- 0+3265


HWY- 200
MP- 0+3490
CUT LINE
30' - 0"
24' - 0"


HWY- 200
MP- 0+3490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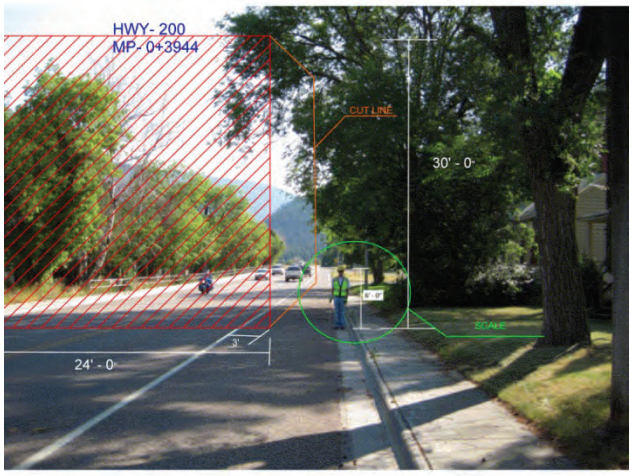
MP- 0+3734
CUT LINE
32' - 0"
30' - 0"


HWY- 200
MP- 0+3734


HWY- 200
MP- 0+3944
CUT LINE
30' - 0"
24' - 0"
3'


HWY- 200
MP- 0+3944

5.0 SELECTION OF THE PREFERRED ALTERNATIVE

MDT has selected the preferred alternative set forth in the Attached EA and in this Decision Document as the proposed action. The preferred alternative includes issuing permits to allow:

- construction of 54 new turnouts,
- modification of 21 existing turnouts,
- minor modifications of roads at 6 locations,
- raising or burying approximately 572 utility crossings of highways,
- modifications of traffic structures,
- minor tree trimming, and
- transporting approximately 200 modules between Lolo Pass and Sweet Grass, Montana.

The preferred alternative achieves the purpose of and need for the project as described in the attached EA. The environmental analysis demonstrates that no significant impacts are expected with the KMTP. Therefore, an EA is the appropriate level of environmental analysis and an Environmental Impact Statement is not required.

Appendix A
EA Distribution Letter

Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

April 12, 2010

To: Agency Distribution List

RE: Environmental Assessment for Proposed Kearl Module Transport Project

As you are aware, the Montana Department of Transportation is considering Imperial Oil's proposal to haul over-dimension (height, width, and weight) loads through Montana from Lolo Pass to the Port of Sweetgrass. Transporting the large modules would require that they construct new turnouts; modify some existing turnouts; slightly modify road alignments at five locations; conduct surface repairs at one location; relocate existing utility lines, conduct some tree trimming, and modify some overhead signs and traffic signals. All modifications are proposed to occur within existing rights-of-way or easements. MDT would need to issue certain permits to Imperial Oil to carry out those activities.

The purpose of the proposed action is for Imperial Oil to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads through Montana. The proposed project is needed to transport specialized processing equipment through Montana to Alberta, Canada. In addition, the proposed project must adhere to a 10-minute maximum traffic delay rule and minimize potential for adverse impacts to the built and natural environment, the public, local businesses, and current uses.

The enclosed Environmental Assessment (EA) documents the purpose of and need for the project, the Preferred Alternative, and potential environmental impacts and mitigation measures. The EA is currently being distributed for public review. The EA can also be reviewed online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml.

The formal public review period is April 14 to May 14. During this public review period we are welcoming public comments on this EA. **Please submit comments prior to May 14, 2010.** Written comments can be submitted online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml or mailed to Dwane Kailey at the address shown in the letterhead.

Formal comments can also be given verbally at a public hearing. We will hold three public hearings on this EA. Those public hearings will follow the same format and agenda. An open house will be scheduled from 6:00 p.m. to 6:30 p.m., followed by a brief presentation, technical Question and Answer period, and then the formal public hearing. **The public hearings are scheduled for April 27, 2010 at the Cut Bank Civic Center at 800 East Railroad in Cut Bank, April 28, 2010 at the Lincoln School Gymnasium at 808 Main Street in Lincoln, and April 29, 2010 at the Meadow Hill Middle School Old Gymnasium at 4210 Reserve in Missoula.**

I thank in advance for your review and comment on this proposal. We appreciate your participation in this process. If you have any questions, please phone me at 406.444.7228. I will be pleased to assist you.

Sincerely,

Tom S. Martin P.E.
Environmental Services Bureau Chief

Copies:
Dwane Kailey, P.E., Chief Engineer
Doug Moeller, Missoula District Administrator
Mick Johnson, Great Falls District Administrator

TSM:hb:\\astro\pccommon\TRANPLAN\SYSTEM-IMPACT\EXXON_TRANS_CORRIDOR\EXXON_EA_REVIEW_040110\PUBLIC REVIEW PROCESS\AGENCY REVIEW DISTRIB COVER.DOCX

An Equal Opportunity Employer

Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

April 12, 2010

To: Public Viewing Locations

RE: Environmental Assessment for Proposed Kearl Module Transport Project

The Montana Department of Transportation is considering Imperial Oil's proposal to haul over-dimension (height, width, and weight) loads through Montana from Lolo Pass to the Port of Sweetgrass. Transporting the large modules would require that they construct new turnouts; modify some existing turnouts; slightly modify road alignments at five locations; conduct surface repairs at one location; relocate existing utility lines, conduct some tree trimming, and modify some overhead signs and traffic signals. All modifications are proposed to occur within existing rights-of-way or easements. MDT would need to issue certain permits to Imperial Oil to carry out those activities. The enclosed Environmental Assessment (EA) documents the purpose of and need for the project, the Preferred Alternative, and potential environmental impacts and mitigation measures.

The purpose of the proposed action is for Imperial Oil to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads through Montana. The proposed project is needed to transport specialized processing equipment through Montana to Alberta, Canada. In addition, the proposed project must adhere to a 10-minute maximum traffic delay rule and minimize potential for adverse impacts to the built and natural environment, the public, local businesses, and current uses.

Please make this EA available in your location from April 14 to May 14, which is the formal public review period. (The EA can also be reviewed online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml.) During the public review period we are welcoming public comments on this EA. **Please inform citizens to submit comments prior to May 14, 2010.** Written comments can be submitted online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml or mailed to Dwane Kailey at the address shown in the letterhead.

Formal comments can also be given verbally at a public hearing. We will hold three public hearings on this EA. Those public hearings will follow the same format and agenda. An open house will be scheduled from 6:00 p.m. to 6:30 p.m., followed by a brief presentation, technical Question and Answer period, and then the formal public hearing. **The public hearings are scheduled for April 27, 2010 at the Cut Bank Civic Center at 800 East Railroad in Cut Bank, April 28, 2010 at the Lincoln School Gymnasium at 808 Main Street in Lincoln, and April 29, 2010 at the Meadow Hill Middle School Old Gymnasium at 4210 Reserve in Missoula.**

Public participation is a very important part of the process. Thank you for making this EA available for public review in your location. If you have any questions, please phone me at 406.444.7228. I will be pleased to assist you.

Sincerely,

Tom S. Martin P.E.
Environmental Services Bureau Chief

Copies:
Dwane Kailey, P.E., Chief Engineer
Doug Moeller, Missoula District Administrator
Mick Johnson, Great Falls District Administrator

TSM:hb:\\astro\pccommon\TRANPLAN\SYSTEM-IMPACT\EXXON_TRANS_CORRIDOR\EXXON_EA_REVIEW_040110\PUBLIC REVIEW PROCESS\AGENCY REVIEW DISTRIB COVER.DOCX

An Equal Opportunity Employer

Appendix B
Press Releases and Purchased Display Ads Announcing Public Meetings

Press Releases

Cut Bank

The following press release was delivered by e-mail announcing the availability of the EA and the Cut Bank public meeting.

- County Road Personnel
- Cut Bank Pioneer Press
- Glacier County Commissioners
- Glacier-Reporter - News
- Great Falls Tribune
- Independent-Observer
- KAAK-FM
- KBGF
- KEIN-AM/KTZZ-FM
- KFBB-TV
- KGFC-FM
- KLFM-FM & KVVR-FM
- KRTV – TV GREAT FALLS
- KSEN-AM-KZIN-FM
- KTGF-TV GREAT FALLS
- KVVR-FM
- Lumen Press
- Pondera County Commissioners
- Rural Montana
- Shelby Promoter
- Sinclair, John
- The Prairie Star
- The Valierian
- Toole County Commissioners
- Traders Dispatch

Subject: MDT Announces Notice of Availability and public hearing for Kearl Module Transport Project Environmental Assessment

April 12, 2010

FOR IMMEDIATE RELEASE

For further information, contact:

Charity Watt-Levis, Public Information Officer, (406) 444-7205, email: cwattlevis@mt.gov

Notice of Availability and public hearing for Kearl Module Transport Project Environmental Assessment

Cut Bank - The Montana Department of Transportation (MDT) has prepared an Environmental Assessment (EA) for the Kearl Module Transport Project, and the EA is available for public review and comment. The EA examines Imperial Oil's proposal to haul over-dimension (height, width, and weight) loads through Montana

from Lolo Pass to the Port of Sweet Grass and return trailers through Montana to the Idaho border. Transporting the large modules would require that they construct new turnouts; modify some existing turnouts; slightly modify the roadway at several locations; conduct some surface repairs; relocate existing utility lines; conduct some tree trimming and modify some overhead signs and traffic signals. All modifications are proposed to occur within existing rights-of-way or easements. MDT would need to issue certain permits to allow Imperial Oil to carry out those activities.

The MDT invites all interested parties to review the EA and provide comments at a public hearing on Tuesday, April 27, 2010, starting at 6:00 p.m. with an open house, followed by a presentation and public hearing at 6:30 p.m. The hearing will be held at the Cut Bank Civic Center, 800 E. Railroad, Cut Bank. The open house and brief presentation will be held prior to the official public comment period. The presentation will summarize the project history, present the Preferred Alternative, and describe the environmental process.

Lincoln

The following press release was delivered by e-mail announcing the availability of the EA and the Lincoln public meeting.

- Associated Press
- Blackfoot Valley Dispatch
- Butte Silver Bow County Commissioners
- Carroll Radio 88.5
- Cascade County Commissioners
- Cascade County Road Supervisor
- Choteau Acantha
- Great Falls Tribune
- Helena Civic Television
- Helena Independent Record
- Jefferson County Courier
- KAAK-FM
- KBGF
- KBLL-AM/FM Helena
- KCAP
- KEIN-AM/KTZZ-FM
- KFBB Helena
- KFBB-TV
- KGFC-FM
- KLFM-FM & KVVR-FM
- KRTV-TV
- KRTV-TV
- KTGF-TV GREAT FALLS
- KTVH-TV
- KVCM-FM
- KVVR-FM
- KXLH-TV

- Lee State Bureau
- Lewis and Clark County Assistant Public Works Director
- Lewis and Clark County Commissioners
- Lewis and Clark County Road Supervisor
- Lumen Press
- Missoula County Commissioners
- Missoula County Road Supervisor
- Montana Living
- Powell County Commissioners
- Prospector
- Queen City News
- Rural Montana
- Seeley Swan Pathfinder
- Sinclair, John
- Sun Times
- The Prairie Star

Subject: MDT Announces Notice of Availability and Public Hearing for Kearl Module Transport project Environmental Assessment

April 12, 2010

FOR IMMEDIATE RELEASE

For further information, contact:

Charity Watt-Levis, Public Information Officer, (406) 444-7205, email: cwattlevis@mt.gov

Notice of Availability and public hearing for Kearl Module Transport project Environmental Assessment

Lincoln - The Montana Department of Transportation (MDT) has prepared an Environmental Assessment (EA) for the Kearl Module Transport Project, and the EA is available for public review and comment. The EA examines Imperial Oil's proposal to haul over-dimension (height, width, and weight) loads through Montana from Lolo Pass to the Port of Sweet Grass and return trailers through Montana to the Idaho border. Transporting the large modules would require that they construct new turnouts; modify some existing turnouts; slightly modify the roadway at several locations; conduct some surface repairs; relocate existing utility lines; conduct some tree trimming and modify some overhead signs and traffic signals. All modifications are proposed to occur within existing rights-of-way or easements. MDT would need to issue certain permits to allow Imperial Oil to carry out those activities.

The MDT invites all interested parties to review the EA and provide comments at a public hearing on Wednesday, April 28, 2010, starting at 6:00 p.m. with an open house, followed by a presentation and public hearing at 6:30 p.m. The hearing will be held at the Lincoln School Gymnasium, 808 Main St, Lincoln. The open house and brief presentation will be held prior to the official public comment period. The presentation will summarize the project history, present the Preferred Alternative, and describe the environmental process.

Anyone interested in viewing the EA may view it online or at one of the following locations in the Lincoln area:

- Lincoln Branch Library - 102 9th St., Lincoln
- William K. Kohrs Library - 501 Missouri Ave., Deer Lodge
- Augusta Branch Library - 205 Main St., Augusta

- Choteau/Teton Public Library - 17 Main Ave. N., Choteau
- Great Falls Public Library - 301 2nd Ave. N., Great Falls
- Lewis & Clark Public Library - 120 S. Last Chance Gulch, Helena
- Montana State Library - 1515 East 6th Ave., Helena
- Butte-Silver Bow Public Library - 226 W. Broadway, Butte
- MDT Great Falls District Office - 200 Smelter Ave. NE, Great Falls
- MDT Headquarters, 2701 Prospect Ave., Helena
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

Community participation is a very important part of the process, and the public is encouraged to attend. Oral or written opinions, comments, and concerns may be presented at the public hearing. Alternatively, written comments may also be submitted to Tom Martin, MDT Environmental Services Bureau, at 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001, or online at http://www.mdt.mt.gov/pubinvolve/eis_ea.shtml.

The review period for the EA will conclude on May 14, 2010. The comment period is from April 14 - May 14, 2010.

MDT attempts to provide accommodations for any known disability that may interfere with a person's participation in any service, program or activity of our department. If you require reasonable accommodations to participate in this meeting, please contact Paul Grant at (406) 444-9415 at least two days before the meeting. For the hearing impaired, the TTY number is (406)

444-7696 or 1 (800) 335-7592, or call Montana Relay at 711. Alternative accessible formats of pertinent information will be provided upon request.

Missoula

The following press release was delivered by e-mail announcing the availability of the EA and the Missoula public meeting.

- KDTR-FM
- KECI-TV
- KGGL - KGRZ - KYLT
- KGVO-KYSS-KLCY
- KMS0-FM
- KPAX
- KQRV-FM/KBCK-AM
- KUFM-TV / KUFM-FM
- KZOQ – KBQQ
- Lolo Peak News
- Missoula County Commissioners
- Missoula County Road Supervisor
- Missoula Independent
- Missoulian
- Silver State Post
- The Kaimin

Subject: MDT Announces Notice of Availability and Public Hearing for Kearl Module Transport project Environmental Assessment

April 12, 2010

FOR IMMEDIATE RELEASE

For further information, contact: Charity Watt-Levis, Public Information Officer, (406) 444-7205, email: cwattlevis@mt.gov

Notice of Availability and public hearing for Kearl Module Transport project Environmental Assessment

Missoula - The Montana Department of Transportation (MDT) has prepared an Environmental Assessment (EA) for the Kearl Module Transport Project, and the EA is available for public review and comment. The EA examines Imperial Oil's proposal to haul over-dimension (height, width, and weight) loads through Montana from Lolo Pass to the Port of Sweet Grass and return trailers through Montana to the Idaho border. Transporting the large modules would require that they construct new turnouts; modify some existing turnouts; slightly modify the roadway at several locations; conduct some surface repairs; relocate existing utility lines; conduct some tree trimming and modify some overhead signs and traffic signals. All modifications are proposed to occur within existing rights-of-way or easements. MDT would need to issue certain permits to allow Imperial Oil to carry out those activities.

The MDT invites all interested parties to review the EA and provide comments at a public hearing on Thursday, April 29, 2010, starting at 6:00 p.m. with an open house, followed by a presentation and public hearing at 6:30 p.m. The hearing will be held at the Meadow Hill Middle School, Old Gymnasium, 4210 Reserve, Missoula. The open house and brief presentation will be held prior to the official public comment period. The presentation will summarize the project history, present the Preferred Alternative, and describe the environmental process.

Anyone interested in viewing the EA may view it online or at one of the following locations in the Missoula area:

- Missoula Public Library - 301 E. Main, Missoula
- William K. Kohrs Library - 501 Missouri Ave., Deer Lodge
- Great Falls Public Library - 301 2nd Ave. N., Great Falls
- Lewis & Clark Public Library - 120 S. Last Chance Gulch, Helena
- Montana State Library - 1515 East 6th Ave., Helena
- Butte-Silver Bow Public Library - 226 W. Broadway, Butte
- MDT Missoula District Office - 2100 W Broadway, Missoula
- MDT Headquarters, 2701 Prospect Ave., Helena
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml and also for the full listing of EA viewing locations

Community participation is a very important part of the process, and the public is encouraged to attend. Oral or written opinions, comments, and concerns may be presented at the public hearing. Alternatively, written comments may also be submitted to Tom Martin, MDT Environmental Services Bureau, at 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001, or online at http://www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The review period for the EA will conclude on May 14, 2010. The comment period is from April 14 - May 14, 2010.

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444-7696 or 1 (800) 335-7592, or call Montana Relay at 711. Alternative accessible formats of pertinent information will be provided upon request.

Paid Ads Announcing Public Meetings

Cut Bank

MONTANA MDT DEPARTMENT OF TRANSPORTATION

NOTICE OF AVAILABILITY AND PUBLIC HEARING

Notice of Availability and Public Hearing for Kearl Module Transport Project Environmental Assessment

The Environmental Assessment (EA) is now available for public review and comment. The EA examines Imperial Oil's proposal to haul over-dimension (height, width and weight) loads through Montana from Lolo Pass to the Port of Sweet Grass and return trailers through MT to the ID border. Transporting the large modules would require that they construct new turnouts; modify some existing turnouts; slightly modify the roadway at several locations; conduct some surface repairs; relocate existing utility lines; conduct some tree trimming and modify some overhead signs and traffic signals. All modifications are proposed to occur within existing rights-of-way or easements. Montana Dept. of Transportation (MDT) would need to issue certain permits to allow Imperial Oil to carry out those activities.

Review the EA in the Cut Bank area at:

- Browning Branch Library, 9 1st St. NW, Browning
- Glacier County Public Library, 21st Ave., SE, Cut Bank
- Toole County Library, 229 2nd Ave. S, Shelby
- Valier Public Library, 400 Teton Ave., Valier
- MDT Great Falls District Office - 200 Smelter Ave. N.E., Great Falls
- MDT Headquarters, 2701 Prospect Ave., Helena
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml and also for the full listing of EA viewing locations

Comment Period: April 14 - May 14, 2010

- Present oral or written comments at the public hearing
- Written comments to Tom Martin, MDT Environmental Services Bureau, PO Box 201001, 2701 Prospect Ave., Helena, MT 59620-1001
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

For More Information:

- Tom Martin, MDT Environmental Services Bureau, (406) 444-7228

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Public Hearing: Tuesday, April 27, 2010

Open House: 6:00 p.m Presentation and Public Hearing: 6:30 p.m.

Cut Bank Civic Center, 800 E. Railroad, Cut Bank, MT

Lincoln

MONTANA MDT DEPARTMENT OF TRANSPORTATION

NOTICE OF AVAILABILITY

Notice of Availability and Public Hearing for Kearl Module Transport Project Environmental Assessment

The Environmental Assessment (EA) is now available for public review and comment. The EA examines Imperial Oil's proposal to haul over-dimension (height, width and weight) loads through Montana from Lolo Pass to the Port of Sweet Grass and return trailers through MT to the ID border. Transporting the large modules would require that they construct new turnouts; modify some existing turnouts; slightly modify the roadway at several locations; conduct some surface repairs; relocate existing utility lines; conduct some tree trimming and modify some overhead signs and traffic signals. All modifications are proposed to occur within existing rights-of-way or easements. Montana Dept. of Transportation (MDT) would need to issue certain permits to allow Imperial Oil to carry out those activities.

Review the EA in the Lincoln area at:

- Lincoln Branch Library - 102 9th St., Lincoln
- William K. Kohrs Library - 501 Missouri Ave., Deer Lodge
- Augusta Branch Library - 205 Main St., Augusta
- Choteau/Teton Public Library - 17 Main Ave. N., Choteau
- Great Falls Public Library - 301 2nd Ave. N., Great Falls
- Lewis & Clark Public Library - 120 S. Last Chance Gulch, Helena
- Montana State Library - 1515 East 6th Ave., Helena
- Butte-Silver Bow Public Library - 226 W. Broadway, Butte
- MDT Great Falls District Office - 200 Smelter Ave. NE, Great Falls
- MDT Headquarters, 2701 Prospect Ave., Helena
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml and also for the full listing of EA viewing locations

Comment Period: April 14 - May 14, 2010

- Present oral or written comments at the public hearing
- Written comments to Tom Martin, MDT Environmental Services Bureau, PO Box 201001, 2701 Prospect Ave., Helena, MT 59620
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

For More Information:

- Tom Martin, MDT Environmental Services Bureau, (406) 444-7228

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Public Hearing: Wednesday, April 28, 2010

Open House: 6:00 p.m. Presentation and Public Hearing: 6:30 p.m.

Lincoln School, Gymnasium, 808 Main St., Lincoln, MT

Missoula

MONTANA MDT DEPARTMENT OF TRANSPORTATION

NOTICE OF AVAILABILITY

Notice of Availability and Public Hearing for Kearl Module Transport Project Environmental Assessment

The Environmental Assessment (EA) is now available for public review and comment. The EA examines Imperial Oil's proposal to haul over-dimension (height, width and weight) loads through Montana from Lolo Pass to the Port of Sweet Grass and return trailers through MT to the ID border. Transporting the large modules would require that they construct new turnouts; modify some existing turnouts; slightly modify the roadway at several locations; conduct some surface repairs; relocate existing utility lines; conduct some tree trimming and modify some overhead signs and traffic signals. All modifications are proposed to occur within existing rights-of-way or easements. Montana Dept. of Transportation (MDT) would need to issue certain permits to allow Imperial Oil to carry out those activities.

Review the EA in the Missoula area at:

- Missoula Public Library - 301 E. Main, Missoula
- William K. Kohrs Library - 501 Missouri Ave., Deer Lodge
- Great Falls Public Library - 301 2nd Ave. N., Great Falls
- Lewis & Clark Public Library - 120 S. Last Chance Gulch, Helena
- Montana State Library - 1515 East 6th Ave., Helena
- Butte-Silver Bow Public Library - 226 W. Broadway, Butte
- MDT Great Falls District Office - 200 Smelter Ave. NE, Great Falls
- MDT Headquarters, 2701 Prospect Ave., Helena
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml and also for the full listing of EA viewing locations

Comment Period: April 14 - May 14, 2010

- Present oral or written comments at the public hearing
- Written comments to Tom Martin, MDT Environmental Services Bureau, PO Box 201001, 2701 Prospect Ave., Helena, MT 59620
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

For More Information:

- Tom Martin, MDT Environmental Services Bureau, (406) 444-7228

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Public Hearing: Thursday, April 29, 2010

Open House: 6:00 p.m. Presentation and Public Hearing: 6:30 p.m.

Meadow Hill Middle School, Old Gymnasium, 4210 Reserve, Missoula, MT

Appendix C
Public Hearing Materials

KEARL MODULE TRANSPORTATION PROJECT ENVIRONMENTAL ASSESSMENT OVERVIEW

MONTANA PUBLIC MEETINGS

Cut Bank, April 27, 2010

Lincoln, April 28, 2010

Missoula, April 29, 2010

Background

- The Environmental Assessment (EA) for the Kearl Module Transportation Project (KMTP) was produced to fulfill the environmental review requirements of the Montana Environmental Policy Act (MEPA).
- The overall Kearl Project requires world-wide sourcing of various pieces of equipment including pre-assembled process units (modules) that are manufactured in Korea.
- Imperial Oil investigated several module transportation routes through Canada and the United States (US).
- Imperial Oil's proposed route is from the Port of Vancouver, Washington, via barge up the Columbia / Snake River Inland Waterway System to the Port of Lewiston, Idaho. From the Port of Lewiston, the modules are transported by specialized load-moving equipment through Idaho and Montana before exiting at Sweetgrass, Montana at the US / Canada border.
- All other investigated routes through Canada and the US have height restrictions with overpasses (road and rail), bridges and tunnels with no feasible detours.

Purpose of the Project

- The purpose of the proposed project is for Imperial Oil to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads (height, widths, and weight) through Montana to the Canadian border and return trailers through Montana to the Idaho border.
- The infrastructure improvements includes constructing new turnouts; modifying some existing turnouts; slightly modifying the roadway at several locations, conducting some surface repairs; relocating existing utility lines, conducting some tree trimming, and modifying some overhead signs and traffic signals.
- MDT would need to issue certain permits to allow Imperial Oil to carry out those activities.

Need for the Project

- The proposed project is needed to transport specialized processing equipment through Montana to Alberta, Canada.
- In addition, the proposed project must adhere to a 10-minute maximum traffic delay rule and minimize potential for adverse impacts to the built and natural environment, the public, local businesses, and current uses.

Description of the Proposed Action

The project consists of the following:

- Permanently raising or burying utility lines at approximately 572 locations.
- Modifying, or installing 33 traffic structures (traffic signals, signs, or street lights).
- Permanently modifying 22 existing highway turnouts.
- Building 53 new highway turnouts.
- Adding minor amounts of gravel infill to permanently modify the roadway in 5 locations to allow adequate turning radius of the load and other long vehicles.
- Road surface repairs to an approximately 8.5 mile section of Santa Rita Road and S-214 maintained by Glacier County.
- Minor amounts of tree trimming in along Highway 200 in Bonner and along Highway 287 and 89 in Choteau.
- The volume of modules planned to be transported through Montana is currently forecasted at about 200 and is forecasted to occur from the fall of 2010 to the fall 2011. The peak transportation volume will be no more than 2 modules per day at any particular location.
- All proposed action occurs in existing rights-of-way or easements in areas previously disturbed during road construction and utility placement.
- No infrastructure improvements are required for the return trailer route.

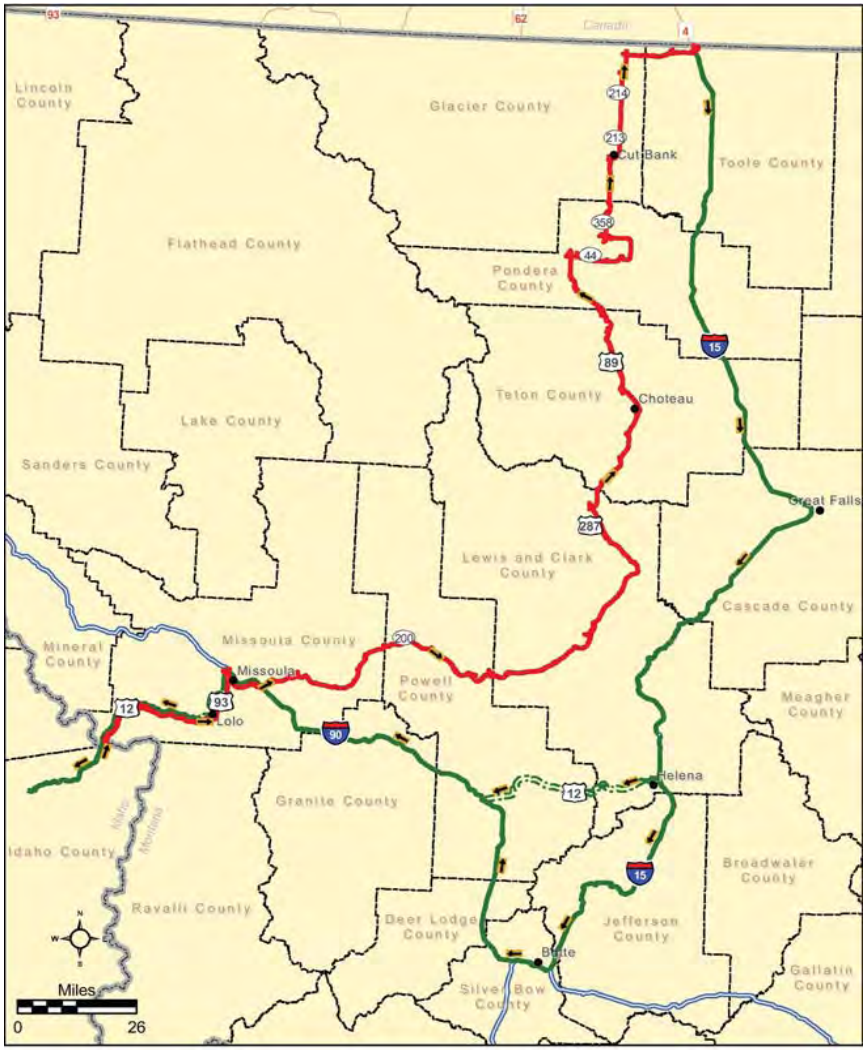
Applicable Laws and Regulations

- Under the provisions of Administrative Rules of Montana 18.2.261, utility installations, installation of traffic signals, and modernization of an existing highway for parking or turning are categorically excluded and do not require the preparation of an EA.
- In this case, due to the volume of proposed modifications, the need for analysis to determine if the actions could cumulatively adversely impact the natural or human environment and the desire to ensure appropriate public involvement, MDT concluded that the preparation of an EA was the appropriate means to demonstrate compliance with MEPA.
- This EA is intended to identify, disclose, and analyze potential impacts associated with a proposed action. Other applicable laws include:
    - Clean Water Act
    - Clean Air Act
    - Bald and Golden Eagle Protection Act
    - Endangered Species Act
    - Migratory Bird Treaty Act
    - Montana Antiquities Act
    - Montana Stream Protection Act

Permits

- Construction permits will be required for all utility line relocations, turnout work, road modifications and traffic structure modifications.
- 32-J and over dimensional load transportation permits will be required for module and return trailer movements.

Proposed Action – Location (Route)



Towns
Module Transportation Route
Return Route for Empty Trailers
Return Route for Trailers less than 10 feet wide
Route Direction
Interstate
County Boundary
State Boundary

Figure 1
Location Map
Transportation Route
Kearl Project

Montana Stages of Travel					
Starting Point	**Ending Point**	**Start Time**	**End Time**	**Total Miles**	**Hauling Period**
MP 0.0 Highway 12	Highway 12/US 93 Lolo	**2:30 am**	**5:00 am**	**32.5**	**Night**
Highway 12/US 93 Lolo	MP 1.9 Highway 200 Bonner	**12:00 am**	**4:00 am**	**22.8**	**Night**
MP 1.9 Highway 200 Bonner	MP 75.0 Highway 200 Lincoln	**12:00 am**	**5:00 am**	**73.1**	**Night**
MP 75.0 Highway 200 Lincoln	MP 63.6 Highway 287 Choteau	**11:00 pm**	**5:30 am**	**75.8**	**Night**
MP 63.6 Highway 287 Choteau	MP 3.0 Highway 358 Valier	**11:00 pm**	**5:30 am**	**62.2**	**Night**
MP 3.0 Highway 358 Valier	US / Canada Border Sweetgrass	**9:00 am**	**4:00 pm**	**66.2**	**Day**

Proposed Action – Turnout Construction and Road Modifications

- Turnout and road modifications include construction of new turnouts (53), upgrades to existing turnouts (22), road surface repairs (1), and minor amounts of gravel infill at five corners or curves to allow adequate turning radius for the load and other long vehicles.
- All turnouts and minor road modifications will be designed in accordance with MDT Design Specifications, Codes and Standards.
- All construction will be performed under the supervision of construction personnel experienced in this type of work.
- All work will be done at Imperial Oil's expense. The proposed turnout construction and road modifications generates a total estimated economic activity of $11.4 million for the state of Montana.
- All proposed action occurs in existing rights-of-way or easements in areas previously disturbed during road construction.
- Minimal to no environmental impacts.
- Planned mitigation to avoid impacts:
  - Turnouts were located to avoid impacts on historical resources.
  - New turnouts will be located a minimum of approximately 100 feet away from streams, irrigation canals, or wetlands.
  - Construction sites will be graded to maintain existing drainage patterns.
  - Topsoil will be salvaged and replaced at construction locations.
  - To reduce the spread and establishment of noxious weeds and to re-establish permanent vegetation, Imperial Oil will ensure disturbed areas will be seeded with desirable plant species as soon as practicable after construction.
  - Seed mix will be certified weed free to limit the spread of noxious weeds.
  - Imperial Oil will ensure that all contractors have a spill prevention and clean-up plan to minimize potential for effects.
  - A traffic control plan will be instituted to provide for safety of workers and the public.
  - Other mitigation steps included in EA document.

Proposed Action – Utility Relocations

- Overhead utility lines crossing the route on state roads need to be permanently raised or buried to provide clearance for module transport at 572 locations within MDT ROW
- All utility work will be done by the utility companies in accordance with applicable Montana regulatory requirements.
- All construction will be performed under the supervision of construction personnel experienced in this type of work.
- All work will be done at Imperial Oil's expense.
- The proposed utility relocations generates a total estimated economic activity of $21.6 million for the state of Montana.
- All proposed action occurs in existing rights-of-way or easements in areas previously disturbed utility placement.
- Minimal to no environmental impacts.
- Planned mitigation to avoid impacts:
  - Imperial Oil will ensure proper and full notice to all affected customers.
  - Imperial Oil will be responsible for coordinating the utility relocations to minimize disruption to affected customers and the traveling public and where practicable coordinate the timing of the utility relocations to facilitate combined efforts between individual utility companies.
  - Each site will be visited during the growing season, prior to any ground disturbing activities to determine if wetlands are located on or near proposed utility work.
  - If wetlands are determined to be on or near a utility work site, all practicable means will be used to avoid adverse impacts to those wetlands,
  - Imperial Oil will ensure that all contractors have a spill prevention and clean-up plan to minimize potential for effects.
  - A traffic control plan will be instituted to provide for safety of workers and the public.
  - Other mitigation steps included in EA document.

Proposed Action – Traffic Structures and Road Sign Modifications

- Modifications to existing traffic structures (33) (traffic signals, signs, or street lights) are required between Lolo Pass (Idaho / Montana border) and Sweetgrass, Montana (USA / Canada border) to ensure adequate clearances are provided for the oversized loads along the proposed module transportation route.
- All work associated with traffic structures will be done by qualified contractors and in accordance with MDT Design Specifications, Codes and Standards.
- All work will be done at Imperial Oil's expense.
- The proposed traffic structure and road sign modifications generates a total estimated economic activity of $1.5 million for the state of Montana.
- All proposed action occurs in existing rights-of-way or easements in areas previously disturbed road construction.
- Minimal to no environmental impacts.
- Planned mitigation to avoid impacts:
  - A traffic control plan will be instituted to provide for safety of workers and the public.
  - Traffic structure modifications in Missoula will occur at night to minimize traffic disruption.

Proposed Action – Tree Trimming

- Minor amounts of tree trimming in along Highway 200 in Bonner (about 7 trees) and along Highway 287 and 89 in Choteau (about 21 trees)
- All work will be done at Imperial Oil's expense.
- Minimal to no environmental impacts.
- Planned mitigation to avoid impacts:
  - A traffic control plan will be instituted to provide for safety of workers and the public.
  - It is expected that the amount of trimming that will occur will be consistent with routine tree maintenance The trees will be trimmed under the supervision of an experienced contractor, approved by the local municipality.
  - Tree trimming conducted between April 30th and August 16th will be inspected for nesting migratory birds. If occupied nests are found, branches will not be removed until after the nest is vacated.

Proposed Action – Module Transportation



Front View of Typical Module in Transport

Truck and Trailer Maximum and Minimum Configurations

Trailer Type	Percent of Loads	Module Weight (pounds)		Length (feet)		Width (feet)		Height (feet)	
		Min	Max	Min	Max	Min	Max	Min	Max
10 feet wide	22 %	73,753	179,400	170	210	20	24	18	30
16 feet wide	78 %	133,206	334,568	170	210	13	24	14	30

Proposed Action – Module Transportation

- The Montana Transportation Plan (MTP), which is available on the MDT website, was developed to adhere to the 10-minute maximum traffic delay rule imposed by MDT.
- The MTP includes Emergency Response Plans with emphasis on Emergency Vehicle Clearance.
- Peak hourly traffic volumes were considered in potential delay calculations.
- The volume of modules planned to be transported is currently forecasted at about 200 and is forecasted to occur from the fall of 2010 to the fall 2011. The peak transportation volume will be no more than 2 modules per day at any particular location.
- Movement from Lolo Pass to just north of Valier will be done at night to minimize impacts on the public.
- Hauling will not occur on weekends or Federal or State holidays and will consider other uses of the route, avoiding periods that coincide with commuters, school buses, and planned community events.
- For all night operations, auxiliary lighting will be used to ensure the safety of the workers and the public. Shields will be used to direct the lighting in the appropriate directions and to minimize impacts on the public and wildlife as long as safety can be maintained.
- Imperial Oil will establish a website available to the public with an updated module transportation schedule.
- Based on a comparison of the total traffic volume of the module transport and support vehicles to the total traffic volume for the one year when module hauling would occur and Imperial Oil's adherence to MDT weight restrictions, it is expected that the proposed project would result in minimal impact to Montana roadways and bridges.
- All work will be done at Imperial Oil's expense.
- The proposed module transportation generates a total estimated economic activity of $32 million for the state of Montana.
- All module transportation occurs on existing roadways.
- Minimal to no environmental impacts.

Proposed Action – Alternatives Considered But Eliminated

Transportation Routes

- Alternate Canadian routes were investigated and all had numerous restrictions with no possible detours and therefore were found to be infeasible.
- An alternative US Interstate transportation route was investigated and rejected since about 25 existing overpasses along this route have height restrictions and do not have by-pass ramps or feasible detours to allow passage of the modules.

Daytime Hauling

- Initially most of the haul route was planned, based on average annual daily traffic volumes, to occur primarily during daytime hours. The exception was the stretch from Lolo to Bonner, which was always identified for night-time haul due to traffic and business activities.
- However, at MDT's request, Imperial Oil recalculated the impact on traffic based on peak hour traffic volumes for all segments of the route. This subsequent analysis indicated that a daytime haul would meet the 10 minute rule in most cases, but would result in too many vehicles waiting for the module to pull into a turnout to clear traffic.
- In order to minimize potential inconvenience to other users of the highways, Imperial Oil modified their plan to allow for a night-time haul from Lolo Pass to just north of Valier.
- The change to night travel greatly reduces the potential for delays that could affect traffic safety, commercial business, and inconvenience to local residents, commuters, and other travelers. As a result, the preferred alternative was modified to incorporate night-time travel from Lolo Pass to just north of Valier.

Environmental Assessments – Environmental Impacts

Conclusion and Summary of Effects

	Road Modifications	Utility Relocations	Traffic Structures	Tree Trimming	Module Transport	Overall
Historical and Archaeological Sites	No impact	No impact anticipated	No impact	No impact	No impact	No impact anticipated
Parklands	No impact	No impact	No impact	No impact	No impact	No impact
Transportation System	Occasional traffic delays occurring at work locations. Some additional traffic due to turnout construction equipment.	Occasional traffic delays occurring at work locations.	Occasional traffic delays occurring at work locations.	Occasional traffic delays occurring at work locations.	Occasional delays, none exceeding 10 minutes.	Some traffic delays during construction. Occasional traffic delays during module hauling, non exceeding 10 minutes.
Economic and Community Impacts	$11.4 million in total economic activity in Montana.	$21.6 million in total economic activity in Montana.	$1.5 million in total economic activity in Montana.	$15,000 in total economic activity in Montana.	$32.0 million in total economic activity in Montana.	$67.8 million in total economic activity in Montana (including $1.6 million in permitting).
Air Quality	Exhaust from trucks and equipment, localized dust from construction.	Minimal emissions from trucks and equipment.	Minimal emissions from trucks and equipment.	Minimal emissions from trucks and equipment.	Exhaust from trucks.	Slight increase in emissions and dust. No long-term or significant impacts.
Noise	Low level noise from equipment.	Low level noise from equipment.	Low level noise from equipment.	Short duration noise from equipment.	Low level noise from equipment.	Minor noise impacts during construction activities and module transport.
Contaminated Sites/Hazardous Waste	Slight risk of spill, minimal impacts.	Slight risk of spill, minimal impacts.	Slight risk of spill, minimal impacts.	Slight risk of spill, minimal impacts.	Slight risk of spill, minimal impacts.	Slight risk of spill, minimal impacts.
Water Resources	No impact expected	No impact expected	No impact expected	No impact expected	No impact expected	Negligible impact
Threatened and Endangered Species	No effect	No effect	No effect	No effect	No Impact for all except grizzly bears, May effect, not likely to adversely effect.	No Impact
Wildlife and Fisheries	No impact expected	No impact expected	No impact expected	No impact expected	No impact expected	No impact expected

State and Federal Agencies Contacted

- In developing the Environmental Assessment the following agencies were contacted:
  - Montana Department of Environmental Quality
  - Montana State Historic Preservation Office
  - US Army Corps of Engineers
  - US Fish and Wildlife Service
  - USDA Forest Service

Blackfeet Tribal Historic Preservation Office

- In developing the Environmental Assessment the Blackfeet THPO was contacted.

Consultation with Counties

- In developing the Environmental Assessment the following counties were contacted:

Cascade County	Granite County	Missoula County	Silver Bow County
Deer Lodge County	Jefferson County	Pondera County	Teton County
Glacier County	Lewis and Clark County	Powell County	Toole County

- Listed below is the main issues identified through these consultations.

Notification	Economic impacts on taxpayers and businesses
Emergency response situations	Traffic safety
Local community events	Traffic impedance
School bus routes and schedules	Historical and cultural resources
Residual benefits	Alternate routes

- All issues have been addressed in project plans.

Environmental Assessments – Review Locations

Cut Bank Area	Lincoln Area	Missoula Area
Browning Branch Library, 9 1st St. NW, Browning	Lincoln Branch Library, 102 9th St., Lincoln	Missoula Public Library, 301 E. Main, Missoula
Glacier County Public Library, 21st Ave., SE, Cut Bank	William K. Kohrs Library, 501 Missouri Ave., Deer Lodge	William K. Kohrs Library, 501 Missouri Ave., Deer Lodge
Toole County Library, 229 2nd Ave. S, Shelby	Augusta Branch Library, 205 Main St., Augusta	Great Falls Public Library, 301 2nd Ave. N., Great Falls
Valier Public Library, 400 Teton Ave., Valier	Choteau/Teton Public Library, 17 Main Ave. N., Choteau	Lewis & Clark Public Library, 120 S. Last Chance Gulch, Helena
MDT Great Falls District Office - 200 Smelter Ave. N.E., Great Falls	Great Falls Public Library, 301 2nd Ave. N., Great Falls	Montana State Library, 515 East 6th Ave., Helena
MDT Headquarters, 2701 Prospect Ave., Helena	Lewis & Clark Public Library, 120 S. Last Chance Gulch, Helena	Butte-Silver Bow Public Library, 226 W. Broadway, Butte
	Montana State Library, 1515 East 6th Ave., Helena	MDT Great Falls District Office, 200 Smelter Ave. NE, Great Falls
	Butte-Silver Bow Public Library, 226 W. Broadway, Butte	MDT Headquarters, 2701 Prospect Ave., Helena
	MDT Great Falls District Office, 200 Smelter Ave. NE, Great Falls	
	MDT Headquarters, 2701 Prospect Ave., Helena	
Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml		

Comment Period

- April 14 - May 14, 2010
- Present oral or written comments at the public hearing
- Written comments to Tom Martin, MDT Environmental Services Bureau,
- PO Box 201001, 2701 Prospect Ave., Helena, MT 59620
- Online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

For More Information

- Tom Martin, MDT Environmental Services Bureau, (406) 444-7228

Appendix D
Comments and Responses

See Attached CD



Volume II

Appendix D Part 1
Response to Comments

Kearl Module Transportation Project

Finding of No Significant Impact

Module Transport and Required Utility and Road Modifications

Kearl OIL SANDS



MONTANA MDT DEPARTMENT OF TRANSPORTATION

February 2011

MDT attempts to provide accommodation for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats of this information will be provided upon request. For further information, call 406.444.7228 or TTY (800.335.7592) or Montana Relay at 711.

Appendix D
Response to Comments

Introduction

This appendix includes responses to comments received on the EA during the formal comment period (April 13 to May 14, 2010). Section 3.1 of the FONSI includes a summary of the comments received on the EA. Section 3.2 of the FONSI contains responses to common comments. The following sections contain copies of all the communications received during the comment period. The comments have been identified with a bracket and a response to the comment is shown on the right side. While there are many individual responses to comments in the following sections, for common comments, the reader is directed to responses in Section 3.2. This method of response was used to avoid redundancy. Substantive comments received after the close of the official EA comment period are addressed in Section 3.3 of the FONSI.

Organization

This appendix has 3 sections. Section D.1 includes responses to comments made at the public meetings (see Section 3 of the FONSI for dates and locations). Section D.2 includes responses to comments on the EA that were submitted electronically and transcriptions of voice mail or telephone calls that were recorded. Section D.3 includes letters received by mail or fax and includes the Clark Fork Coalition's post cards. Table D-1 lists the names of all those who submitted the Natural Resources Defense Council (NRDC) email comment with duplicates removed. Table D-2 lists the names of those that submitted the Clark Fork Coalition's post cards.

All electronic submittals included in this section are sorted by last name or organization (where one could be determined and it was clear the writer was representing the organization). State Representatives, City Council members, and County Commissioners are listed under title by county/city. A table of contents appears in Sections D.1 and D.2 to help locate specific letters. Two e-mails had no identifying information and are included under "Anonymous". Several others did not include names and address, so they appear under the e-mail address instead of a name. In some instances, comments were submitted by the same person multiple times. In this case, the comment is included only once in the response to comments. Individuals whose names appear more than once are included because they submitted more than one, distinct e-mail or letter. A letter/e-mail with more than one person signing is located under the last name or organization of the first signature.

Methods

If a letter was submitted electronically and the exact same letter was submitted via fax or e-mail, the comment is included in the first section and not duplicated in the second section. Requests for information on the deadline for submitting comments have not been included in the response to comments; however, they remain in the project record.

In producing this section, text was copied verbatim from the submittal. No words were changed. Text may have been reformatted to provide spaces between paragraphs and font sizes may have been changed so the words are readable or do not take up unnecessary space. Font style may have been changed because not all fonts are available to be viewed on all computers so a common font was selected for text that came in with an uncommon font. Typographical errors, misspelling, punctuation, and capitalization remains as it occurred in the submittal.

The email comments forwarded by the NRDC included approximately 6,600 e-mails. This letter and responses appear under "Natural Resources Defense Council Letter". A few people submitted completely different letters through the NRDC. The letters that did not substantially match the content of the campaign letter have been handled separately as regular e-mail comments. Some people modified the NRDC email comment. No substantive comments were included in the modifications.

The Clark Fork Coalition also posted a letter on their website for people to send in. It matches the post card mailing that appears in Section D.3. Most people who sent that letter electronically added more text and those letters are identified as "Form Letter 1" and the complete letters are found in this section.

D.1 RESPONSES TO COMMENTS FROM PUBLIC MEETINGS

The section contains the responses to the formal comments submitted at the public hearings held on April 27, 28, and 29, 2010 in Cut Bank, Lincoln, and Missoula, respectively.

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KEARL MODULAR TRANSPORTATION PROJECT 4-27-2010 PUBLIC HEARIN

Page 1

****

PUBLIC HEARING FOR

KEARL MODULE TRANSPORTATION PROJECT

****

Taken at 800 East Railroad

Cut Bank, Montana

Tuesday, April 27, 2010, 6:30 P.M.

Reported by Terra Rohlfs, Jeffries Court Reporting, Inc., 1015 Mount Avenue, Suite C, Missoula, Montana 59801, (406) 721-1143, 1-800-769-1052, Freelance Court Reporter and Notary Public for the State of Montana, residing in Hamilton, Montana.

JEFFRIES COURT REPORTING, INC.
(406) 721-1143

CUT BANK PUBLIC MEETING COMMENTS

KEARL MODULAR TRANSPORTATION PROJECT 4-27-2010 PUBLIC HEARIN

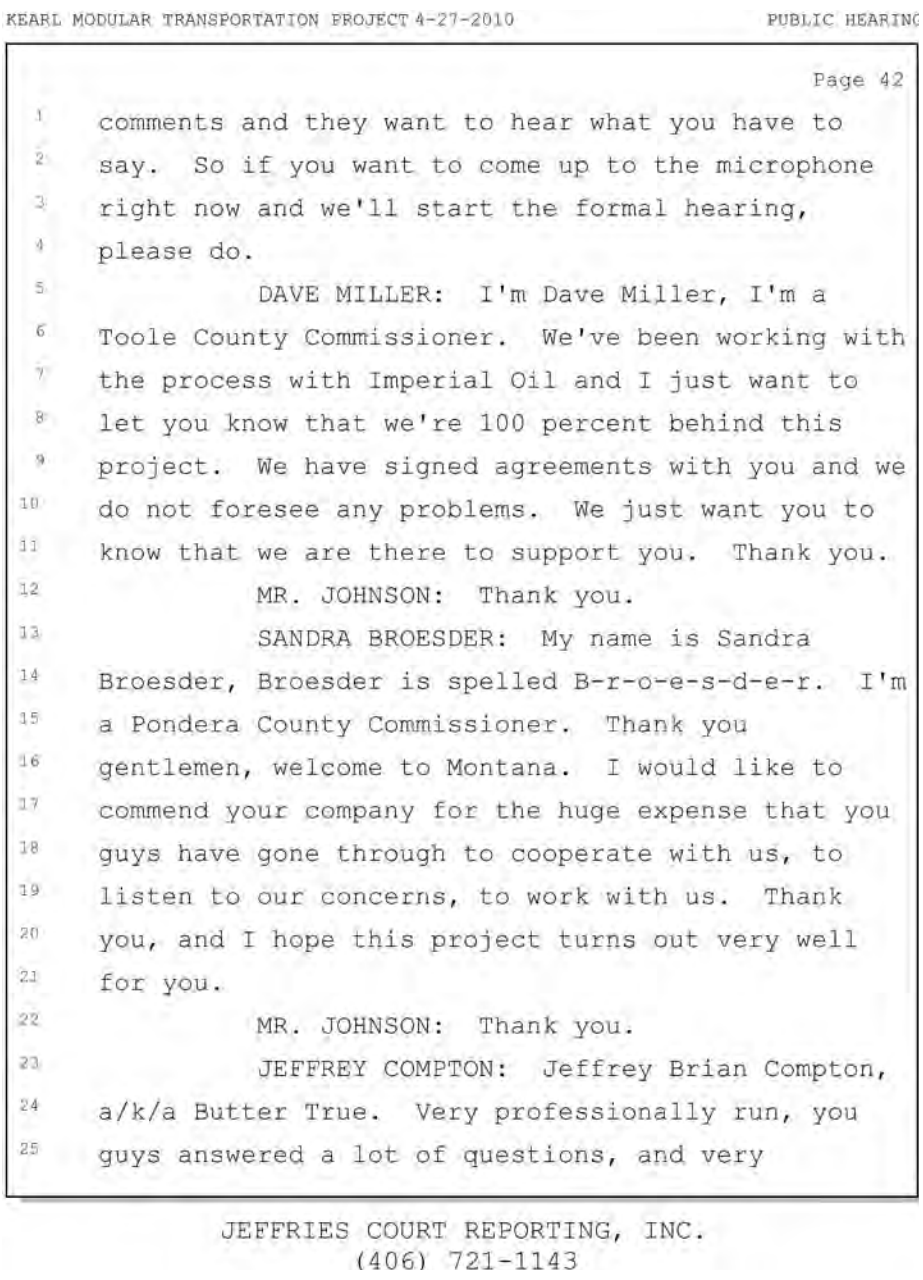
if you could just raise your hands, who would like to comment tonight on this?

(Numerous people raise their hands.)

MR. GRANT: Okay, great. We will again just ask that, you know, once you start talking, just be respectful of the time if there's going to be more comments coming in, people coming up, just, again, be respectful of people's time regarding this hearing.

As we did mention, you know, if you don't want to make a comment in front here now, in front of the microphone, in front of the team, you can go ahead and make your comments using the comment form in the back there, you can fill it out and put it in the comment box or take it home and mail it or e-mail it, and those addresses are on the line, and the deadline for that, for the comment period is May 14th.

So go ahead and come up to the microphone and again, just the same thing, go ahead and make your comments -- identify yourself first before you make your comment. Realize that this portion is the official hearing, so you're going to make a comment and there's not going to be any response from the team, they're just gonna listen to your



KEARL MODULAR TRANSPORTATION PROJECT 4-27-2010 PUBLIC HEARING

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comments and they want to hear what you have to say. So if you want to come up to the microphone right now and we'll start the formal hearing, please do.

DAVE MILLER: I'm Dave Miller, I'm a Toole County Commissioner. We've been working with the process with Imperial Oil and I just want to let you know that we're 100 percent behind this project. We have signed agreements with you and we do not foresee any problems. We just want you to know that we are there to support you. Thank you.

MR. JOHNSON: Thank you.

SANDRA BROESDER: My name is Sandra Broesder, Broesder is spelled B-r-o-e-s-d-e-r. I'm a Pondera County Commissioner. Thank you gentlemen, welcome to Montana. I would like to commend your company for the huge expense that you guys have gone through to cooperate with us, to listen to our concerns, to work with us. Thank you, and I hope this project turns out very well for you.

MR. JOHNSON: Thank you.

JEFFREY COMPTON: Jeffrey Brian Compton, a/k/a Butter True. Very professionally run, you guys answered a lot of questions, and very

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Toole County Commissioner, Dave Miller

1. Comment noted.

Pondera County Commissioner, Sandra Broesder

2. Comment noted.

Compton, Jeffery Brian

KEARL MODULAR TRANSPORTATION PROJECT 4-27-2010 PUBLIC HEARING

3 impressed with the orientation and the bridge and everything you've done. It's a lot to do a -- what do you call it? Environmental, we've done it for the power line and I've worked on some stuff around here, and very nice job.

MR. JOHNSON: Thank you.

MR. GRANT: Any other comments? Okay we'll go ahead and close the formal hearing portion and that really includes the meeting tonight.

Again, I'd like to thank all of you for coming out and being very gracious and we really appreciate it. And we'll be around -- you can go ahead and look at the display boards, we'll be around to answer any other questions. And again, remember to take a comment sheet, if there's people who weren't here tonight that you think might want to comment, please go ahead and take those sheets home as well and give them to them. And again, thank you very much for coming and we appreciate it, thank you.

MR. JOHNSON: Thank you.

(Public hearing concluded at 7:28 p.m.)

* * *

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3. Comment noted.

LINCOLN PUBLIC MEETING COMMENTS

KEARL MODULAR TRANSPORTATION PROJECT 4-28-2010 PUBLIC HEARING

Page 1

****

PUBLIC HEARING FOR

KEARL MODULE TRANSPORTATION PROJECT

****

Taken at 808 Main Street

Lincoln, Montana

Wednesday, April 28, 2010, 6:12 P.M.

Reported by Terra Rohlfs, Jeffries Court Reporting, Inc., 1015 Mount Avenue, Suite C, Missoula, Montana 59801, (406)721-1143, 1-800-769-1052, Freelance Court Reporter and Notary Public for the State of Montana, residing in Hamilton, Montana.

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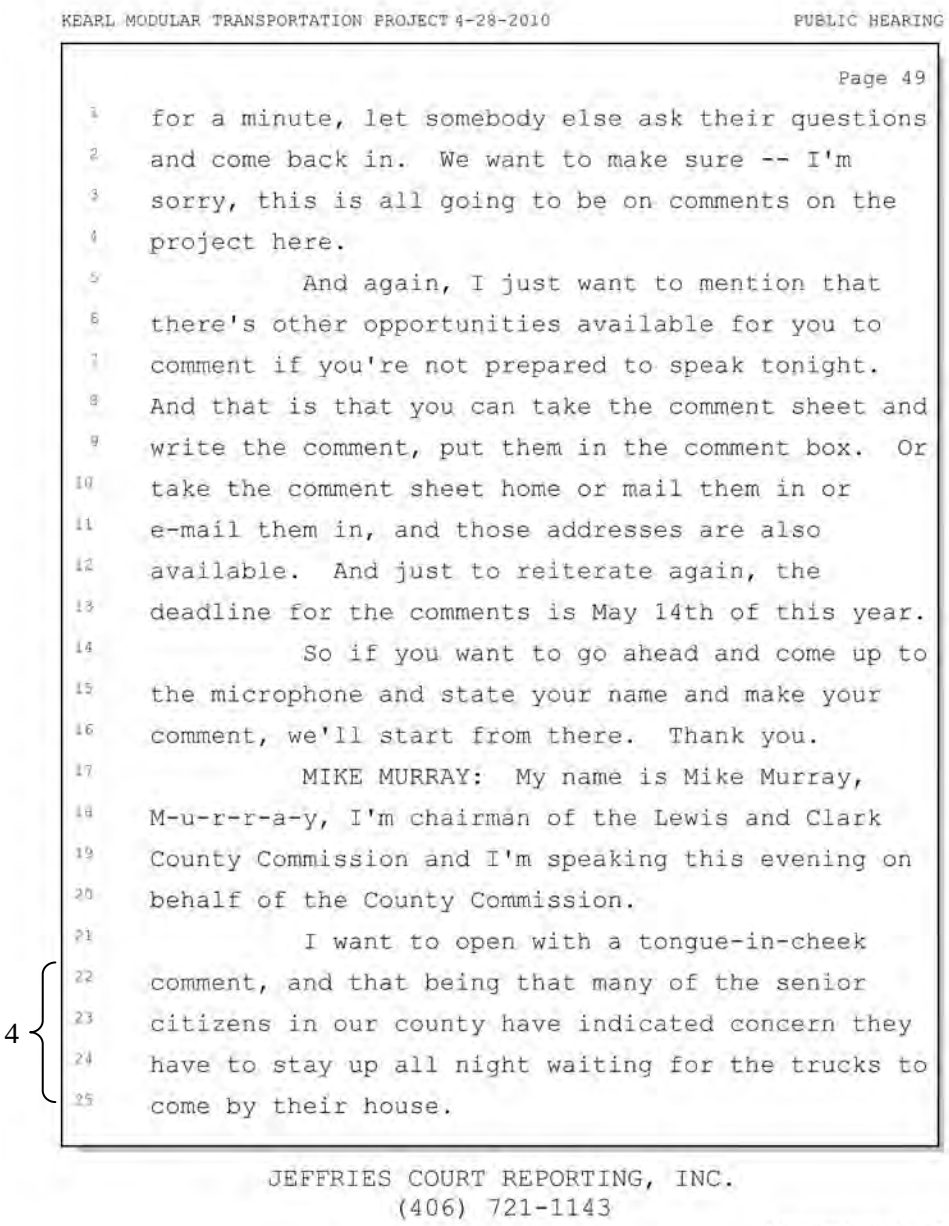

KEARL MODULAR TRANSPORTATION PROJECT 4-28-2010 PUBLIC HEARING

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for a minute, let somebody else ask their questions and come back in. We want to make sure -- I'm sorry, this is all going to be on comments on the project here.

And again, I just want to mention that there's other opportunities available for you to comment if you're not prepared to speak tonight. And that is that you can take the comment sheet and write the comment, put them in the comment box. Or take the comment sheet home or mail them in or e-mail them in, and those addresses are also available. And just to reiterate again, the deadline for the comments is May 14th of this year.

So if you want to go ahead and come up to the microphone and state your name and make your comment, we'll start from there. Thank you.

MIKE MURRAY: My name is Mike Murray, M-u-r-r-a-y, I'm chairman of the Lewis and Clark County Commission and I'm speaking this evening on behalf of the County Commission.

I want to open with a tongue-in-cheek comment, and that being that many of the senior citizens in our county have indicated concern they have to stay up all night waiting for the trucks to come by their house.

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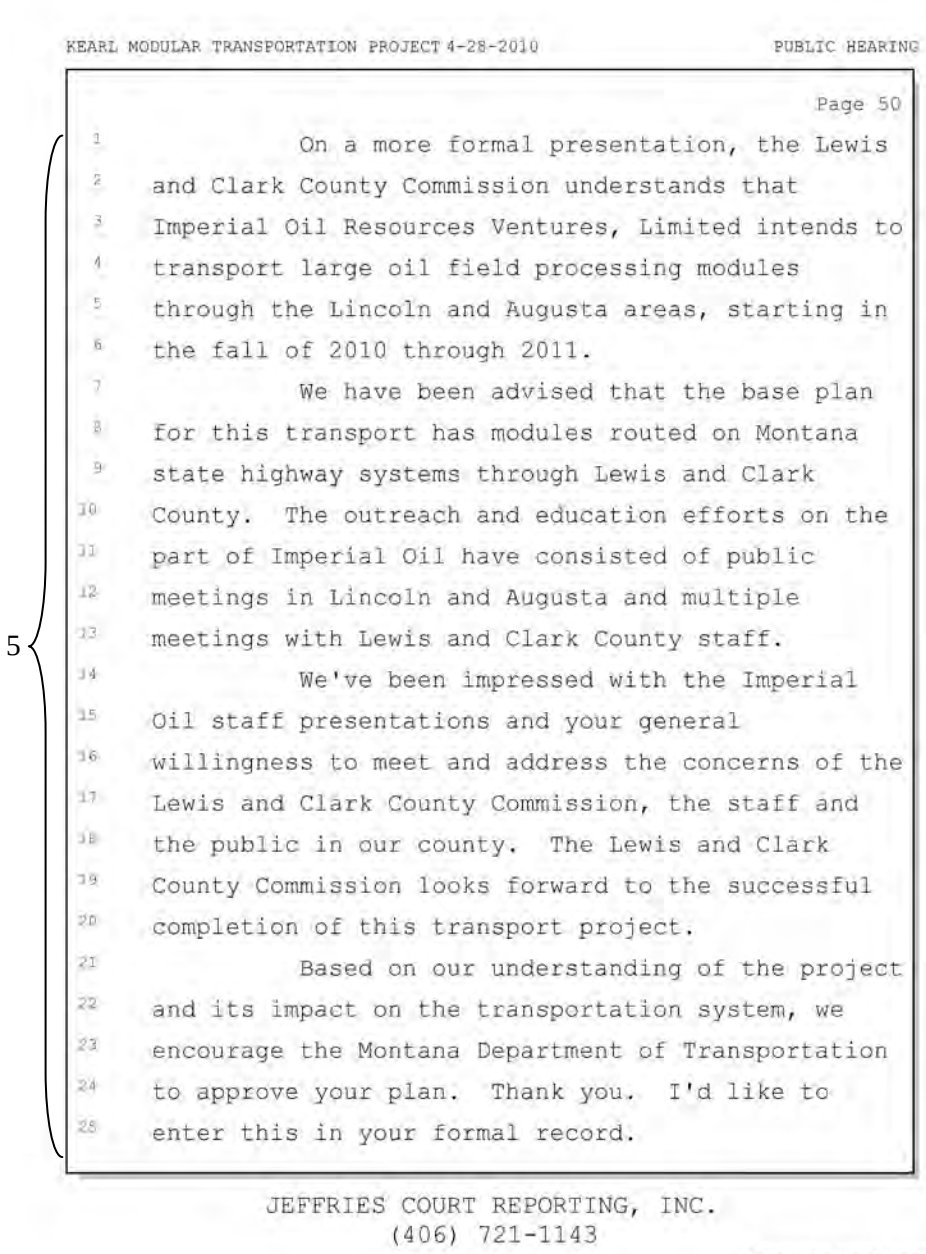
Lewis and Clark County Commission, Chairman Mike Murray

4. Comment noted.



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On a more formal presentation, the Lewis and Clark County Commission understands that Imperial Oil Resources Ventures, Limited intends to transport large oil field processing modules through the Lincoln and Augusta areas, starting in the fall of 2010 through 2011.

We have been advised that the base plan for this transport has modules routed on Montana state highway systems through Lewis and Clark County. The outreach and education efforts on the part of Imperial Oil have consisted of public meetings in Lincoln and Augusta and multiple meetings with Lewis and Clark County staff.

We've been impressed with the Imperial Oil staff presentations and your general willingness to meet and address the concerns of the Lewis and Clark County Commission, the staff and the public in our county. The Lewis and Clark County Commission looks forward to the successful completion of this transport project.

Based on our understanding of the project and its impact on the transportation system, we encourage the Montana Department of Transportation to approve your plan. Thank you. I'd like to enter this in your formal record.

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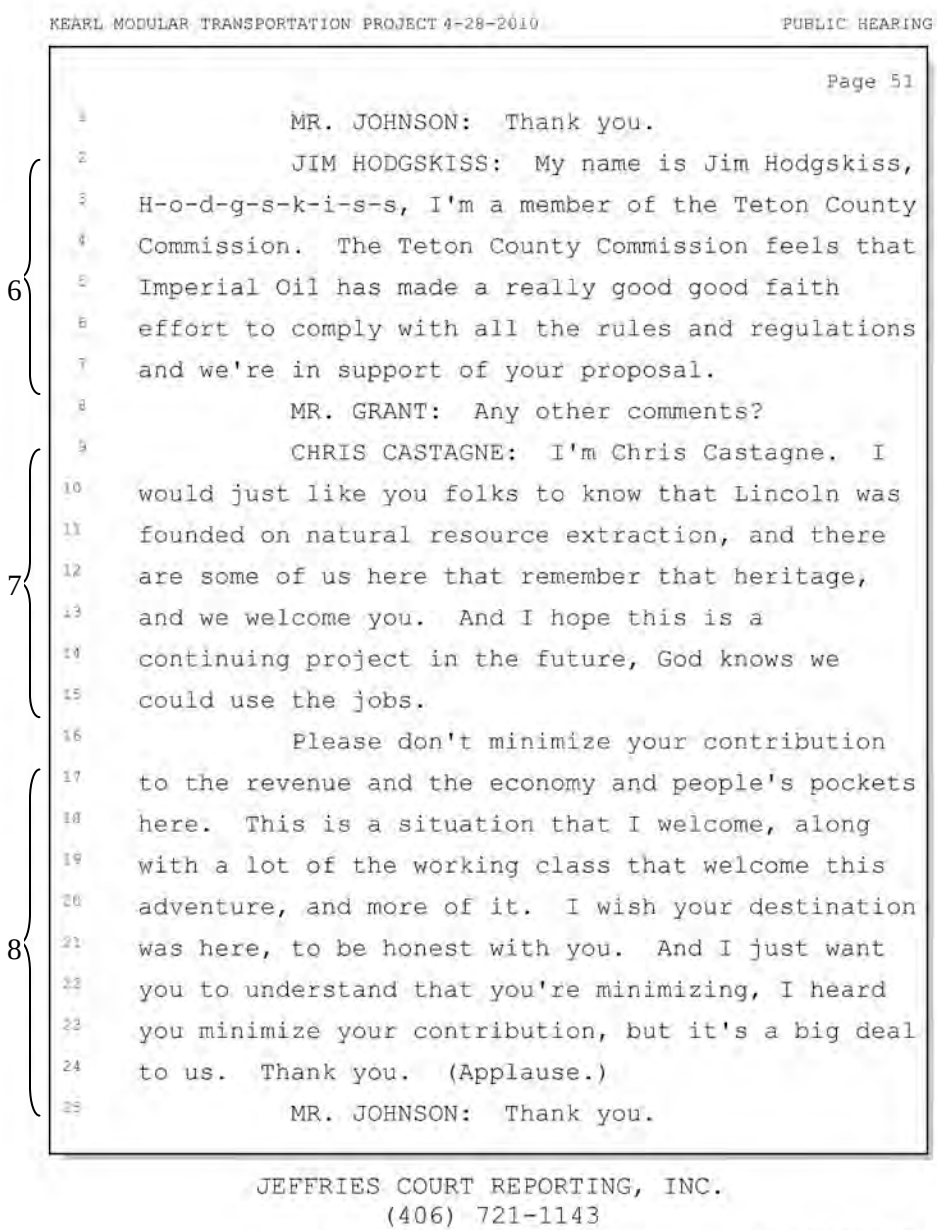
5. Comments noted.



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MR. JOHNSON: Thank you.

JIM HODGSKISS: My name is Jim Hodgskiss, H-o-d-g-s-k-i-s-s, I'm a member of the Teton County Commission. The Teton County Commission feels that Imperial Oil has made a really good good faith effort to comply with all the rules and regulations and we're in support of your proposal.

MR. GRANT: Any other comments?

CHRIS CASTAGNE: I'm Chris Castagne. I would just like you folks to know that Lincoln was founded on natural resource extraction, and there are some of us here that remember that heritage, and we welcome you. And I hope this is a continuing project in the future, God knows we could use the jobs.

Please don't minimize your contribution to the revenue and the economy and people's pockets here. This is a situation that I welcome, along with a lot of the working class that welcome this adventure, and more of it. I wish your destination was here, to be honest with you. And I just want you to understand that you're minimizing, I heard you minimize your contribution, but it's a big deal to us. Thank you. (Applause.)

MR. JOHNSON: Thank you.

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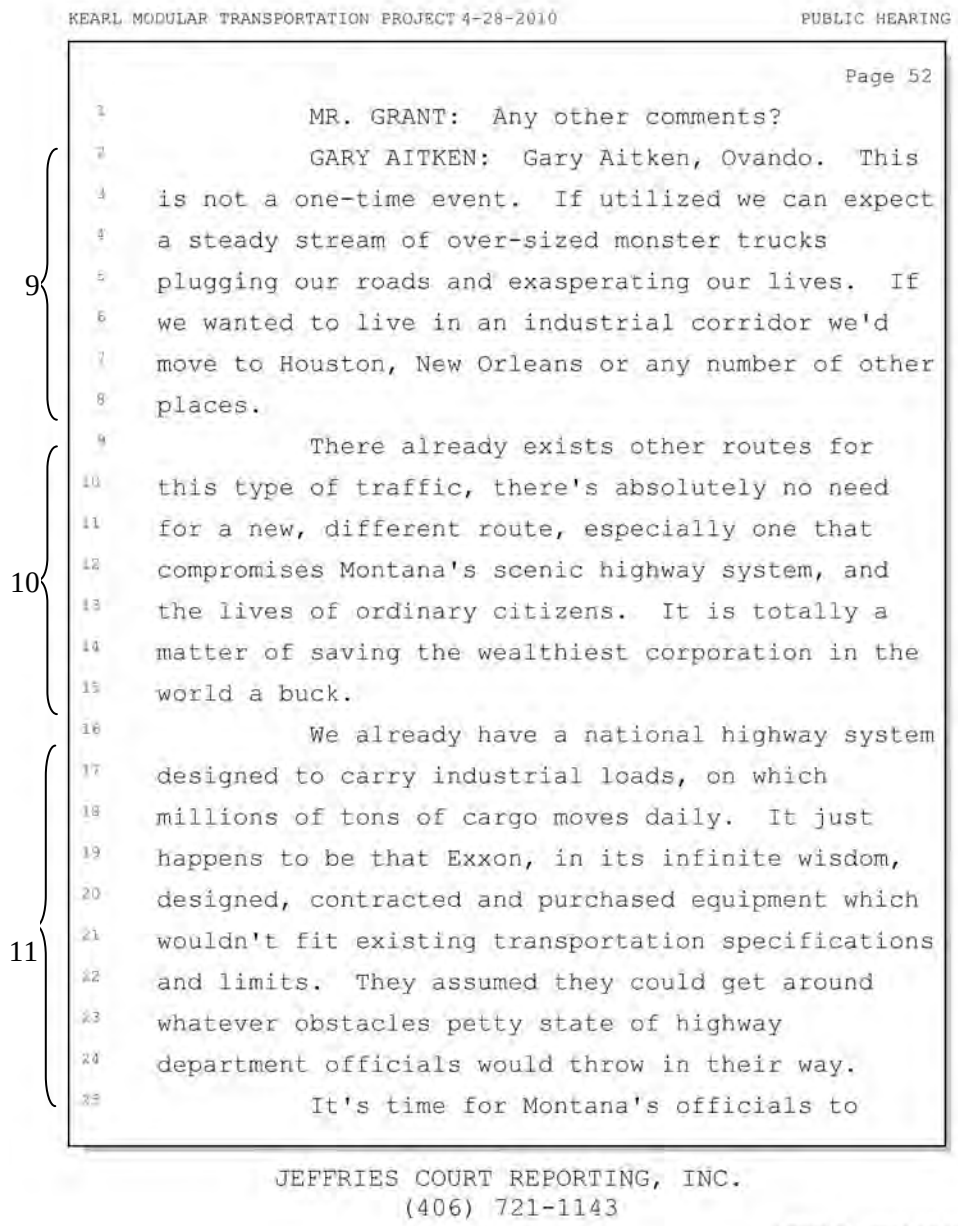
Teton County Commission, Jim Hodgskiss

6. Comment noted.

Castagne, Chris

7. Comment noted.

8. Comment noted.



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MR. GRANT: Any other comments?

GARY AITKEN: Gary Aitken, Ovando. This is not a one-time event. If utilized we can expect a steady stream of over-sized monster trucks plugging our roads and exasperating our lives. If we wanted to live in an industrial corridor we'd move to Houston, New Orleans or any number of other places.

There already exists other routes for this type of traffic, there's absolutely no need for a new, different route, especially one that compromises Montana's scenic highway system, and the lives of ordinary citizens. It is totally a matter of saving the wealthiest corporation in the world a buck.

We already have a national highway system designed to carry industrial loads, on which millions of tons of cargo moves daily. It just happens to be that Exxon, in its infinite wisdom, designed, contracted and purchased equipment which wouldn't fit existing transportation specifications and limits. They assumed they could get around whatever obstacles petty state of highway department officials would throw in their way.

It's time for Montana's officials to

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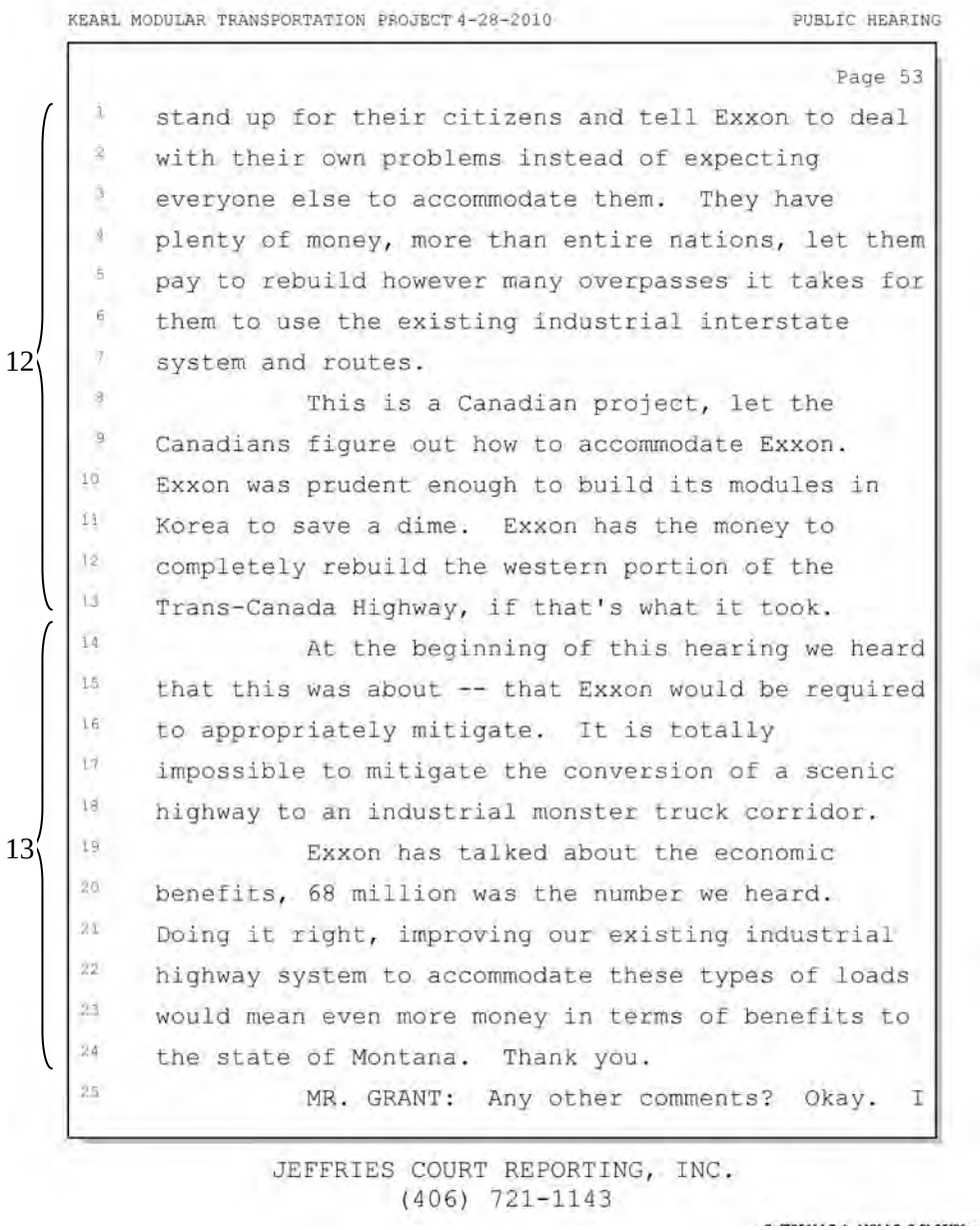
Aitken, Gary

9. See responses to Common Comments K and G.

10. See response to Common Comment J.

11. Comment noted.



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stand up for their citizens and tell Exxon to deal with their own problems instead of expecting everyone else to accommodate them. They have plenty of money, more than entire nations, let them pay to rebuild however many overpasses it takes for them to use the existing industrial interstate system and routes.

This is a Canadian project, let the Canadians figure out how to accommodate Exxon. Exxon was prudent enough to build its modules in Korea to save a dime. Exxon has the money to completely rebuild the western portion of the Trans-Canada Highway, if that's what it took.

At the beginning of this hearing we heard that this was about -- that Exxon would be required to appropriately mitigate. It is totally impossible to mitigate the conversion of a scenic highway to an industrial monster truck corridor.

Exxon has talked about the economic benefits, 68 million was the number we heard. Doing it right, improving our existing industrial highway system to accommodate these types of loads would mean even more money in terms of benefits to the state of Montana. Thank you.

MR. GRANT: Any other comments? Okay. I

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12. See response to Common Comments D1 and D2.

13. See the response to Common Comment J.

guess we'll go ahead and close the formal hearing at this time, and with that, this will conclude the meeting and the formal meeting.

On behalf of the Montana Department of Transportation and also on behalf of Imperial Oil and their staff, we appreciate you taking the time to come tonight. We're gonna be here afterwards if you have questions regarding the diagrams, please stay around. And again, thank you for coming tonight.

(Public hearing concluded at 7:48 p.m.)

* * *

MISSOULA PUBLIC MEETING COMMENTS

PUBLIC HEARING FOR

KEARL MODULE TRANSPORTATION PROJECT

Taken at 4210 Reserve Street

Missoula, Montana

Thursday, April 29, 2010, 8:37 A.M.

Reported by Terra Rohlfs, Jeffries Court Reporting, Inc., 1015 Mount Avenue, Suite C, Missoula, Montana 59801, (406)721-1143, 1-800-769-1052, Freelance Court Reporter and Notary Public for the State of Montana, residing in Hamilton, Montana.

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MR. GRANT: We'll go ahead and start with the formal hearing now, with the comments.

First off I want to, on behalf of Montana Department of Transportation and our panel here tonight, I want to commend you all for being really respectful with your questions, very thought-provoking, and we really appreciate how well the process went and we hope it will go as well in the formal hearing now.

And first off I want to know, can I just see a show of hands of how many people want to comment tonight (numerous people raise their hands.)

So again we'd just ask that you be respectful regarding the time and for other people's time as well, and make sure that we get that taken care of. And, you know, just kind of think of it like a three-minute time period, I know we're not gonna limit you to that, but if you can just kind of keep an idea of that in mind to make sure that everybody gets an opportunity to speak. And, you know, if you want to step aside and let somebody else speak and come back, that would be fine too. We just want to make sure that everybody gets to make comments here tonight.

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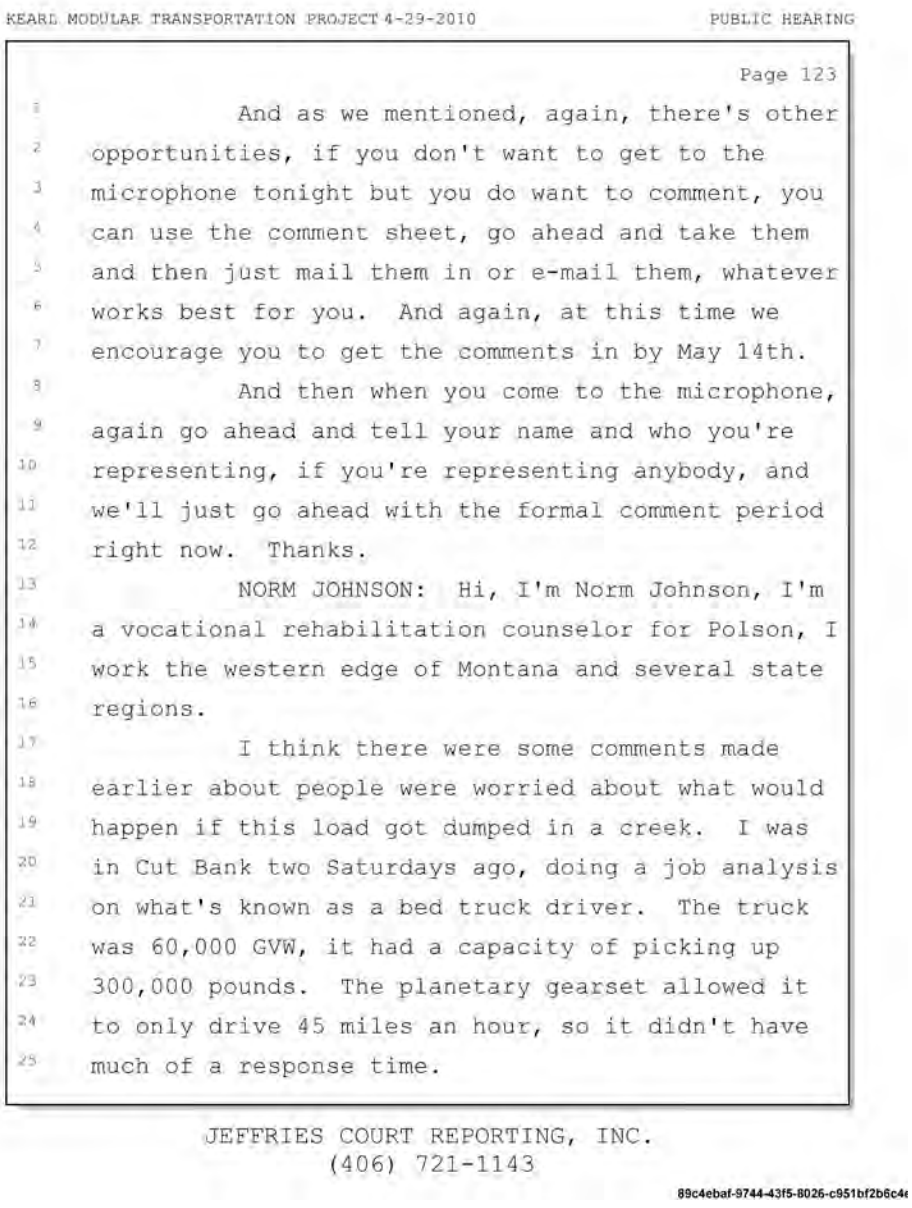

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And as we mentioned, again, there's other opportunities, if you don't want to get to the microphone tonight but you do want to comment, you can use the comment sheet, go ahead and take them and then just mail them in or e-mail them, whatever works best for you. And again, at this time we encourage you to get the comments in by May 14th.

And then when you come to the microphone, again go ahead and tell your name and who you're representing, if you're representing anybody, and we'll just go ahead with the formal comment period right now. Thanks.

NORM JOHNSON: Hi, I'm Norm Johnson, I'm a vocational rehabilitation counselor for Polson, I work the western edge of Montana and several state regions.

I think there were some comments made earlier about people were worried about what would happen if this load got dumped in a creek. I was in Cut Bank two Saturdays ago, doing a job analysis on what's known as a bed truck driver. The truck was 60,000 GVW, it had a capacity of picking up 300,000 pounds. The planetary gearset allowed it to only drive 45 miles an hour, so it didn't have much of a response time.

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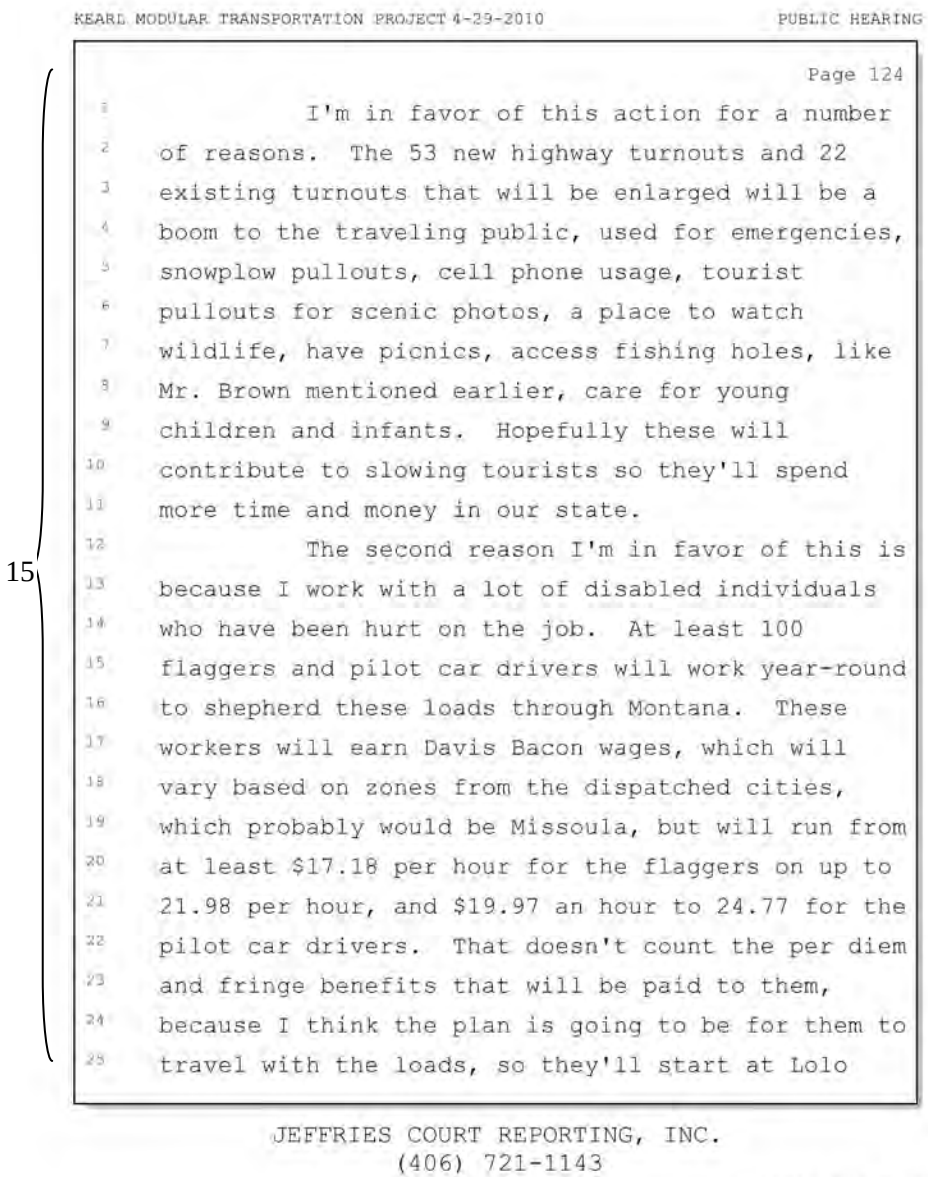
Johnson, Norman

14. Comment noted.



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I'm in favor of this action for a number of reasons. The 53 new highway turnouts and 22 existing turnouts that will be enlarged will be a boom to the traveling public, used for emergencies, snowplow pullouts, cell phone usage, tourist pullouts for scenic photos, a place to watch wildlife, have picnics, access fishing holes, like Mr. Brown mentioned earlier, care for young children and infants. Hopefully these will contribute to slowing tourists so they'll spend more time and money in our state.

The second reason I'm in favor of this is because I work with a lot of disabled individuals who have been hurt on the job. At least 100 flaggers and pilot car drivers will work year-round to shepherd these loads through Montana. These workers will earn Davis Bacon wages, which will vary based on zones from the dispatched cities, which probably would be Missoula, but will run from at least $17.18 per hour for the flaggers on up to 21.98 per hour, and $19.97 an hour to 24.77 for the pilot car drivers. That doesn't count the per diem and fringe benefits that will be paid to them, because I think the plan is going to be for them to travel with the loads, so they'll start at Lolo

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15. Comment noted.

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Pass and they'll be moving with the loads all the way to Canada.

These 100 flaggers and pilot car drivers are gonna consist of a number of high-risk members of society, such as disabled and handicapped workers who can only perform work with a physical capacity rating of sedentary to light, and also group members from various Montana tribes who are experiencing unemployment rates of 25 percent on their reservations, and some single women who are trying to support their families.

From 1980 to 1982 huge equipment, large equipment was transported from Billings to Colstrip to finish the Colstrip project. Today along I-94 the pullouts that they constructed around the overpasses are barely visible, you can hardly see them. They were real easy to see when I was over in that area during those summer months, now hardly visible.

The other reason I'm in favor of this project is because the oil produced in oil sand fields in Alberta is destined to be pumped to the Cenex refinery in Laurel. They've already spent millions in improving their refinery to handle this heavy crude that's gonna be coming in there. This

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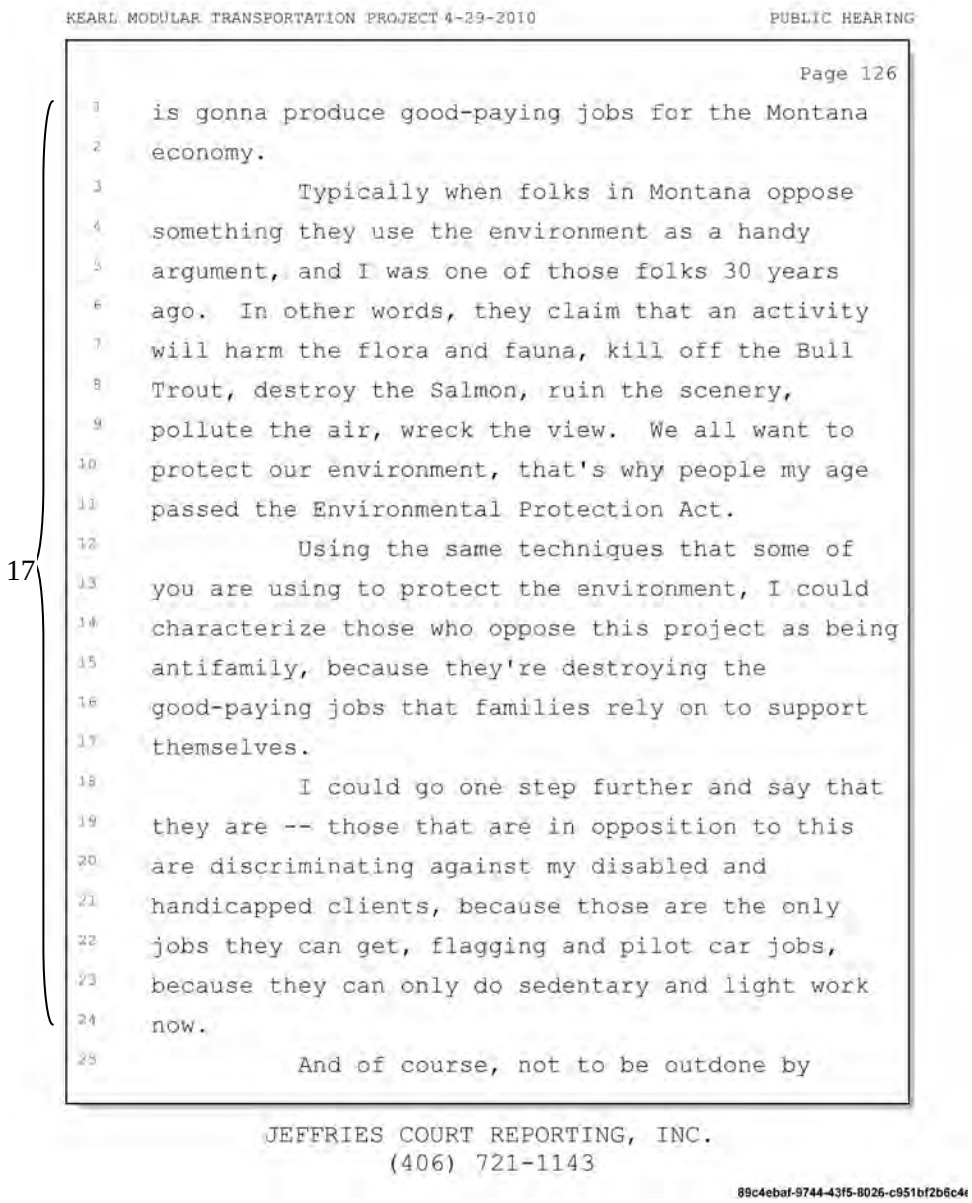
16. Comments noted.



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is gonna produce good-paying jobs for the Montana economy.

Typically when folks in Montana oppose something they use the environment as a handy argument, and I was one of those folks 30 years ago. In other words, they claim that an activity will harm the flora and fauna, kill off the Bull Trout, destroy the Salmon, ruin the scenery, pollute the air, wreck the view. We all want to protect our environment, that's why people my age passed the Environmental Protection Act.

Using the same techniques that some of you are using to protect the environment, I could characterize those who oppose this project as being antifamily, because they're destroying the good-paying jobs that families rely on to support themselves.

I could go one step further and say that they are -- those that are in opposition to this are discriminating against my disabled and handicapped clients, because those are the only jobs they can get, flagging and pilot car jobs, because they can only do sedentary and light work now.

And of course, not to be outdone by

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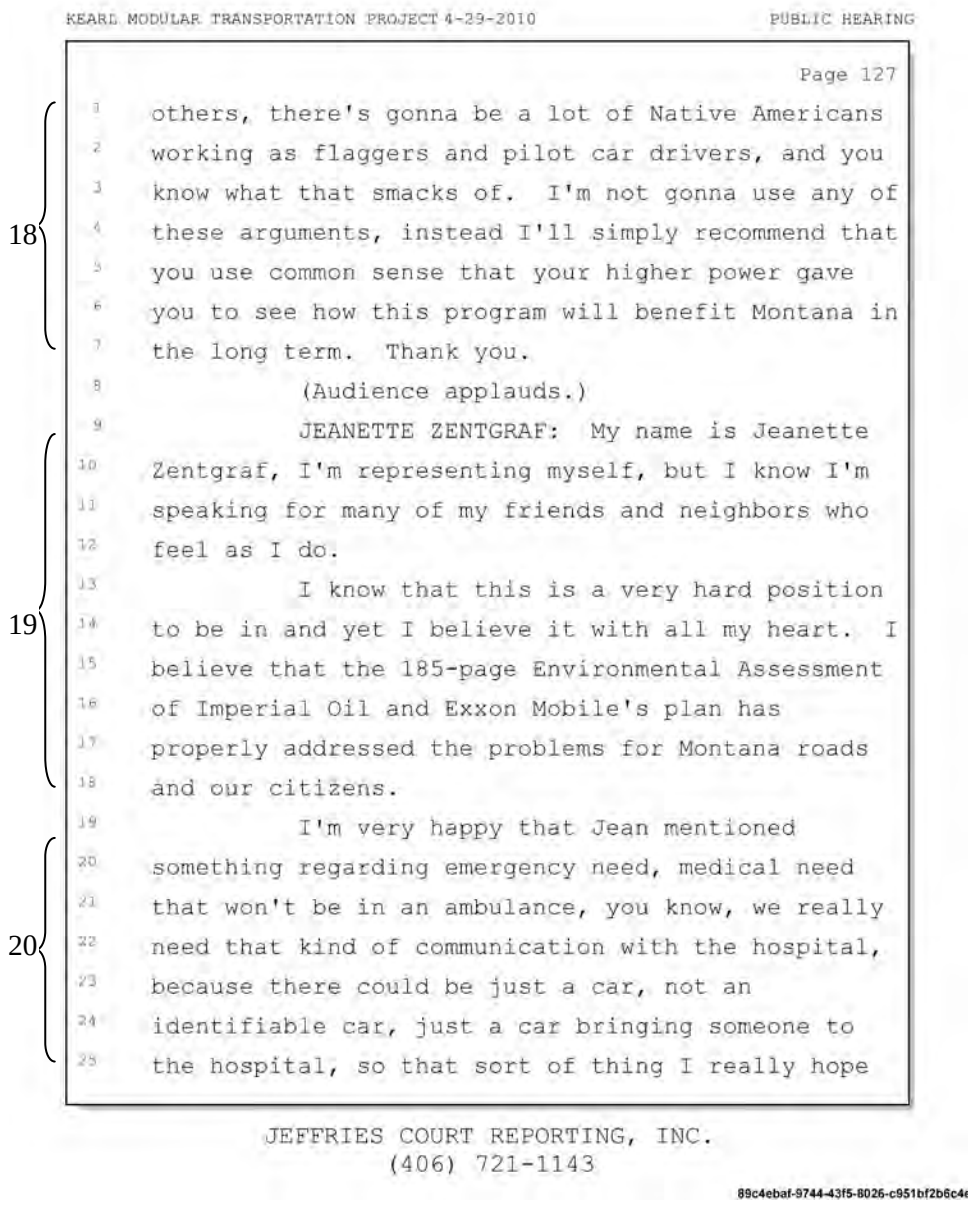
17. Comment noted.



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others, there's gonna be a lot of Native Americans working as flaggers and pilot car drivers, and you know what that smacks of. I'm not gonna use any of these arguments, instead I'll simply recommend that you use common sense that your higher power gave you to see how this program will benefit Montana in the long term. Thank you.

(Audience applauds.)

JEANETTE ZENTGRAF: My name is Jeanette Zentgraf, I'm representing myself, but I know I'm speaking for many of my friends and neighbors who feel as I do.

I know that this is a very hard position to be in and yet I believe it with all my heart. I believe that the 185-page Environmental Assessment of Imperial Oil and Exxon Mobile's plan has properly addressed the problems for Montana roads and our citizens.

I'm very happy that Jean mentioned something regarding emergency need, medical need that won't be in an ambulance, you know, we really need that kind of communication with the hospital, because there could be just a car, not an identifiable car, just a car bringing someone to the hospital, so that sort of thing I really hope

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18. Comments noted.

Zentgraf, Jeanette

19. Comments noted.

20. See response to Common Comment H3.

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you will consider and add to your position.

But I think that the plan should be supported and I, for one, would like to see Canada's job market improve and to have the United States import their oil and have a less expensive energy.

And I was very offended when there were certain comments about how much money an oil company makes. I don't think people realize when they love nature so much and they love the environment, that you are providing work for families. And as a retired teacher, I'm always keeping track of statistics, and here in Montana there are more homeless children because their families are out of their homes, than ever before, so I would love to see more work here.

To stop this project because of global warming, which I've also heard alluded to, in my mind is ridiculous. The UN's IPCC, Intergovernmental Panel on Climate Change, has been discredited, even though President Obama says, quote, "the science is settled". 700 scientists from around the world have expressed doubts about global warming. 12 times the number of United Nation IPCC scientists.

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21. Comments noted.

22. Comment noted.

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34,000 American scientists have signed a petition saying there is no convincing scientific evidence that human release of carbon dioxide, methane or other greenhouse gasses is causing disruption of the Earth's climate. Harvard scholar and climate scientist Willy Soon put it best, saying, quote, "it's the sun, stupid", unquote.

Any warming stopped actually in 1999 the preforming period --

(Slight laughter from the audience.)

JEANNETTE ZENTGRAF: I think it's very rude to laugh at someone, you may disagree with the statistics, but it is rude, just the same.

Any warming actually stopped in 1999, as I said. The brief warming period we experienced in the past decade was completely natural, caused in part by storms on the sun, not CO^2 emissions from SUVs. Now that the sun storms have ended, a cooling period has begun.

I believe Tom DeWise, who has been reporting for more than 15 years, that "global warming and climate change" -- this is all a quote -- "have never been about protecting the environment, it is an excuse to divert free markets, industry, private property ownership,

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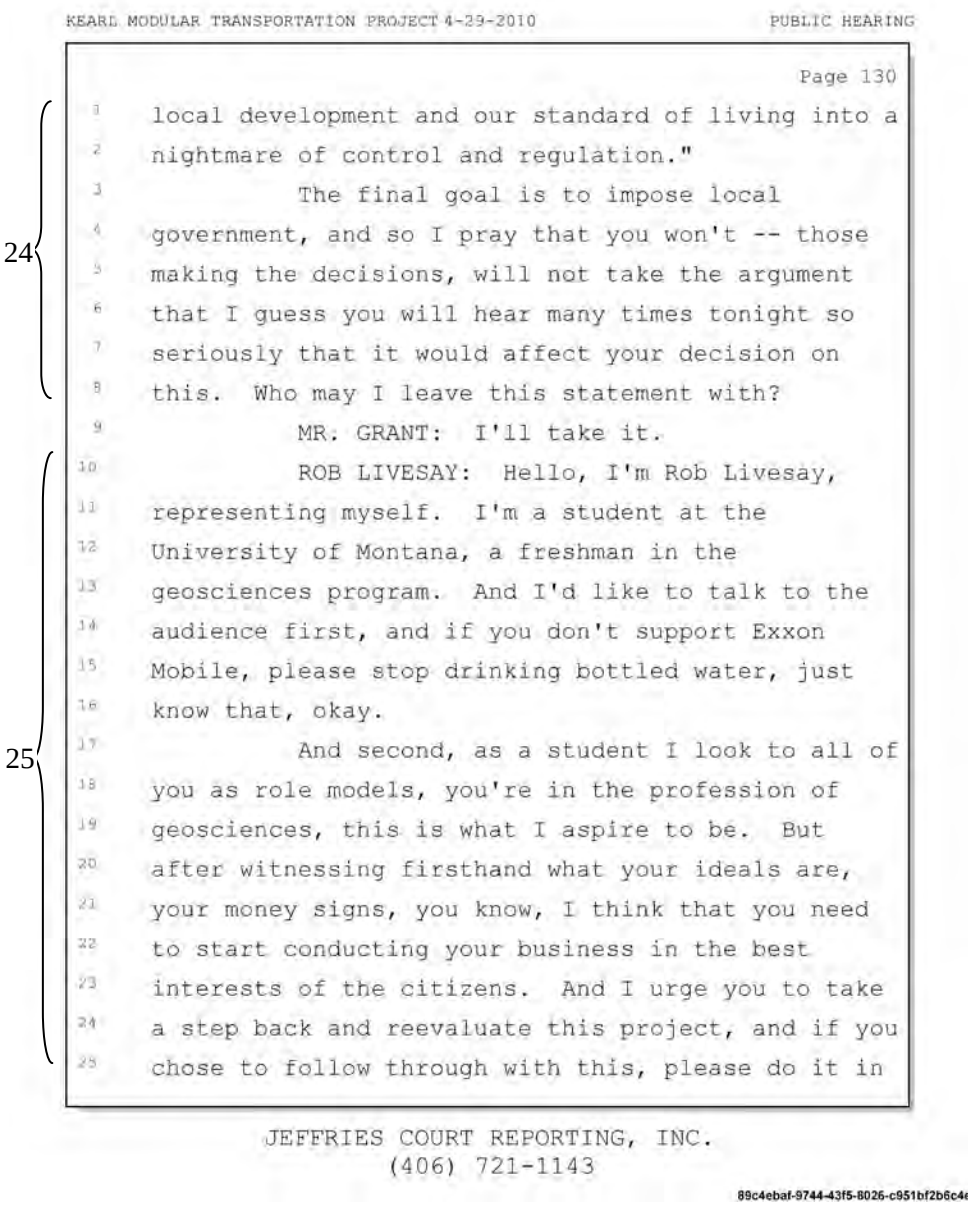
23. Comments noted.



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local development and our standard of living into a nightmare of control and regulation."

The final goal is to impose local government, and so I pray that you won't -- those making the decisions, will not take the argument that I guess you will hear many times tonight so seriously that it would affect your decision on this. Who may I leave this statement with?

MR. GRANT: I'll take it.

ROB LIVESAY: Hello, I'm Rob Livesay, representing myself. I'm a student at the University of Montana, a freshman in the geosciences program. And I'd like to talk to the audience first, and if you don't support Exxon Mobile, please stop drinking bottled water, just know that, okay.

And second, as a student I look to all of you as role models, you're in the profession of geosciences, this is what I aspire to be. But after witnessing firsthand what your ideals are, your money signs, you know, I think that you need to start conducting your business in the best interests of the citizens. And I urge you to take a step back and reevaluate this project, and if you chose to follow through with this, please do it in

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24. Comments noted.

Livesay, Rob

25. Comment noted.

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the best interests of the citizens of the state of Montana and not yourselves, so my faith in the geosciences profession can be restored. Thank you.

MICHELE LANDQUIST: Good evening, my name is Michele Landquist, I'm a Missoula County Commissioner and I'm here today representing a few comments that we want to make on behalf of the Commission, but we will be submitting a more formal letter after this meeting.

So we have a number of concerns related to the project. One is the fact that we did not receive this draft EA until April 13th, in spite of the fact that you contacted us and met with us numerous times, we kept saying we need an EA, we need an EA, we finally received it in our office on April 13th, and we would like the additional time to comment, so we believe that an additional 90 days is warranted to provide adequate comment, this is not enough time for us, let alone others, to really thoroughly review and make educated and thoughtful comments.

We also, from what we have reviewed thus far, believe that the Environmental Assessment lacks adequate alternatives analysis, adequate response, emergency response analysis. The

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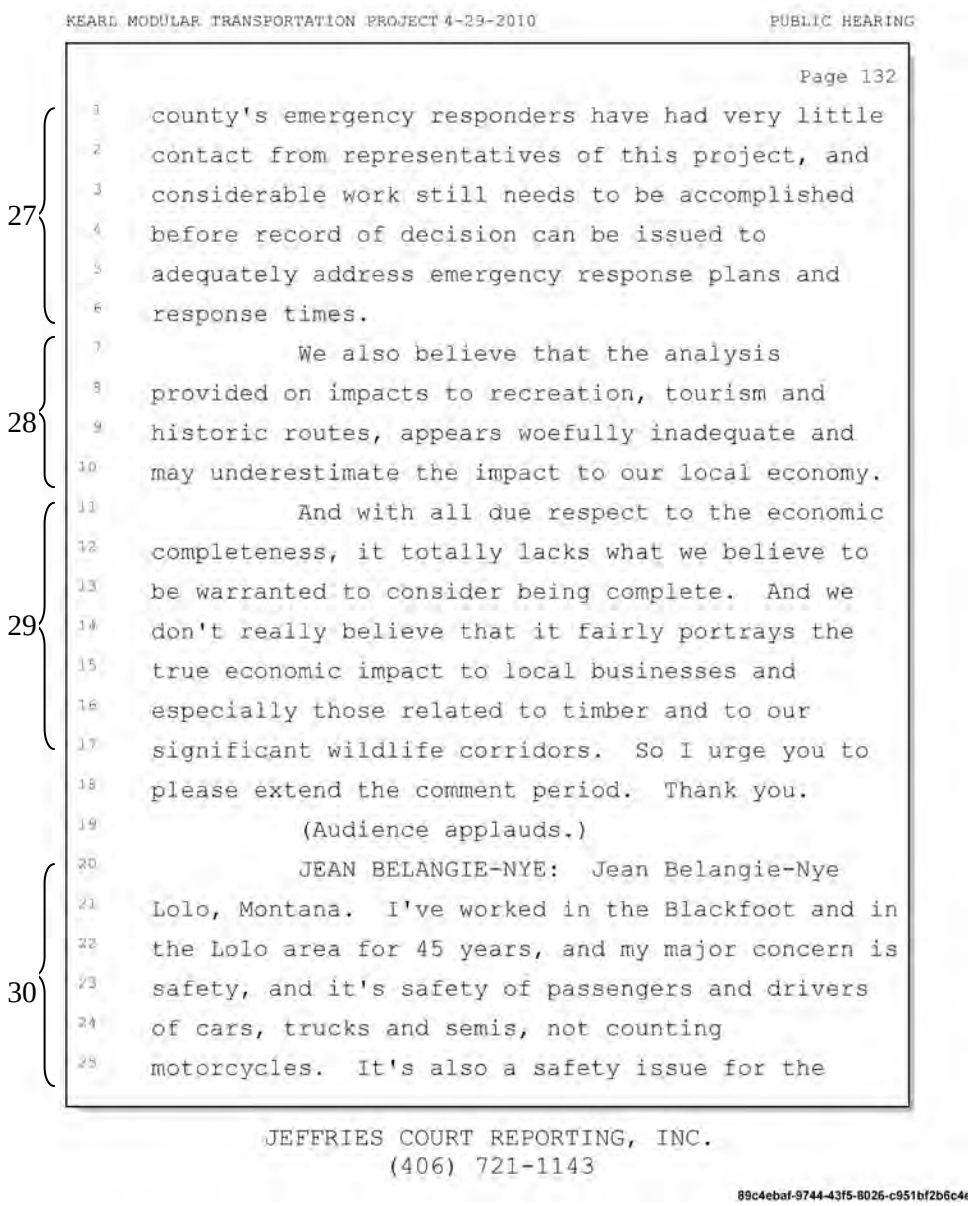
Missoula County Commission, Michele Landquist

26. The comment period opened on April 14. See response to Common Comment F1.

27. See responses to Common Comments D1, D2, D3, and H3.



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county's emergency responders have had very little contact from representatives of this project, and considerable work still needs to be accomplished before record of decision can be issued to adequately address emergency response plans and response times.

We also believe that the analysis provided on impacts to recreation, tourism and historic routes, appears woefully inadequate and may underestimate the impact to our local economy.

And with all due respect to the economic completeness, it totally lacks what we believe to be warranted to consider being complete. And we don't really believe that it fairly portrays the true economic impact to local businesses and especially those related to timber and to our significant wildlife corridors. So I urge you to please extend the comment period. Thank you.

(Audience applauds.)

JEAN BELANGIE-NYE: Jean Belangie-Nye Lolo, Montana. I've worked in the Blackfoot and in the Lolo area for 45 years, and my major concern is safety, and it's safety of passengers and drivers of cars, trucks and semis, not counting motorcycles. It's also a safety issue for the

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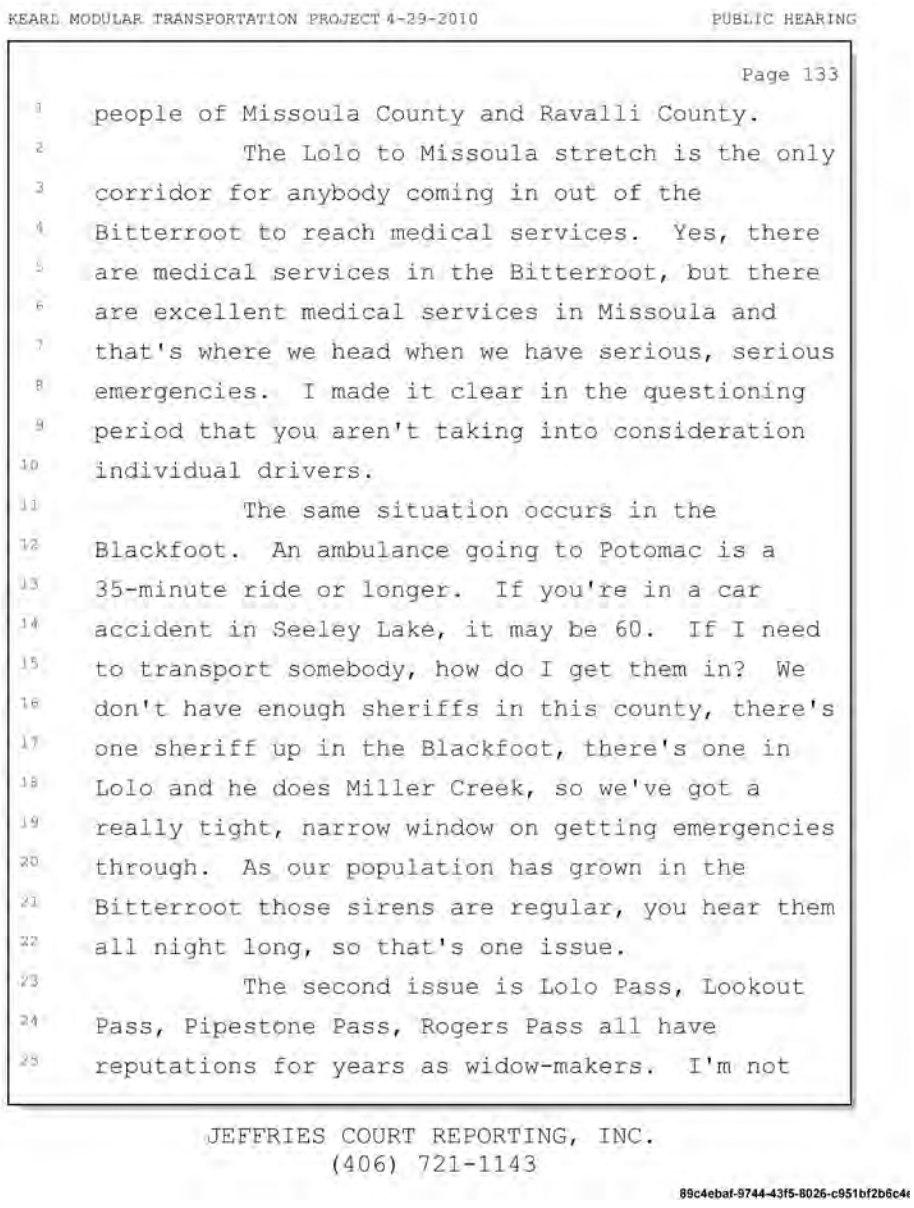
See response above

28. See responses to Common Comments M and N.

29. See responses to Common Comments M and I.

Belangie-Nye, Jean

30. See response to Common Comment H3.



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people of Missoula County and Ravalli County.

The Lolo to Missoula stretch is the only corridor for anybody coming in out of the Bitterroot to reach medical services. Yes, there are medical services in the Bitterroot, but there are excellent medical services in Missoula and that's where we head when we have serious, serious emergencies. I made it clear in the questioning period that you aren't taking into consideration individual drivers.

The same situation occurs in the Blackfoot. An ambulance going to Potomac is a 35-minute ride or longer. If you're in a car accident in Seeley Lake, it may be 60. If I need to transport somebody, how do I get them in? We don't have enough sheriffs in this county, there's one sheriff up in the Blackfoot, there's one in Lolo and he does Miller Creek, so we've got a really tight, narrow window on getting emergencies through. As our population has grown in the Bitterroot those sirens are regular, you hear them all night long, so that's one issue.

The second issue is Lolo Pass, Lookout Pass, Pipestone Pass, Rogers Pass all have reputations for years as widow-makers. I'm not

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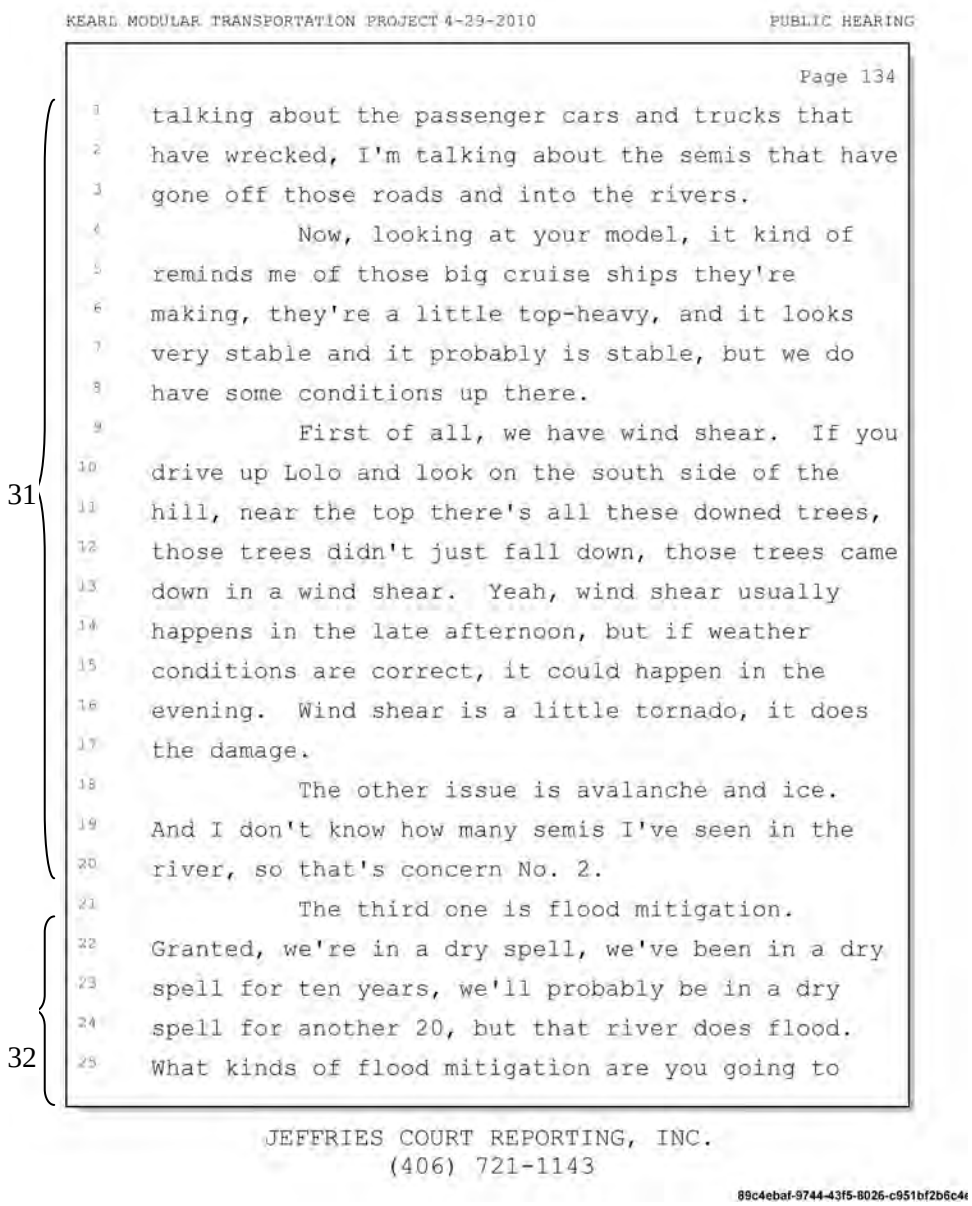

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talking about the passenger cars and trucks that have wrecked, I'm talking about the semis that have gone off those roads and into the rivers.

Now, looking at your model, it kind of reminds me of those big cruise ships they're making, they're a little top-heavy, and it looks very stable and it probably is stable, but we do have some conditions up there.

First of all, we have wind shear. If you drive up Lolo and look on the south side of the hill, near the top there's all these downed trees, those trees didn't just fall down, those trees came down in a wind shear. Yeah, wind shear usually happens in the late afternoon, but if weather conditions are correct, it could happen in the evening. Wind shear is a little tornado, it does the damage.

The other issue is avalanche and ice. And I don't know how many semis I've seen in the river, so that's concern No. 2.

The third one is flood mitigation. Granted, we're in a dry spell, we've been in a dry spell for ten years, we'll probably be in a dry spell for another 20, but that river does flood. What kinds of flood mitigation are you going to

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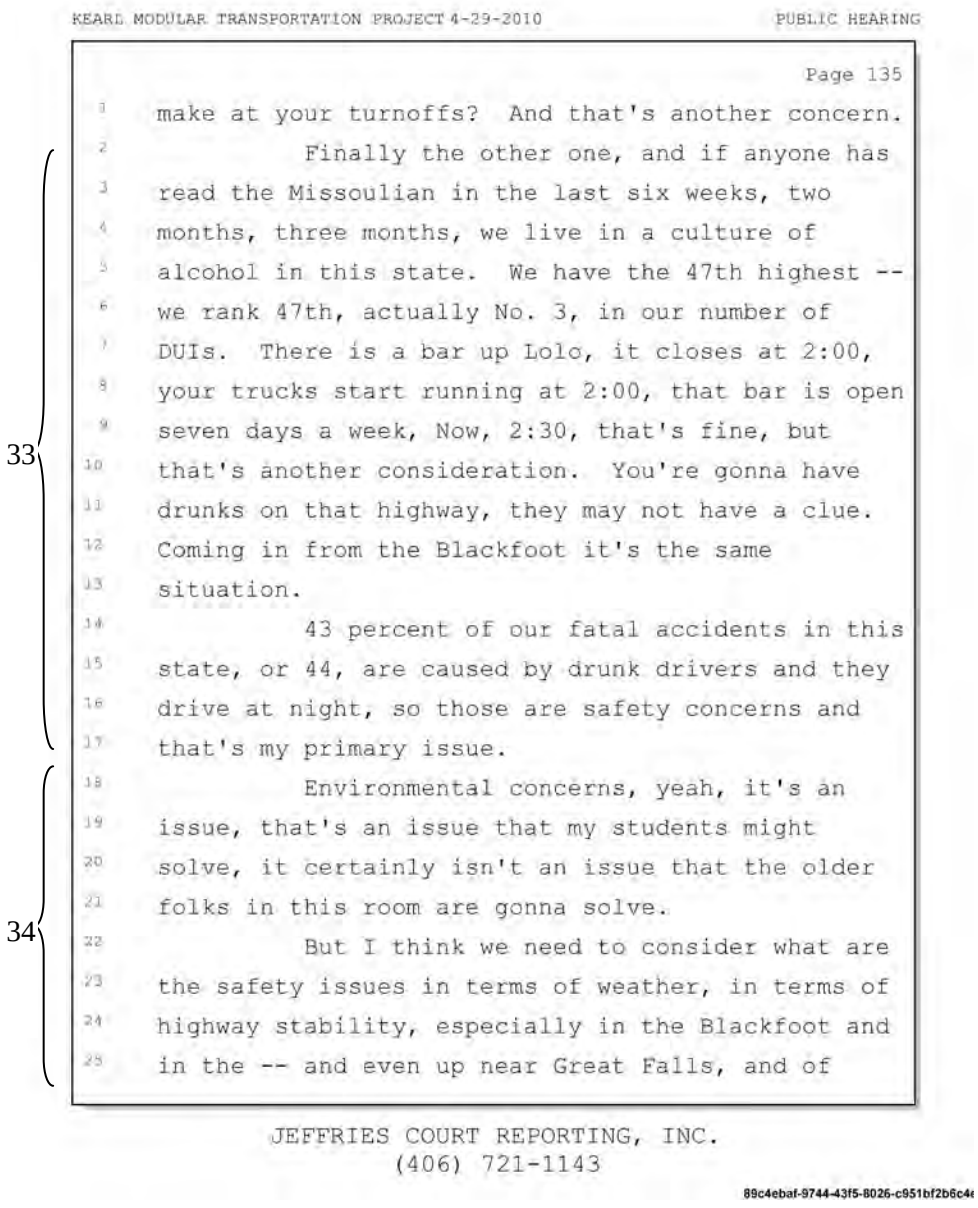
31. Module transportation would not occur when weather conditions make it unsafe.

32. None of the new turnouts are within a floodplain (see EA page 40).



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make at your turnoffs? And that's another concern.

Finally the other one, and if anyone has read the Missoulian in the last six weeks, two months, three months, we live in a culture of alcohol in this state. We have the 47th highest -- we rank 47th, actually No. 3, in our number of DUIs. There is a bar up Lolo, it closes at 2:00, your trucks start running at 2:00, that bar is open seven days a week, Now, 2:30, that's fine, but that's another consideration. You're gonna have drunks on that highway, they may not have a clue. Coming in from the Blackfoot it's the same situation.

43 percent of our fatal accidents in this state, or 44, are caused by drunk drivers and they drive at night, so those are safety concerns and that's my primary issue.

Environmental concerns, yeah, it's an issue, that's an issue that my students might solve, it certainly isn't an issue that the older folks in this room are gonna solve.

But I think we need to consider what are the safety issues in terms of weather, in terms of highway stability, especially in the Blackfoot and in the -- and even up near Great Falls, and of

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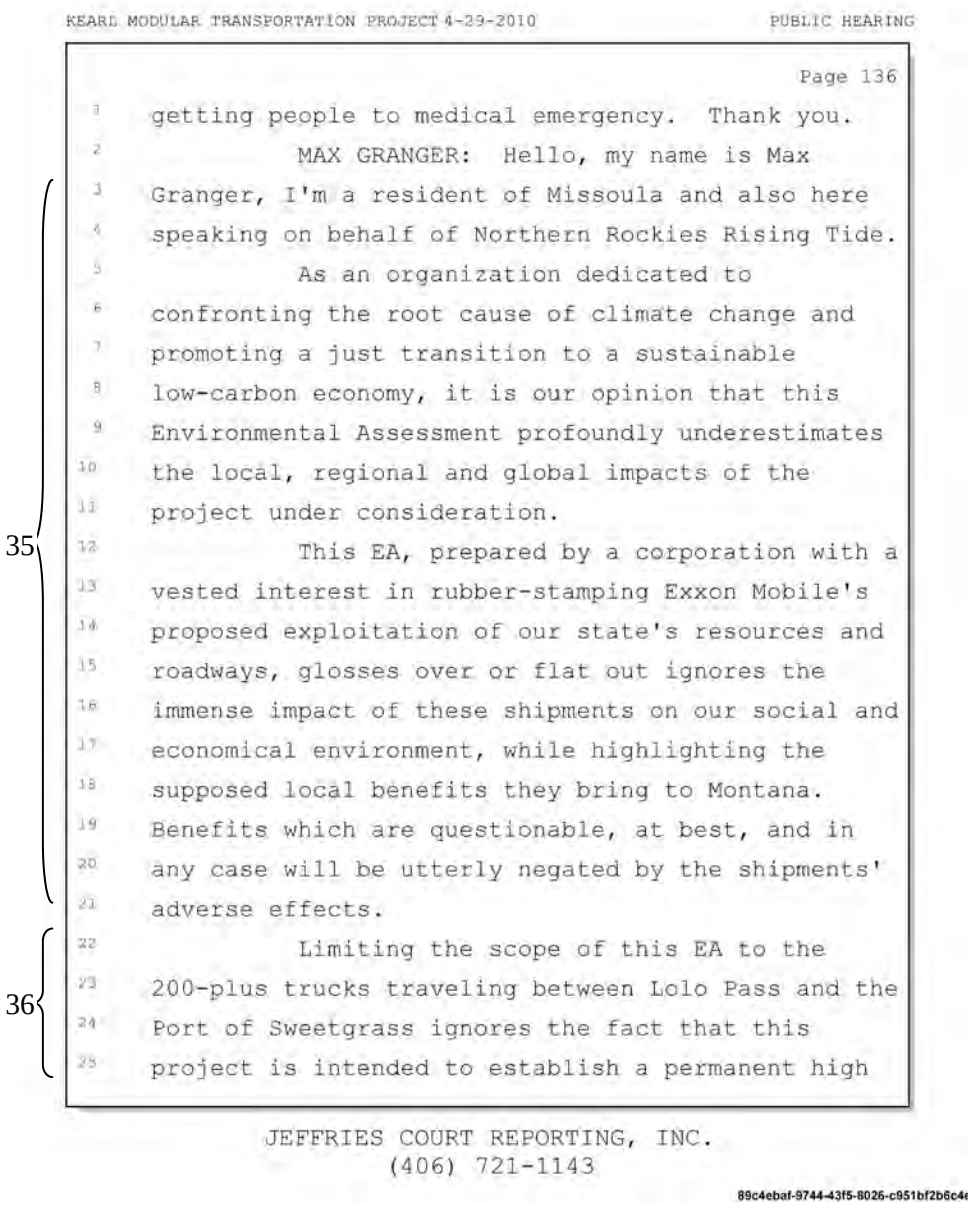
33. As discussed in the EA on page 13, escorts by police (Montana Highway Patrol) will address impaired drivers if they are encountered.

34. Comments noted.



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getting people to medical emergency. Thank you.

MAX GRANGER: Hello, my name is Max Granger, I'm a resident of Missoula and also here speaking on behalf of Northern Rockies Rising Tide.

As an organization dedicated to confronting the root cause of climate change and promoting a just transition to a sustainable low-carbon economy, it is our opinion that this Environmental Assessment profoundly underestimates the local, regional and global impacts of the project under consideration.

35 This EA, prepared by a corporation with a vested interest in rubber-stamping Exxon Mobile's proposed exploitation of our state's resources and roadways, glosses over or flat out ignores the immense impact of these shipments on our social and economical environment, while highlighting the supposed local benefits they bring to Montana. Benefits which are questionable, at best, and in any case will be utterly negated by the shipments' adverse effects.

36 Limiting the scope of this EA to the 200-plus trucks traveling between Lolo Pass and the Port of Sweetgrass ignores the fact that this project is intended to establish a permanent high

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Northern Rockies Rising Tide, Max Granger

35. Comments noted. See response to Common Comment M and the Community Impacts analysis in Section 3.6 of the EA.

36. See responses to Common Comments C2, J, K, L and S.

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and wide corridor though Idaho and Western Montana, transforming what was once a treasured scenic byway into an industrial transport route which would facilitate the shipment of tar-sands and other strip mining equipment for decades to come.

The long-term impacts of this proposal on Montana roadways, communities and the environment, which are not even mentioned in the EA must, for legal as well as ethical reasons, be considered.

By law Environmental Assessments must take into account what are known as secondary impacts. Considering the intense and vast breadth of this project, limiting the scope of this EA to the space between the white lines of the highway and from border to border is not only absurdly myopic, but demonstrates a degree of disingenuousness and contempt one might expect from the likes of Exxon Mobile, not from a state institution entrusted with the public good.

But perhaps the greatest so-called secondary impact is the giant dirty elephant in the room, the Alberta tar-sands. The extraction of unconventional oil from the tar-sands of northern Alberta constitutes, according to leading research climatologist, James Hanson, one of the greatest

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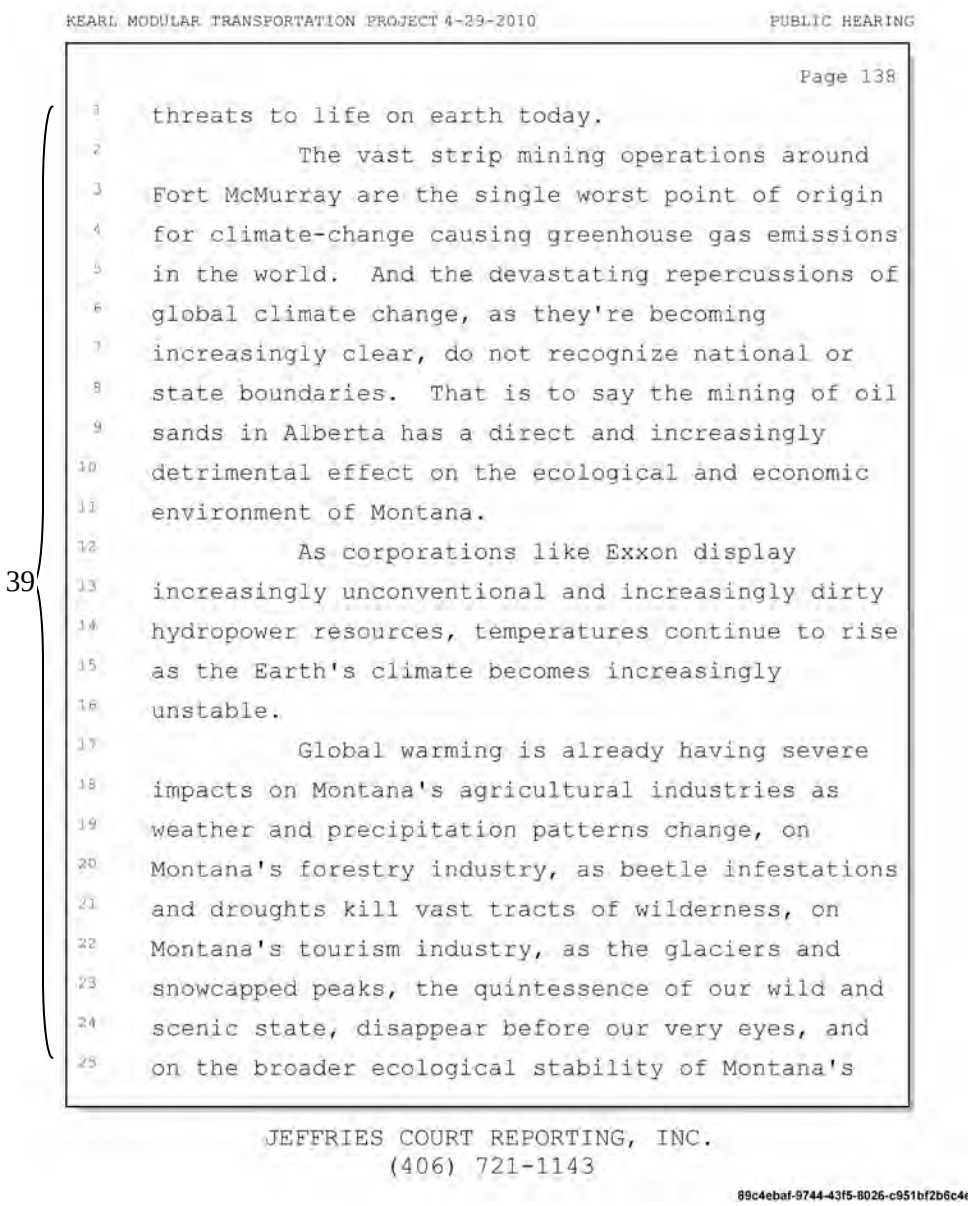
See previous page.

37. See response to Common Comments C1, E1, E2 and S.

38. See response to Common Comment E1.



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threats to life on earth today.

The vast strip mining operations around Fort McMurray are the single worst point of origin for climate-change causing greenhouse gas emissions in the world. And the devastating repercussions of global climate change, as they're becoming increasingly clear, do not recognize national or state boundaries. That is to say the mining of oil sands in Alberta has a direct and increasingly detrimental effect on the ecological and economic environment of Montana.

As corporations like Exxon display increasingly unconventional and increasingly dirty hydropower resources, temperatures continue to rise as the Earth's climate becomes increasingly unstable.

Global warming is already having severe impacts on Montana's agricultural industries as weather and precipitation patterns change, on Montana's forestry industry, as beetle infestations and droughts kill vast tracts of wilderness, on Montana's tourism industry, as the glaciers and snowcapped peaks, the quintessence of our wild and scenic state, disappear before our very eyes, and on the broader ecological stability of Montana's

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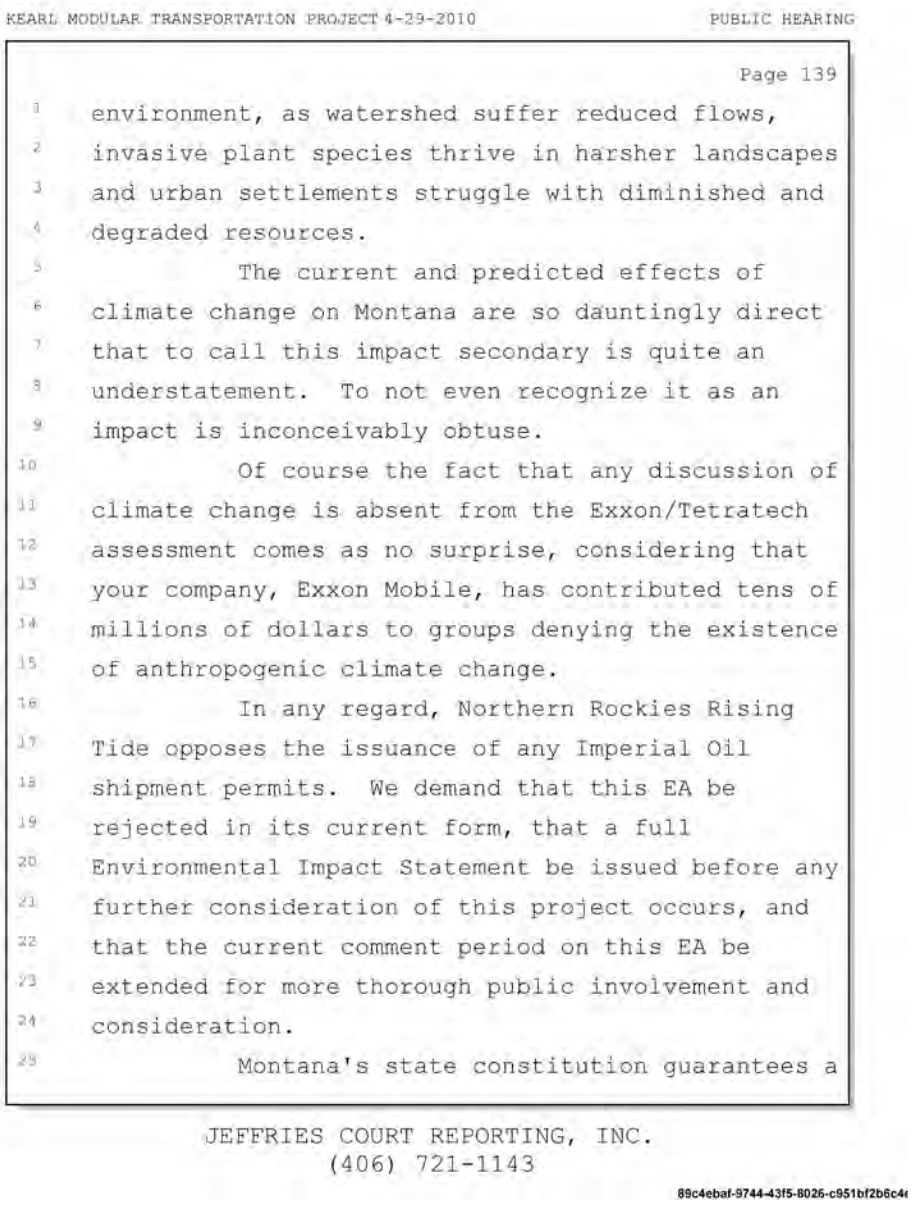
39. See response to Common Comment P.



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environment, as watershed suffer reduced flows, invasive plant species thrive in harsher landscapes and urban settlements struggle with diminished and degraded resources.

The current and predicted effects of climate change on Montana are so dauntingly direct that to call this impact secondary is quite an understatement. To not even recognize it as an impact is inconceivably obtuse.

Of course the fact that any discussion of climate change is absent from the Exxon/Tetratech assessment comes as no surprise, considering that your company, Exxon Mobile, has contributed tens of millions of dollars to groups denying the existence of anthropogenic climate change.

In any regard, Northern Rockies Rising Tide opposes the issuance of any Imperial Oil shipment permits. We demand that this EA be rejected in its current form, that a full Environmental Impact Statement be issued before any further consideration of this project occurs, and that the current comment period on this EA be extended for more thorough public involvement and consideration.

Montana's state constitution guarantees a

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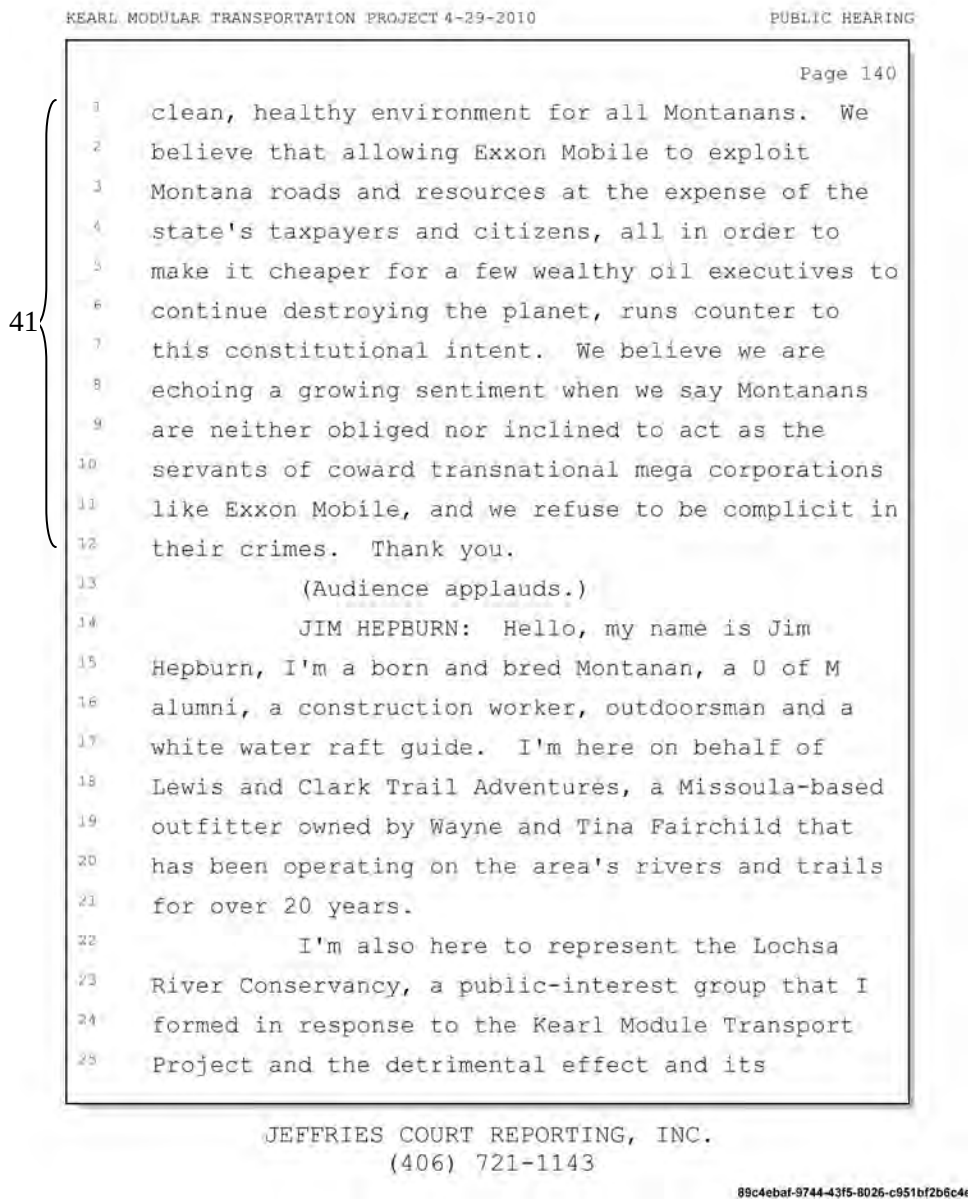
See previous page.

40. See responses to Common Comments B and F1.



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clean, healthy environment for all Montanans. We believe that allowing Exxon Mobile to exploit Montana roads and resources at the expense of the state's taxpayers and citizens, all in order to make it cheaper for a few wealthy oil executives to continue destroying the planet, runs counter to this constitutional intent. We believe we are echoing a growing sentiment when we say Montanans are neither obliged nor inclined to act as the servants of coward transnational mega corporations like Exxon Mobile, and we refuse to be complicit in their crimes. Thank you.

(Audience applauds.)

JIM HEPBURN: Hello, my name is Jim Hepburn, I'm a born and bred Montanan, a U of M alumni, a construction worker, outdoorsman and a white water raft guide. I'm here on behalf of Lewis and Clark Trail Adventures, a Missoula-based outfitter owned by Wayne and Tina Fairchild that has been operating on the area's rivers and trails for over 20 years.

I'm also here to represent the Lochsa River Conservancy, a public-interest group that I formed in response to the Kearl Module Transport Project and the detrimental effect and its

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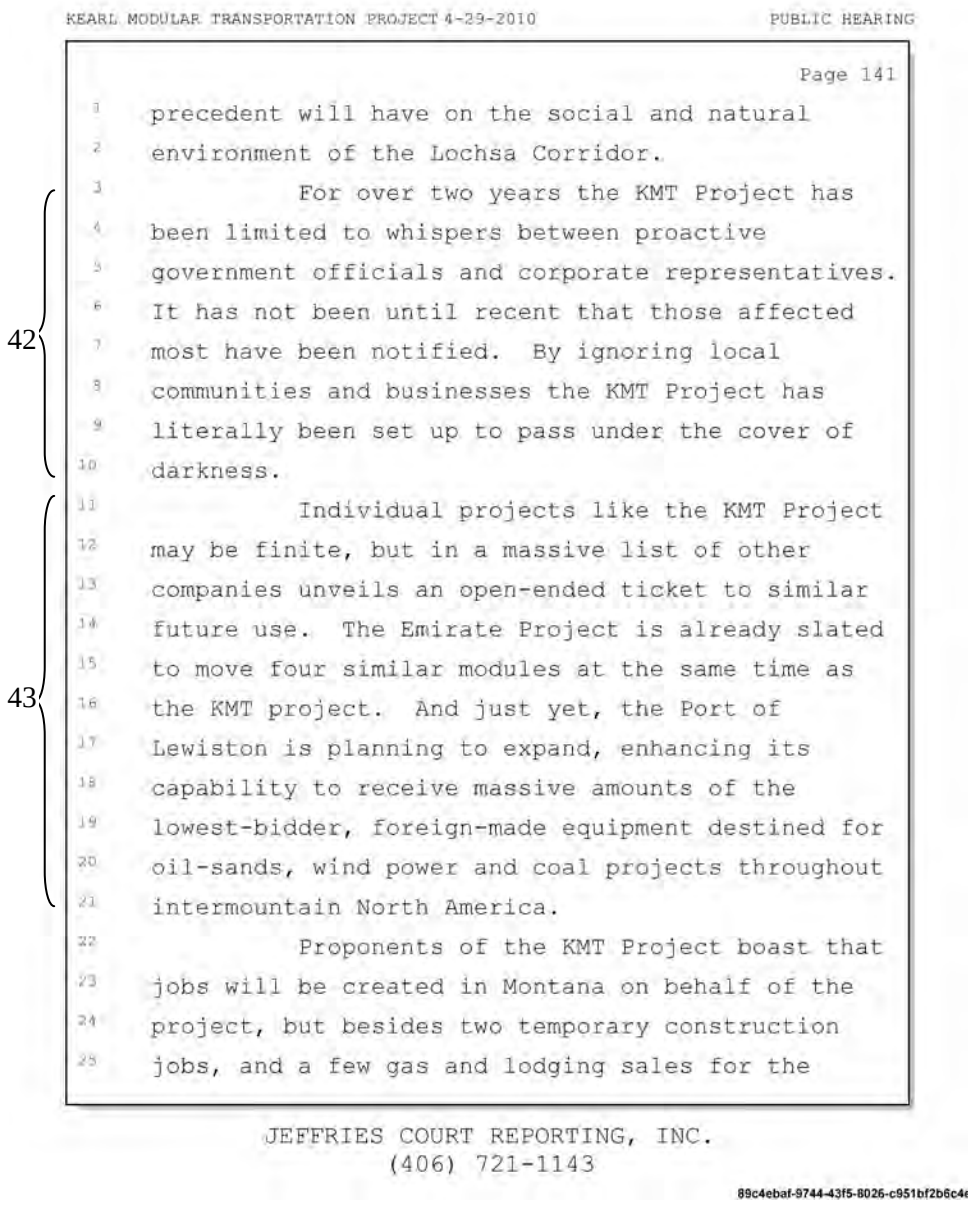
41. See response to Common Comment R.

Lewis and Clark Trail Adventures and Lochsa River Conservancy, Jim Hepburn.



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precedent will have on the social and natural environment of the Lochsa Corridor.

For over two years the KMT Project has been limited to whispers between proactive government officials and corporate representatives. It has not been until recent that those affected most have been notified. By ignoring local communities and businesses the KMT Project has literally been set up to pass under the cover of darkness.

Individual projects like the KMT Project may be finite, but in a massive list of other companies unveils an open-ended ticket to similar future use. The Emirate Project is already slated to move four similar modules at the same time as the KMT project. And just yet, the Port of Lewiston is planning to expand, enhancing its capability to receive massive amounts of the lowest-bidder, foreign-made equipment destined for oil-sands, wind power and coal projects throughout intermountain North America.

Proponents of the KMT Project boast that jobs will be created in Montana on behalf of the project, but besides two temporary construction jobs, and a few gas and lodging sales for the

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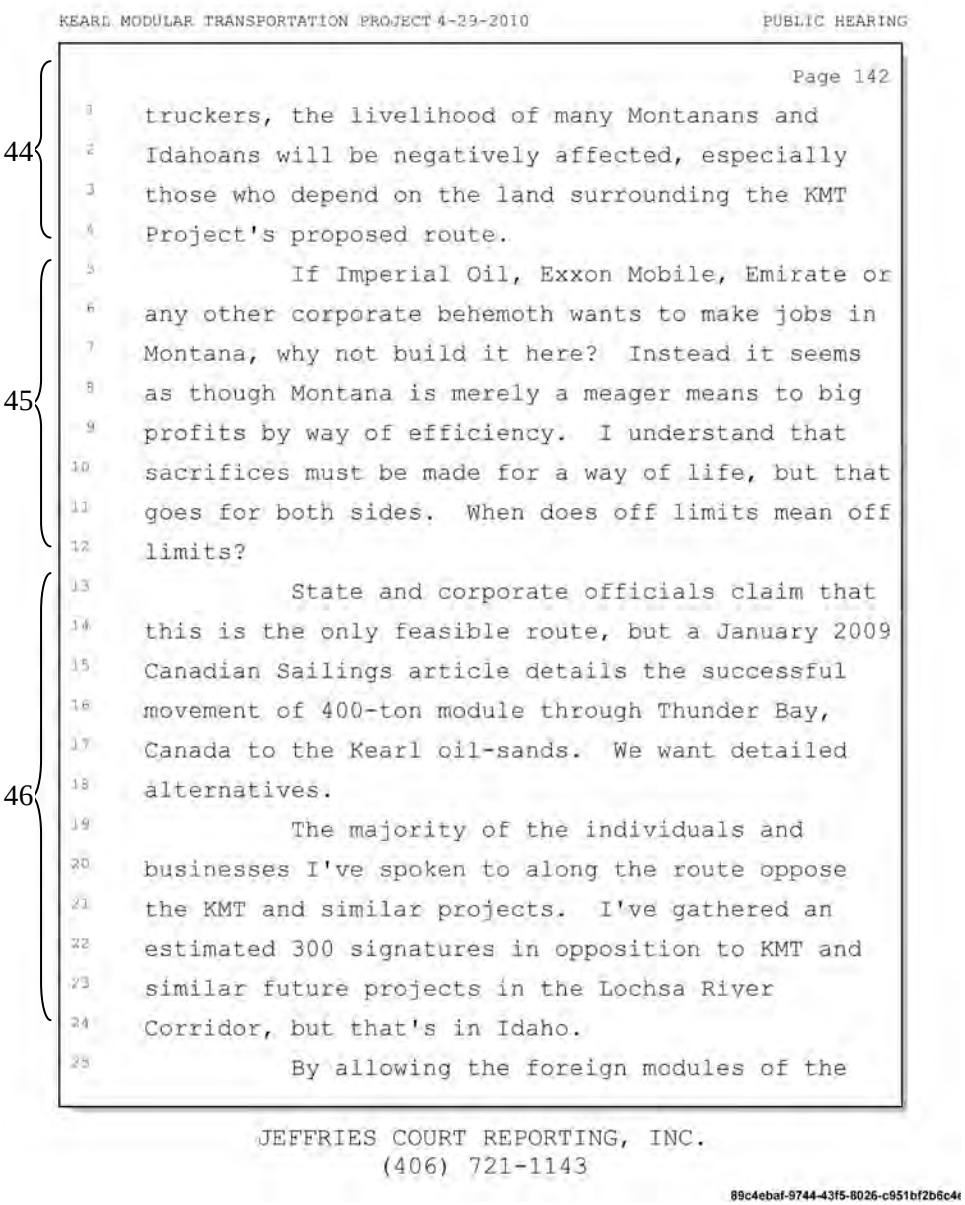
42. Please see Section 4.0 of the EA which includes a listing of consultation activities.

43. See response to Common Comment K.



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truckers, the livelihood of many Montanans and Idahoans will be negatively affected, especially those who depend on the land surrounding the KMT Project's proposed route.

If Imperial Oil, Exxon Mobile, Emirate or any other corporate behemoth wants to make jobs in Montana, why not build it here? Instead it seems as though Montana is merely a meager means to big profits by way of efficiency. I understand that sacrifices must be made for a way of life, but that goes for both sides. When does off limits mean off limits?

State and corporate officials claim that this is the only feasible route, but a January 2009 Canadian Sailings article details the successful movement of 400-ton module through Thunder Bay, Canada to the Kearl oil-sands. We want detailed alternatives.

The majority of the individuals and businesses I've spoken to along the route oppose the KMT and similar projects. I've gathered an estimated 300 signatures in opposition to KMT and similar future projects in the Lochsa River Corridor, but that's in Idaho.

By allowing the foreign modules of the

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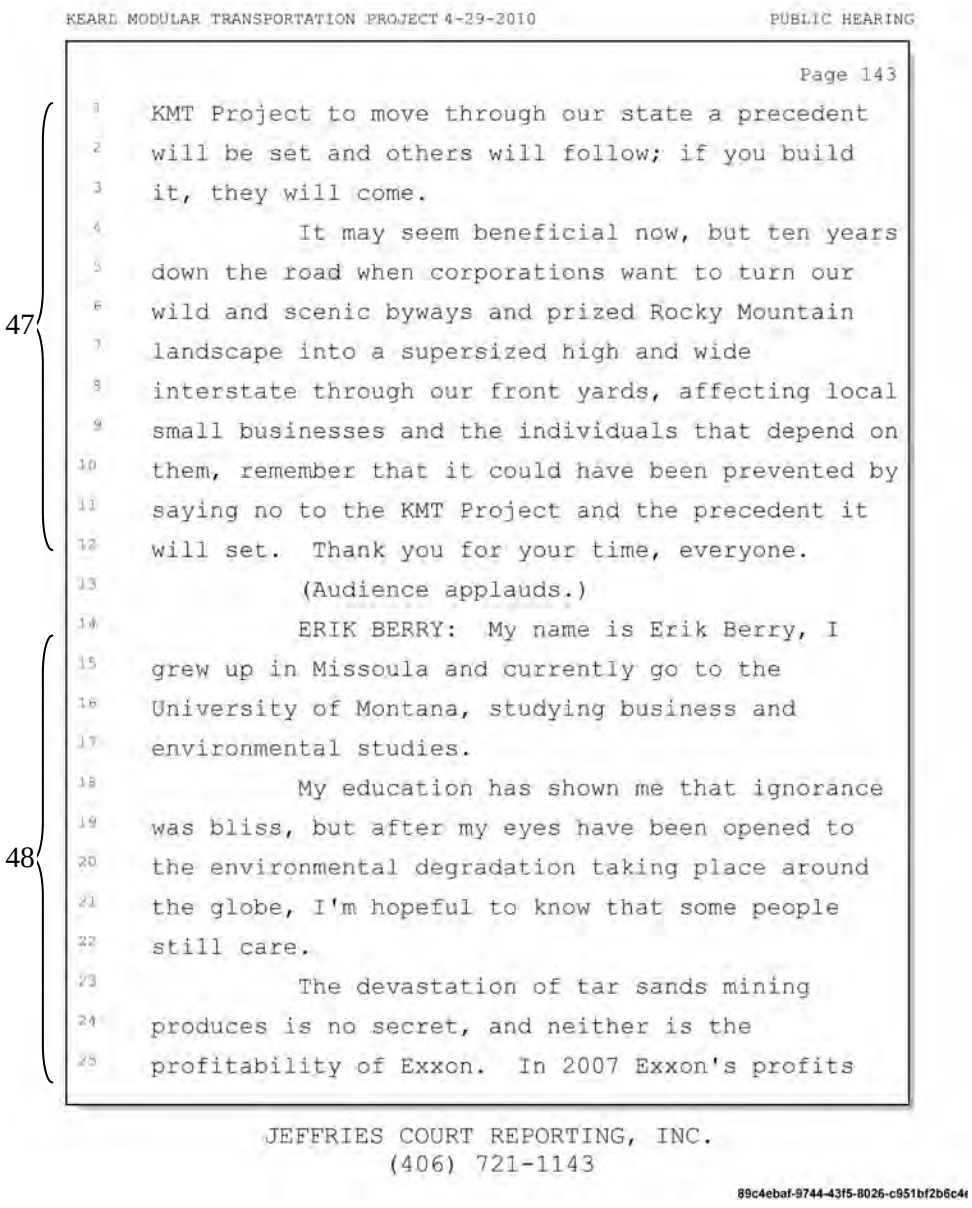
44. See response to Common Comment M.

45. Comment noted.

46. See response to Common Comment D1.



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KMT Project to move through our state a precedent will be set and others will follow; if you build it, they will come.

It may seem beneficial now, but ten years down the road when corporations want to turn our wild and scenic byways and prized Rocky Mountain landscape into a supersized high and wide interstate through our front yards, affecting local small businesses and the individuals that depend on them, remember that it could have been prevented by saying no to the KMT Project and the precedent it will set. Thank you for your time, everyone.

(Audience applauds.)

ERIK BERRY: My name is Erik Berry, I grew up in Missoula and currently go to the University of Montana, studying business and environmental studies.

My education has shown me that ignorance was bliss, but after my eyes have been opened to the environmental degradation taking place around the globe, I'm hopeful to know that some people still care.

The devastation of tar sands mining produces is no secret, and neither is the profitability of Exxon. In 2007 Exxon's profits

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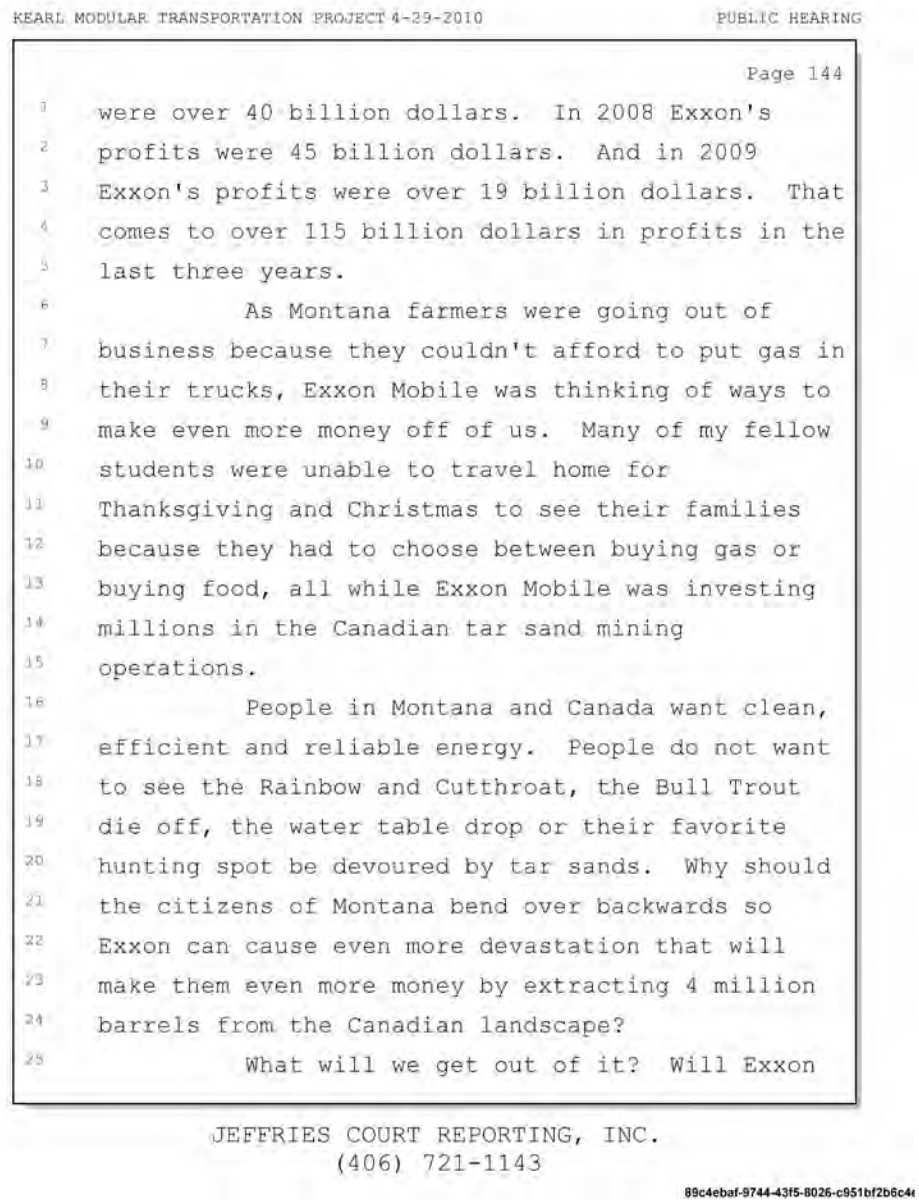
47. See response to Common Comment K.

Berry, Erik

48. Comments noted.



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were over 40 billion dollars. In 2008 Exxon's profits were 45 billion dollars. And in 2009 Exxon's profits were over 19 billion dollars. That comes to over 115 billion dollars in profits in the last three years.

As Montana farmers were going out of business because they couldn't afford to put gas in their trucks, Exxon Mobile was thinking of ways to make even more money off of us. Many of my fellow students were unable to travel home for Thanksgiving and Christmas to see their families because they had to choose between buying gas or buying food, all while Exxon Mobile was investing millions in the Canadian tar sand mining operations.

People in Montana and Canada want clean, efficient and reliable energy. People do not want to see the Rainbow and Cutthroat, the Bull Trout die off, the water table drop or their favorite hunting spot be devoured by tar sands. Why should the citizens of Montana bend over backwards so Exxon can cause even more devastation that will make them even more money by extracting 4 million barrels from the Canadian landscape?

What will we get out of it? Will Exxon

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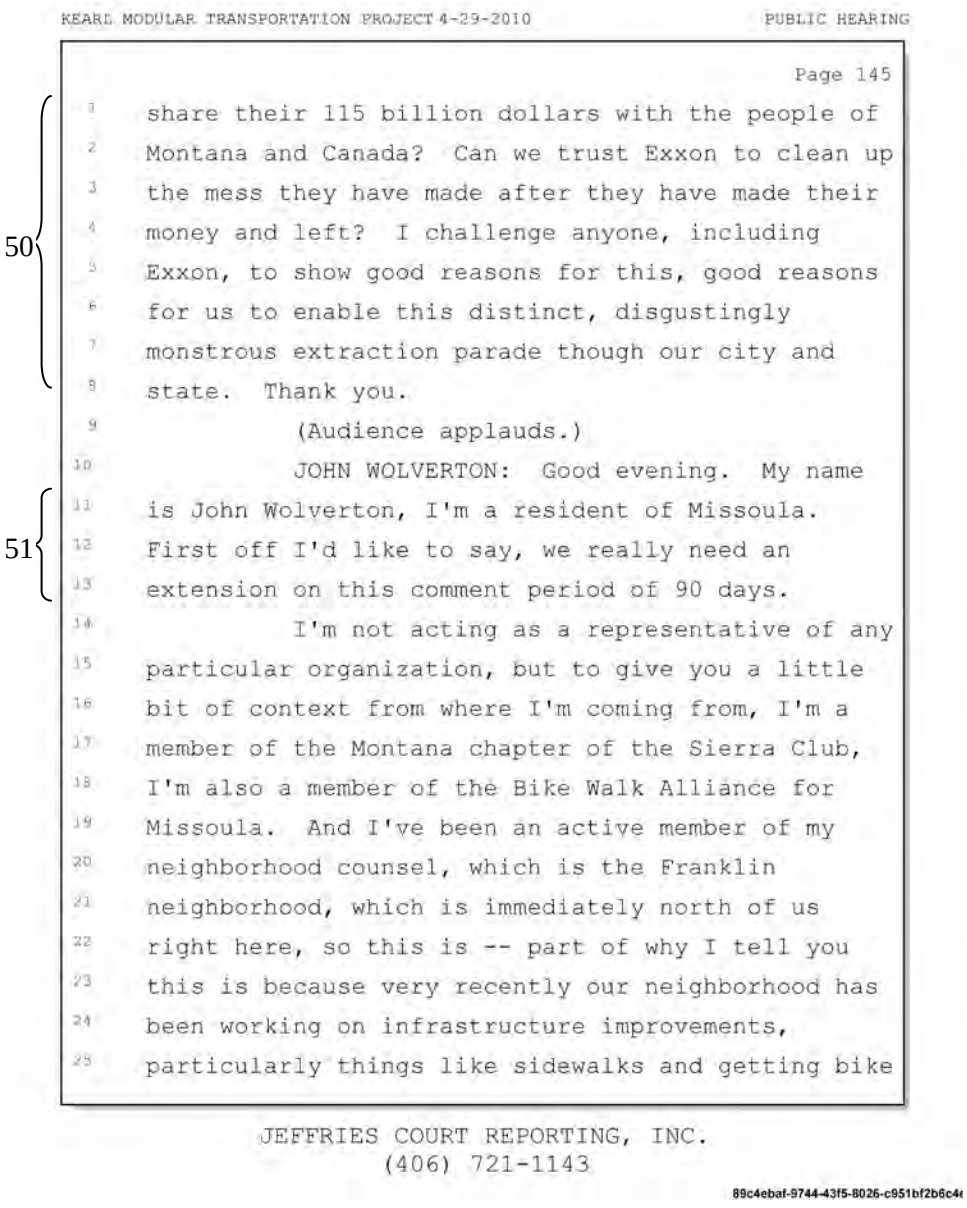
49. Comments noted.



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share their 115 billion dollars with the people of Montana and Canada? Can we trust Exxon to clean up the mess they have made after they have made their money and left? I challenge anyone, including Exxon, to show good reasons for this, good reasons for us to enable this distinct, disgustingly monstrous extraction parade though our city and state. Thank you.

(Audience applauds.)

JOHN WOLVERTON: Good evening. My name is John Wolverton, I'm a resident of Missoula. First off I'd like to say, we really need an extension on this comment period of 90 days.

I'm not acting as a representative of any particular organization, but to give you a little bit of context from where I'm coming from, I'm a member of the Montana chapter of the Sierra Club, I'm also a member of the Bike Walk Alliance for Missoula. And I've been an active member of my neighborhood counsel, which is the Franklin neighborhood, which is immediately north of us right here, so this is -- part of why I tell you this is because very recently our neighborhood has been working on infrastructure improvements, particularly things like sidewalks and getting bike

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50. Comments noted.

Wolverton, John

51. See response to Common Comment F1.

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lanes, making a better, more walkable, bikeable, friendly community. And part of that was being engaged in the transportation planning process here in our region.

And one of the things that we wanted that we were asking for as part of that plan was a great separated crossing over US 93, over Reserve Street, which is just about two miles north of here at CS Porter Middle School. It was for the kids that live in my neighborhood on the east side of Reserve Street to be able to get to school across Reserve.

52 Well, the answer that my cohorts got immediately and absolutely from MDT was, no, no way, it's a high and wide corridor. And at the time I thought, oh, okay, there's a couple of houses coming, or something like that. And now it makes sense to me, because there are ways to move houses through this community, I've seen it done, they actually moved through my neighborhood.

And so that was a telegraph for what we're experiencing right now. And that's the kind of thing that the community needs to address as an

53 indirect or secondary impact. What we're basically seeing here is a corporation that's taking priority over my neighborhood's school children and their

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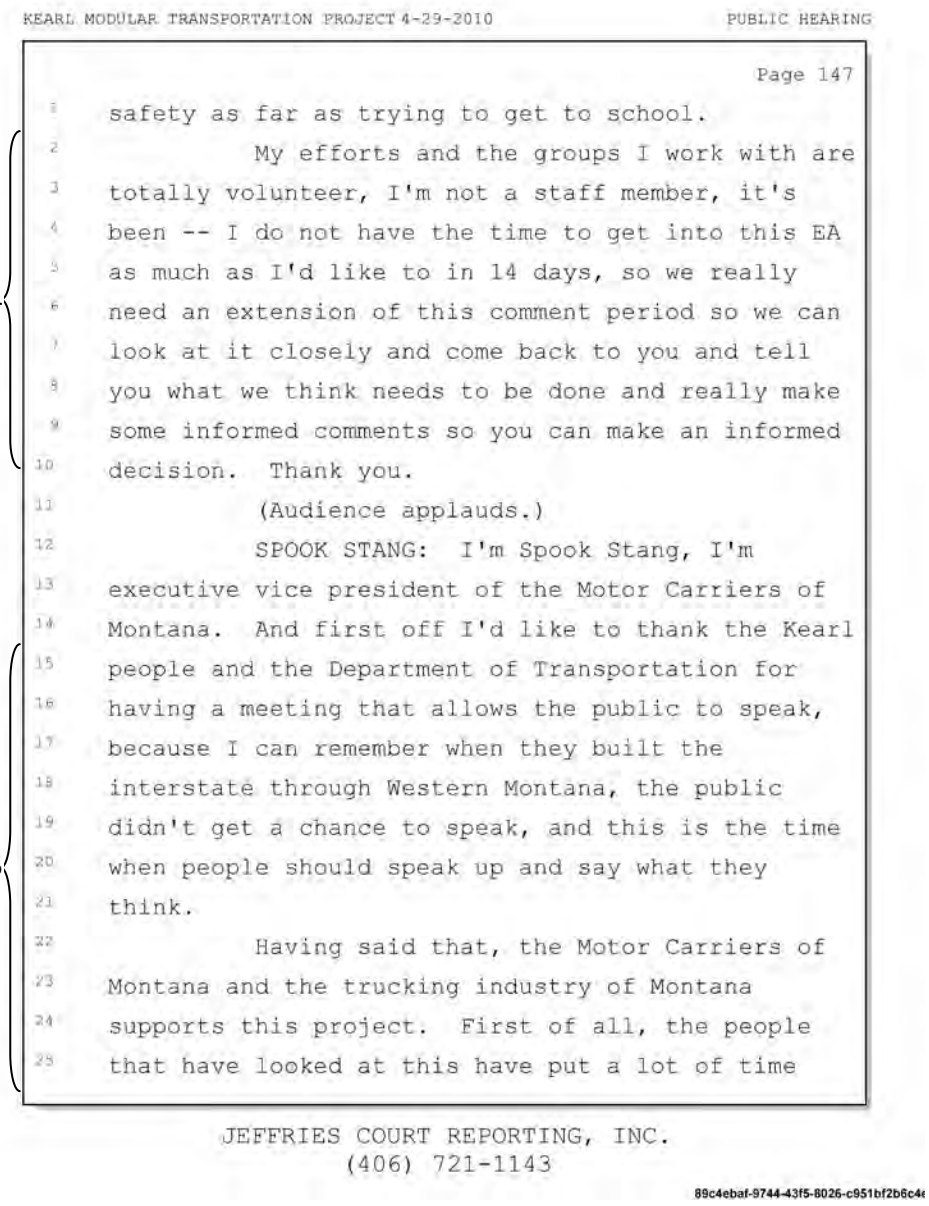
52. A variety of issues made an overpass infeasible at that location at that time. Other solutions were evaluated. The chosen solution was increased signage and reduced speed limits through this area in addition to the presence of a signal for the pedestrian crossing,

53. See response to Common Comment C1.



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safety as far as trying to get to school.

My efforts and the groups I work with are totally volunteer, I'm not a staff member, it's been -- I do not have the time to get into this EA as much as I'd like to in 14 days, so we really need an extension of this comment period so we can look at it closely and come back to you and tell you what we think needs to be done and really make some informed comments so you can make an informed decision. Thank you.

(Audience applauds.)

SPOOK STANG: I'm Spook Stang, I'm executive vice president of the Motor Carriers of Montana. And first off I'd like to thank the Kearl people and the Department of Transportation for having a meeting that allows the public to speak, because I can remember when they built the interstate through Western Montana, the public didn't get a chance to speak, and this is the time when people should speak up and say what they think.

Having said that, the Motor Carriers of Montana and the trucking industry of Montana supports this project. First of all, the people that have looked at this have put a lot of time

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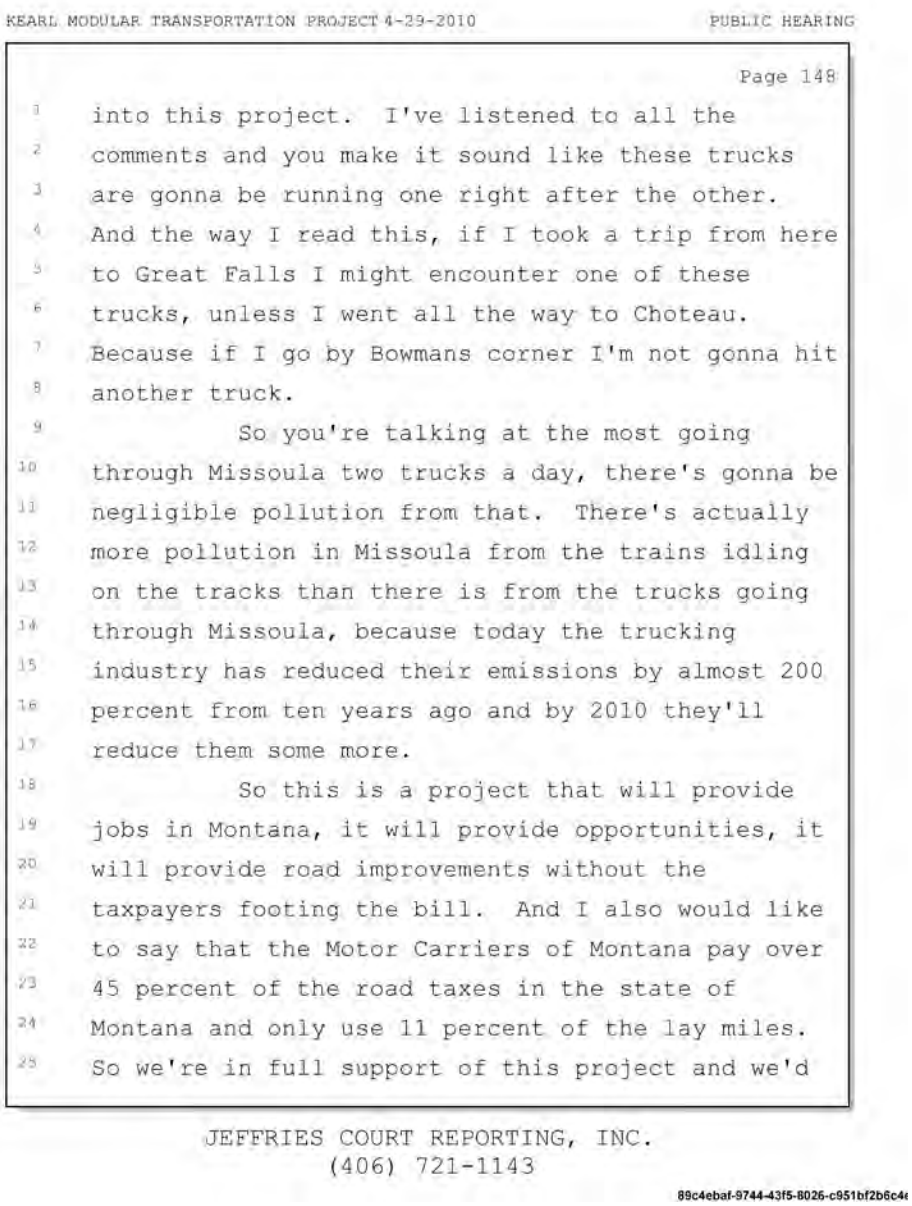
54. See response to Common Comment F1.

Motor Carriers of Montana, Spook Stang

55. Comment noted.



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into this project. I've listened to all the comments and you make it sound like these trucks are gonna be running one right after the other. And the way I read this, if I took a trip from here to Great Falls I might encounter one of these trucks, unless I went all the way to Choteau. Because if I go by Bowmans corner I'm not gonna hit another truck.

So you're talking at the most going through Missoula two trucks a day, there's gonna be negligible pollution from that. There's actually more pollution in Missoula from the trains idling on the tracks than there is from the trucks going through Missoula, because today the trucking industry has reduced their emissions by almost 200 percent from ten years ago and by 2010 they'll reduce them some more.

So this is a project that will provide jobs in Montana, it will provide opportunities, it will provide road improvements without the taxpayers footing the bill. And I also would like to say that the Motor Carriers of Montana pay over 45 percent of the road taxes in the state of Montana and only use 11 percent of the lay miles. So we're in full support of this project and we'd

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56. Comments noted.

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still like to thank the people who put this meeting on so the public could speak.

BARBARA HALL: My name is Barbara Hall, I'm the legal director for the Clark Fork Coalition, a member-supported group dedicated to protecting and restoring the Clark Fork watershed.

When sizing up any proposal that has the potential to impact the natural resource amenities and communities of our watershed, the questions we hone in on are these: What are the environmental impacts to water quality, aquatic ecosystems and to our riverside communities? Will it harm fish and wildlife? Is it going to be a community asset or liability? In short, we believe a very appropriate question is in fact, what's in it for our watershed and what's in it for Montana? 57

Unfortunately, though, we cannot even begin to answer these questions based on the document you're seeking comment on tonight. We see three fatal defects with this EA, the scope is too limited, there are no real alternatives considered and the economic analysis is one-sided and fails to consider the full extent of the project. 58

The most significant failure is that the scope of the analysis is improperly limited to one

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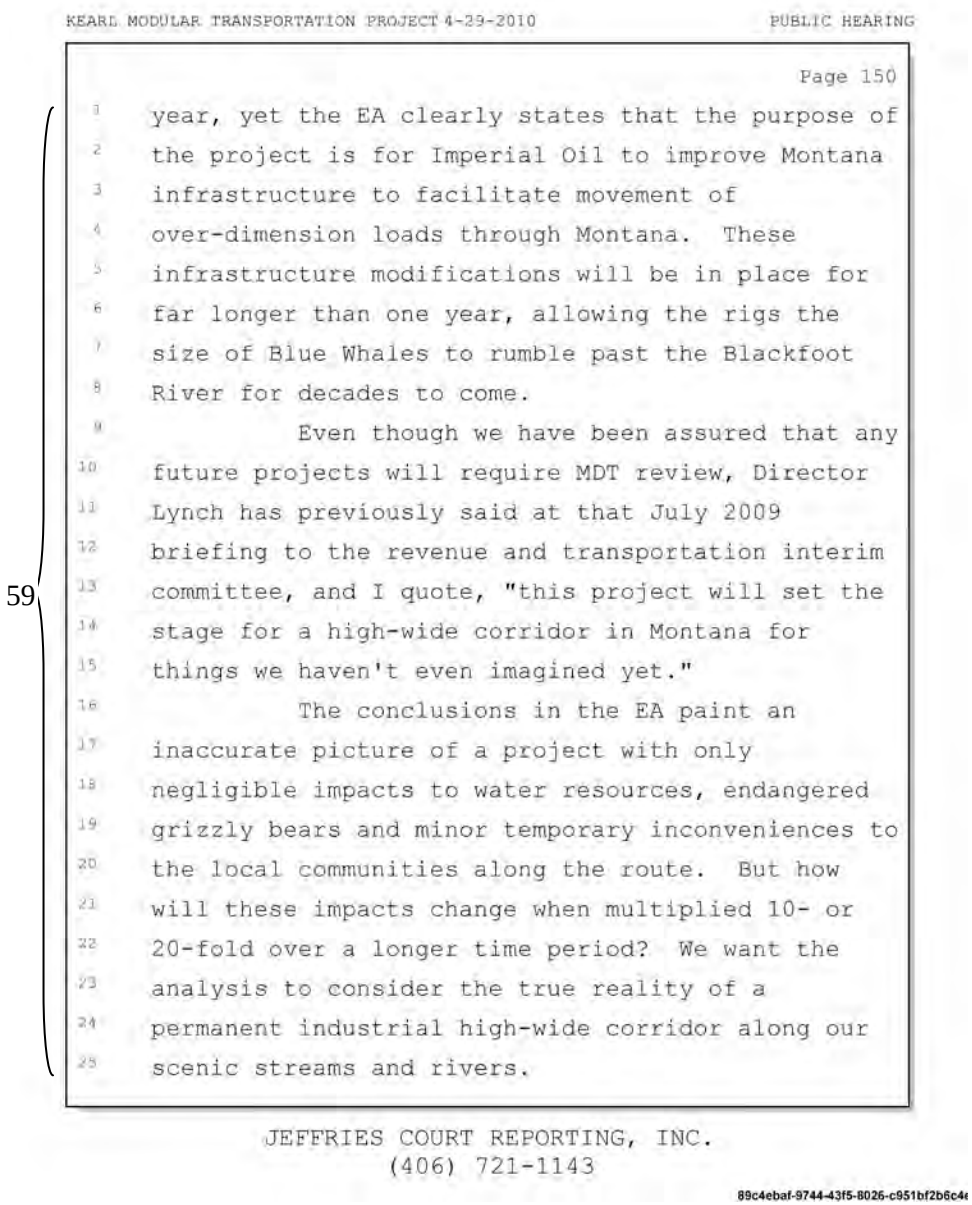
Clark Fork Coalition, Barbara Hall

57. See response to Common Comment I.

58. See responses to Common Comments B, D1, D2, D3, and M.



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year, yet the EA clearly states that the purpose of the project is for Imperial Oil to improve Montana infrastructure to facilitate movement of over-dimension loads through Montana. These infrastructure modifications will be in place for far longer than one year, allowing the rigs the size of Blue Whales to rumble past the Blackfoot River for decades to come.

Even though we have been assured that any future projects will require MDT review, Director Lynch has previously said at that July 2009 briefing to the revenue and transportation interim committee, and I quote, "this project will set the stage for a high-wide corridor in Montana for things we haven't even imagined yet."

The conclusions in the EA paint an inaccurate picture of a project with only negligible impacts to water resources, endangered grizzly bears and minor temporary inconveniences to the local communities along the route. But how will these impacts change when multiplied 10- or 20-fold over a longer time period? We want the analysis to consider the true reality of a permanent industrial high-wide corridor along our scenic streams and rivers.

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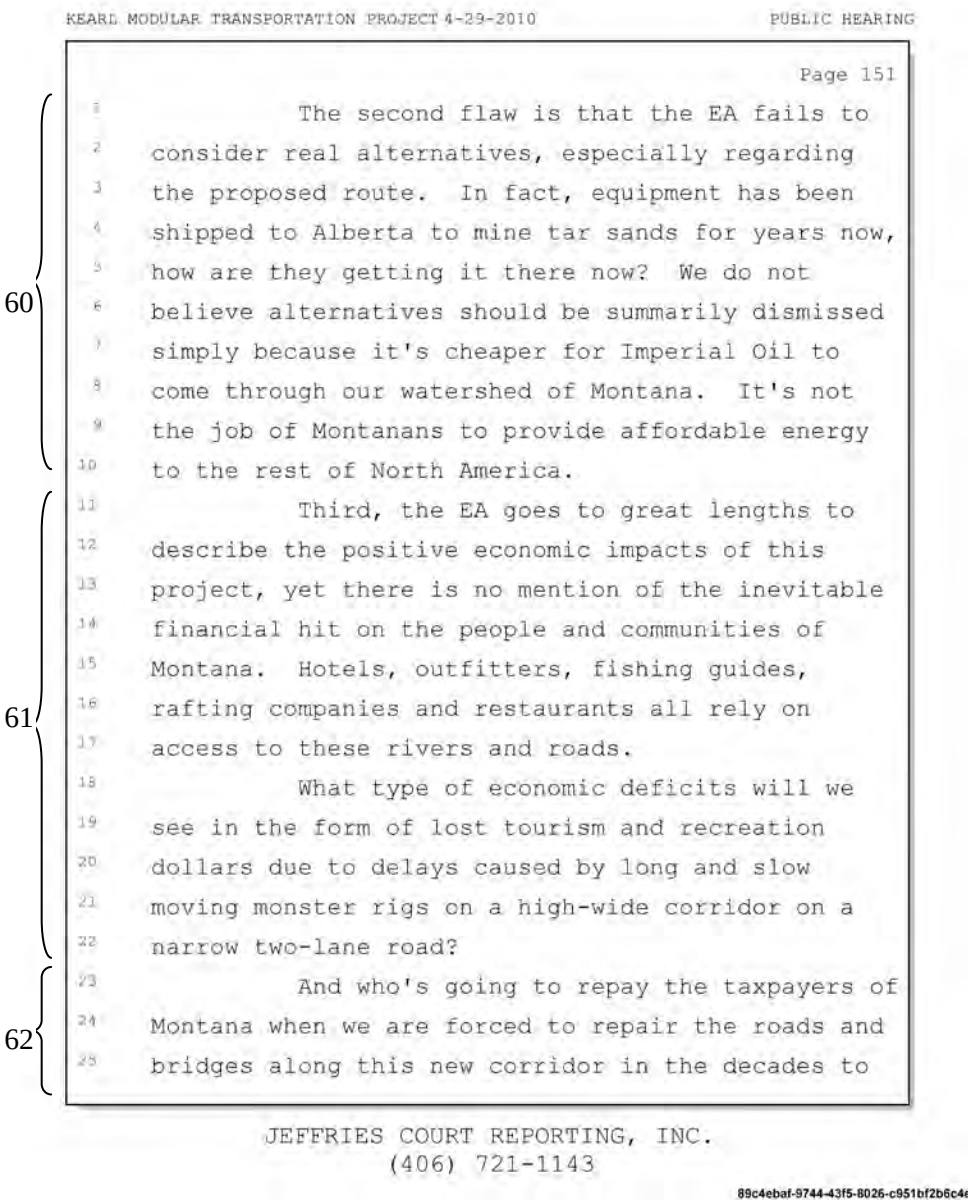
59. See response to Common Comment K.



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The second flaw is that the EA fails to consider real alternatives, especially regarding the proposed route. In fact, equipment has been shipped to Alberta to mine tar sands for years now, how are they getting it there now? We do not believe alternatives should be summarily dismissed simply because it's cheaper for Imperial Oil to come through our watershed of Montana. It's not the job of Montanans to provide affordable energy to the rest of North America.

Third, the EA goes to great lengths to describe the positive economic impacts of this project, yet there is no mention of the inevitable financial hit on the people and communities of Montana. Hotels, outfitters, fishing guides, rafting companies and restaurants all rely on access to these rivers and roads.

What type of economic deficits will we see in the form of lost tourism and recreation dollars due to delays caused by long and slow moving monster rigs on a high-wide corridor on a narrow two-lane road?

And who's going to repay the taxpayers of Montana when we are forced to repair the roads and bridges along this new corridor in the decades to

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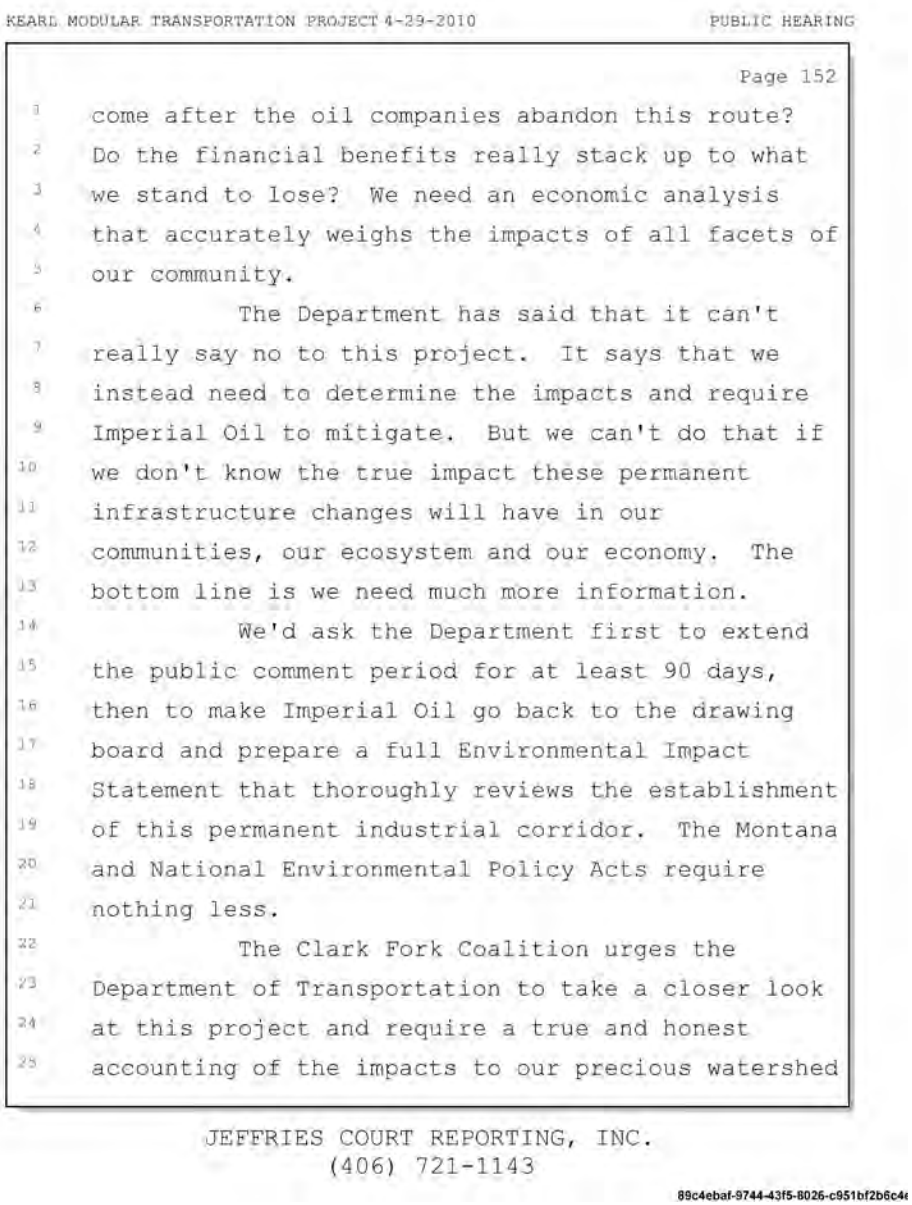
60. See response to Common Comment D1.

61. See responses to Common Comments G and M.

62. See responses to Common Comments L and M.



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come after the oil companies abandon this route? Do the financial benefits really stack up to what we stand to lose? We need an economic analysis that accurately weighs the impacts of all facets of our community.

The Department has said that it can't really say no to this project. It says that we instead need to determine the impacts and require Imperial Oil to mitigate. But we can't do that if we don't know the true impact these permanent infrastructure changes will have in our communities, our ecosystem and our economy. The bottom line is we need much more information.

We'd ask the Department first to extend the public comment period for at least 90 days, then to make Imperial Oil go back to the drawing board and prepare a full Environmental Impact Statement that thoroughly reviews the establishment of this permanent industrial corridor. The Montana and National Environmental Policy Acts require nothing less.

The Clark Fork Coalition urges the Department of Transportation to take a closer look at this project and require a true and honest accounting of the impacts to our precious watershed

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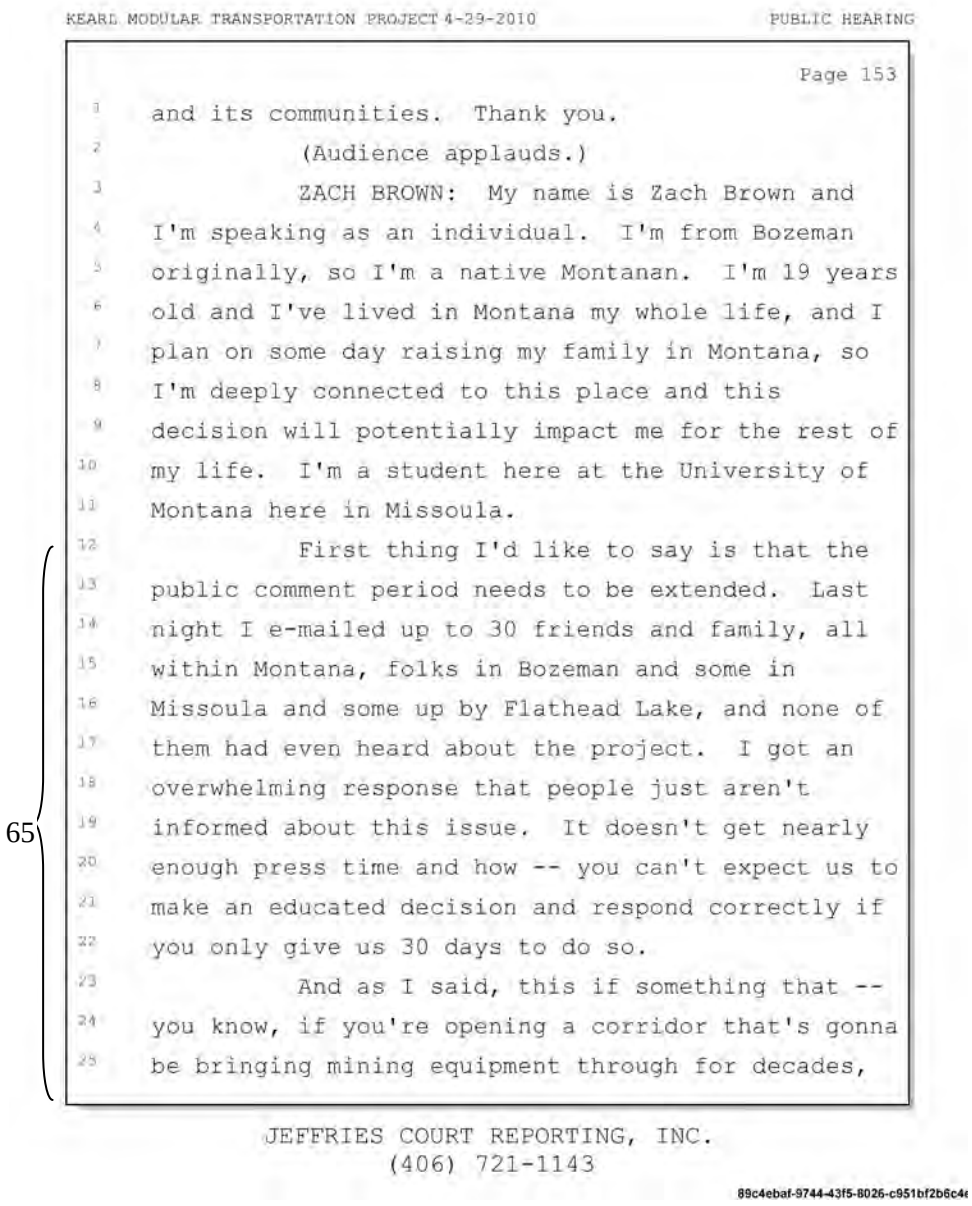
See previous page.

63. MDT had concluded that the EA adequately and accurately discusses the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures.

64. See responses to Common Comments F1, A, and B.



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and its communities. Thank you.

(Audience applauds.)

ZACH BROWN: My name is Zach Brown and I'm speaking as an individual. I'm from Bozeman originally, so I'm a native Montanan. I'm 19 years old and I've lived in Montana my whole life, and I plan on some day raising my family in Montana, so I'm deeply connected to this place and this decision will potentially impact me for the rest of my life. I'm a student here at the University of Montana here in Missoula.

First thing I'd like to say is that the public comment period needs to be extended. Last night I e-mailed up to 30 friends and family, all within Montana, folks in Bozeman and some in Missoula and some up by Flathead Lake, and none of them had even heard about the project. I got an overwhelming response that people just aren't informed about this issue. It doesn't get nearly enough press time and how -- you can't expect us to make an educated decision and respond correctly if you only give us 30 days to do so.

And as I said, this if something that -- you know, if you're opening a corridor that's gonna be bringing mining equipment through for decades,

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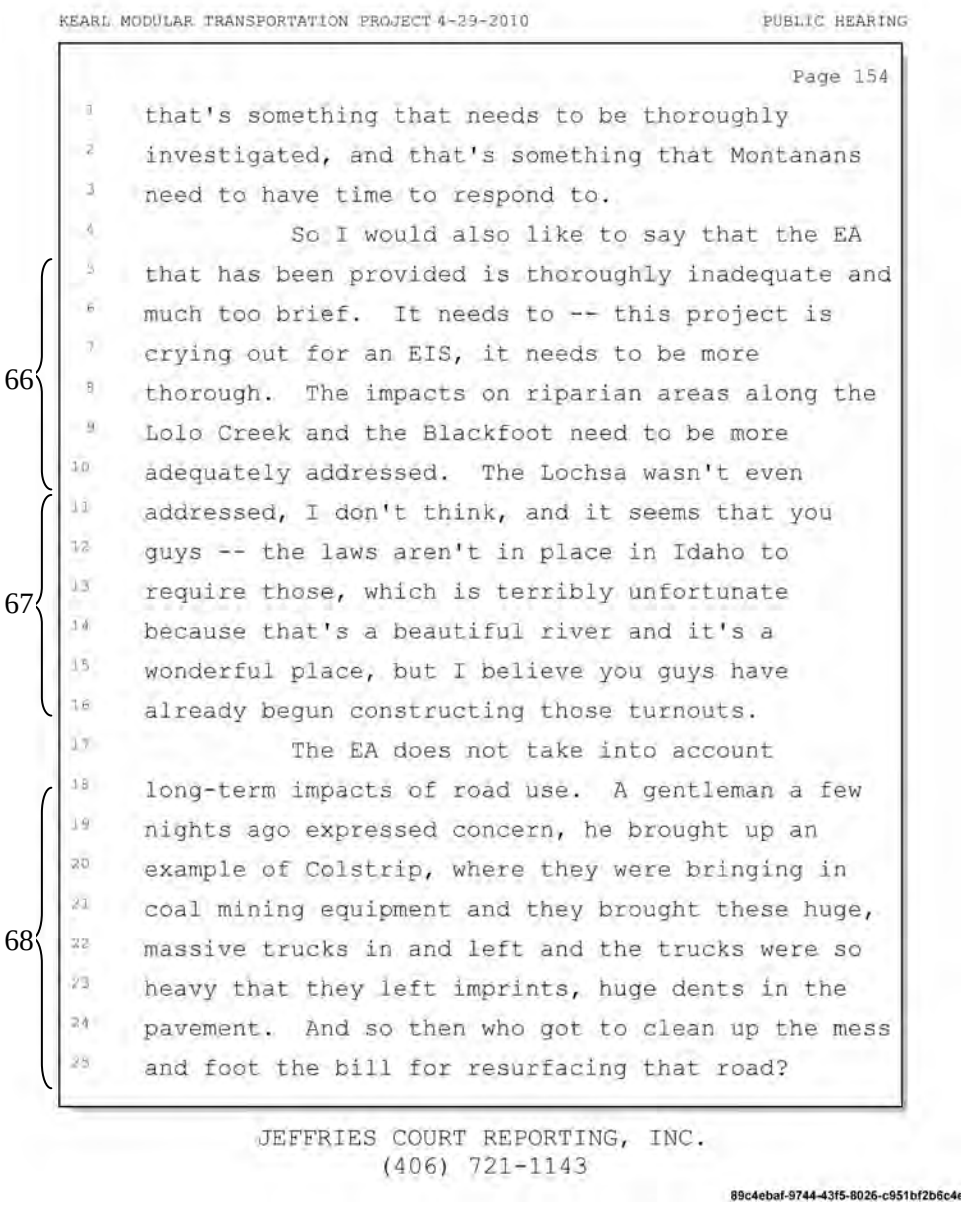
Brown, Zack

65. See response to Common Comment F1.



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that's something that needs to be thoroughly investigated, and that's something that Montanans need to have time to respond to.

So I would also like to say that the EA that has been provided is thoroughly inadequate and much too brief. It needs to -- this project is crying out for an EIS, it needs to be more thorough. The impacts on riparian areas along the Lolo Creek and the Blackfoot need to be more adequately addressed. The Lochsa wasn't even addressed, I don't think, and it seems that you guys -- the laws aren't in place in Idaho to require those, which is terribly unfortunate because that's a beautiful river and it's a wonderful place, but I believe you guys have already begun constructing those turnouts.

The EA does not take into account long-term impacts of road use. A gentleman a few nights ago expressed concern, he brought up an example of Colstrip, where they were bringing in coal mining equipment and they brought these huge, massive trucks in and left and the trucks were so heavy that they left imprints, huge dents in the pavement. And so then who got to clean up the mess and foot the bill for resurfacing that road?

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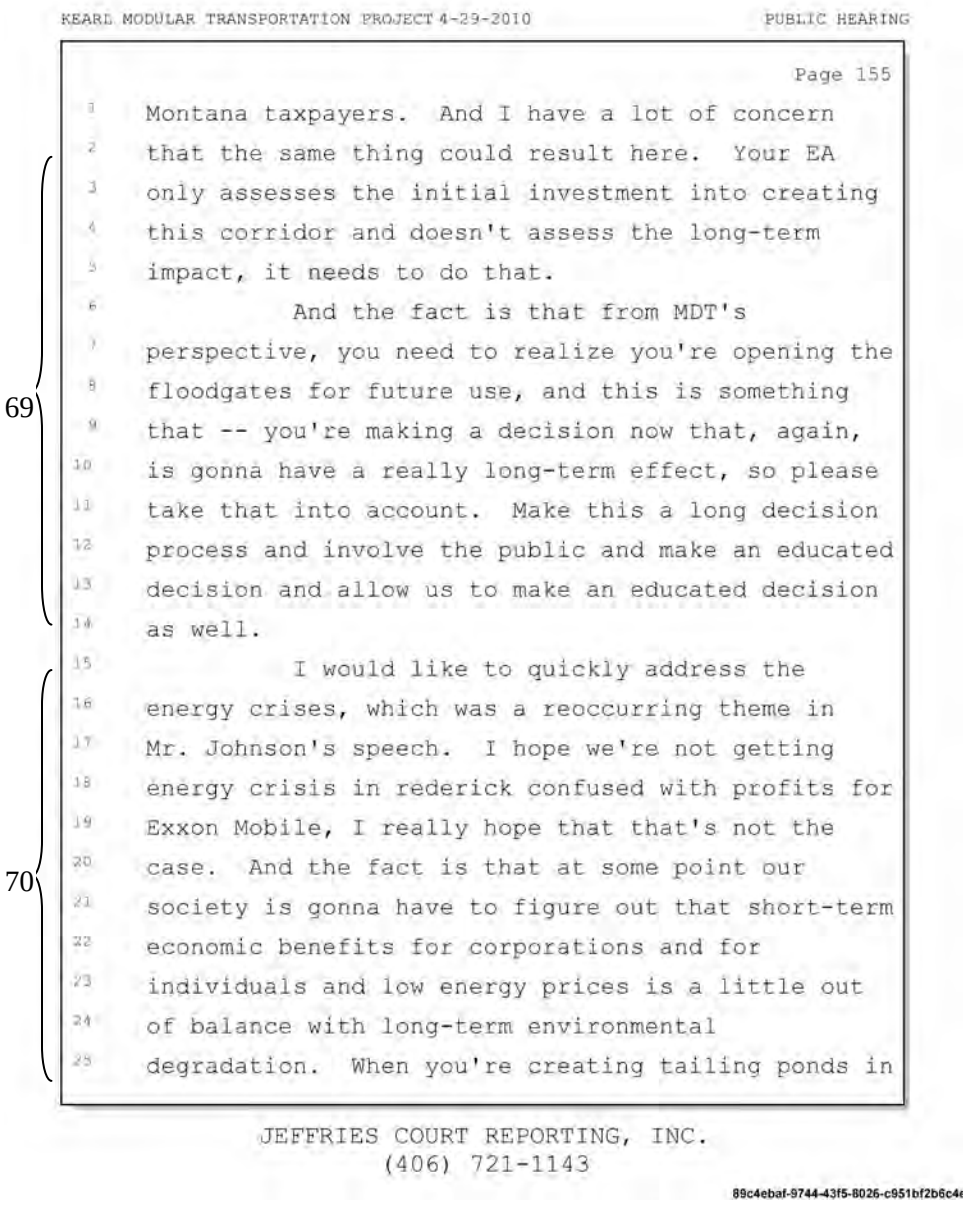
66. See responses to Common Comments B, I, and O.

67. See response to Common Comment E2.

68. See response to Common Comment L.



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Montana taxpayers. And I have a lot of concern that the same thing could result here. Your EA only assesses the initial investment into creating this corridor and doesn't assess the long-term impact, it needs to do that.

And the fact is that from MDT's perspective, you need to realize you're opening the floodgates for future use, and this is something that -- you're making a decision now that, again, is gonna have a really long-term effect, so please take that into account. Make this a long decision process and involve the public and make an educated decision and allow us to make an educated decision as well.

I would like to quickly address the energy crises, which was a reoccurring theme in Mr. Johnson's speech. I hope we're not getting energy crisis in rederick confused with profits for Exxon Mobile, I really hope that that's not the case. And the fact is that at some point our society is gonna have to figure out that short-term economic benefits for corporations and for individuals and low energy prices is a little out of balance with long-term environmental degradation. When you're creating tailing ponds in

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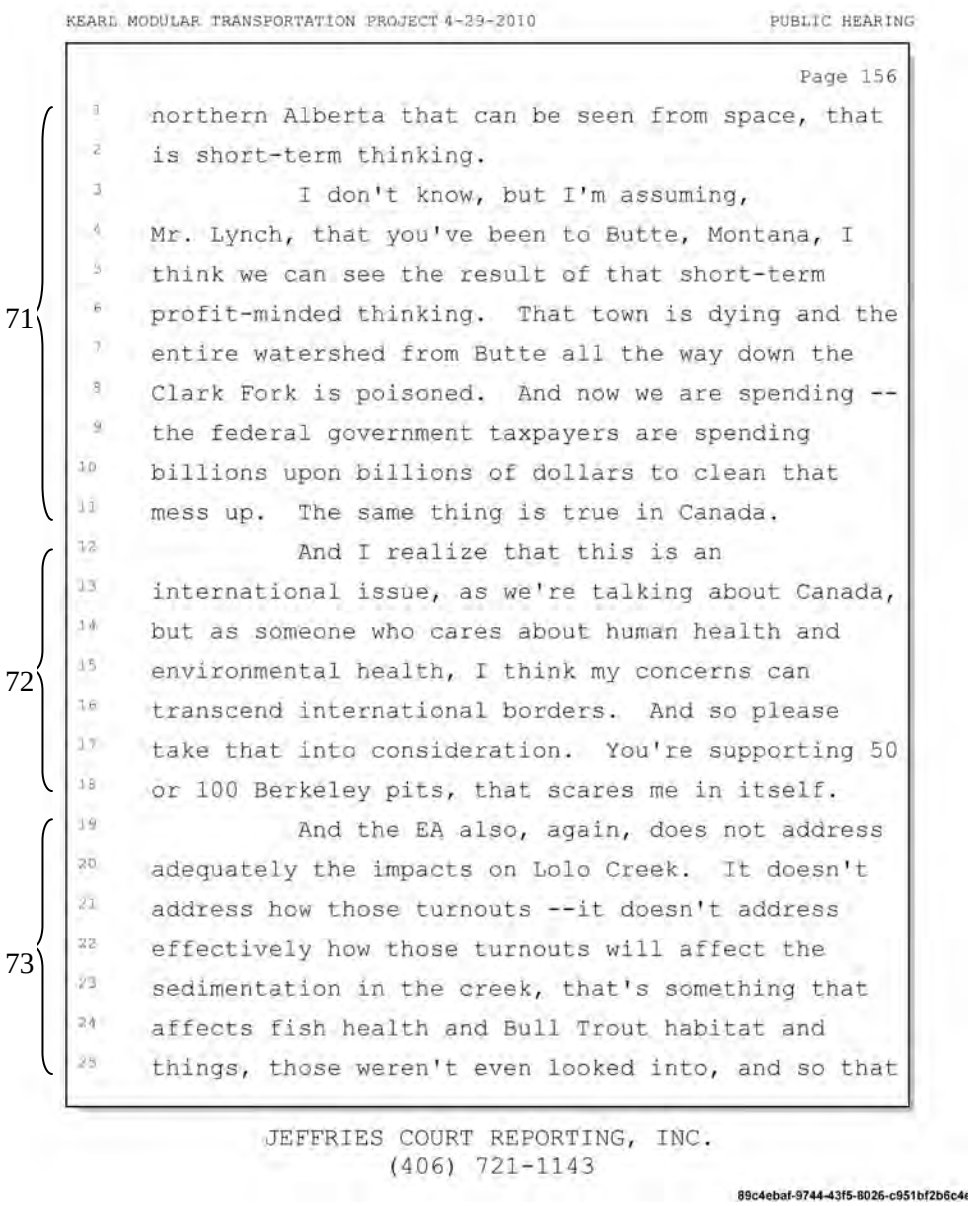
69. See responses to Common Comments C2, F1 and K.

70. Comment noted.



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northern Alberta that can be seen from space, that is short-term thinking.

I don't know, but I'm assuming, Mr. Lynch, that you've been to Butte, Montana, I think we can see the result of that short-term profit-minded thinking. That town is dying and the entire watershed from Butte all the way down the Clark Fork is poisoned. And now we are spending -- the federal government taxpayers are spending billions upon billions of dollars to clean that mess up. The same thing is true in Canada.

And I realize that this is an international issue, as we're talking about Canada, but as someone who cares about human health and environmental health, I think my concerns can transcend international borders. And so please take that into consideration. You're supporting 50 or 100 Berkeley pits, that scares me in itself.

And the EA also, again, does not address adequately the impacts on Lolo Creek. It doesn't address how those turnouts --it doesn't address effectively how those turnouts will affect the sedimentation in the creek, that's something that affects fish health and Bull Trout habitat and things, those weren't even looked into, and so that

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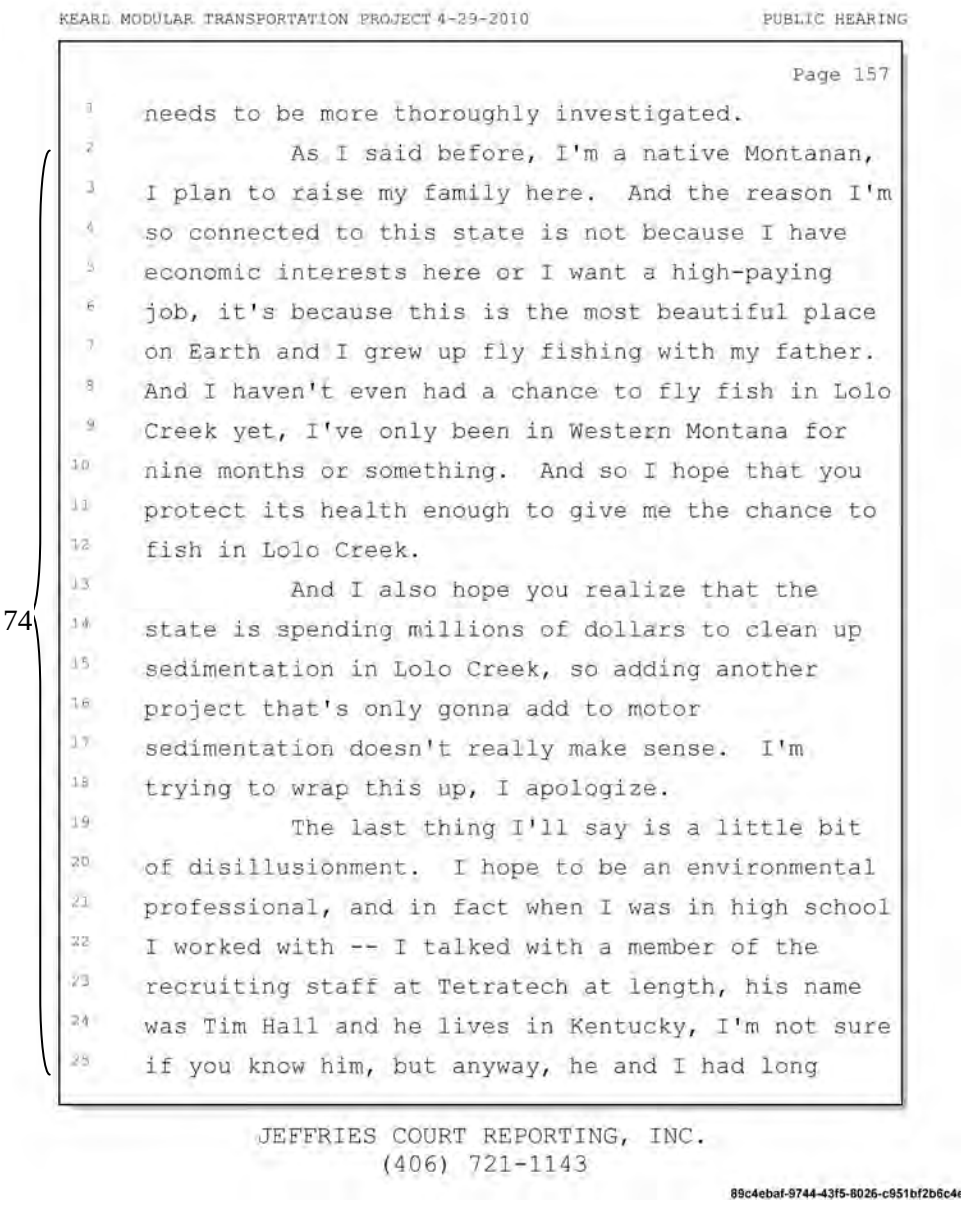
71. Comment noted.

72. See response to Common Comment E1.

73. See response to Common Comments I and O. Potential impacts Threatened and Endangered species, including Bull Trout, were investigated and summarized in Section 3.10 of the EA. The analysis was coordinated with the US Fish and Wildlife Service to ensure their agreement with the with MDT's conclusions. (See Section 4.1.1.4. of the EA and Table 2 of this FONSI.)

As discussed in the EA, adverse stream impacts are not expected due to the distance between the proposed turnouts and stream resources, the use of Best Management Practices to minimize sediment and erosion, and revegetation will be employed. (Please see Sections 3.9 and 3.13 of the EA.)



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needs to be more thoroughly investigated.

As I said before, I'm a native Montanan, I plan to raise my family here. And the reason I'm so connected to this state is not because I have economic interests here or I want a high-paying job, it's because this is the most beautiful place on Earth and I grew up fly fishing with my father. And I haven't even had a chance to fly fish in Lolo Creek yet, I've only been in Western Montana for nine months or something. And so I hope that you protect its health enough to give me the chance to fish in Lolo Creek.

And I also hope you realize that the state is spending millions of dollars to clean up sedimentation in Lolo Creek, so adding another project that's only gonna add to motor sedimentation doesn't really make sense. I'm trying to wrap this up, I apologize.

The last thing I'll say is a little bit of disillusionment. I hope to be an environmental professional, and in fact when I was in high school I worked with -- I talked with a member of the recruiting staff at Tetratech at length, his name was Tim Hall and he lives in Kentucky, I'm not sure if you know him, but anyway, he and I had long

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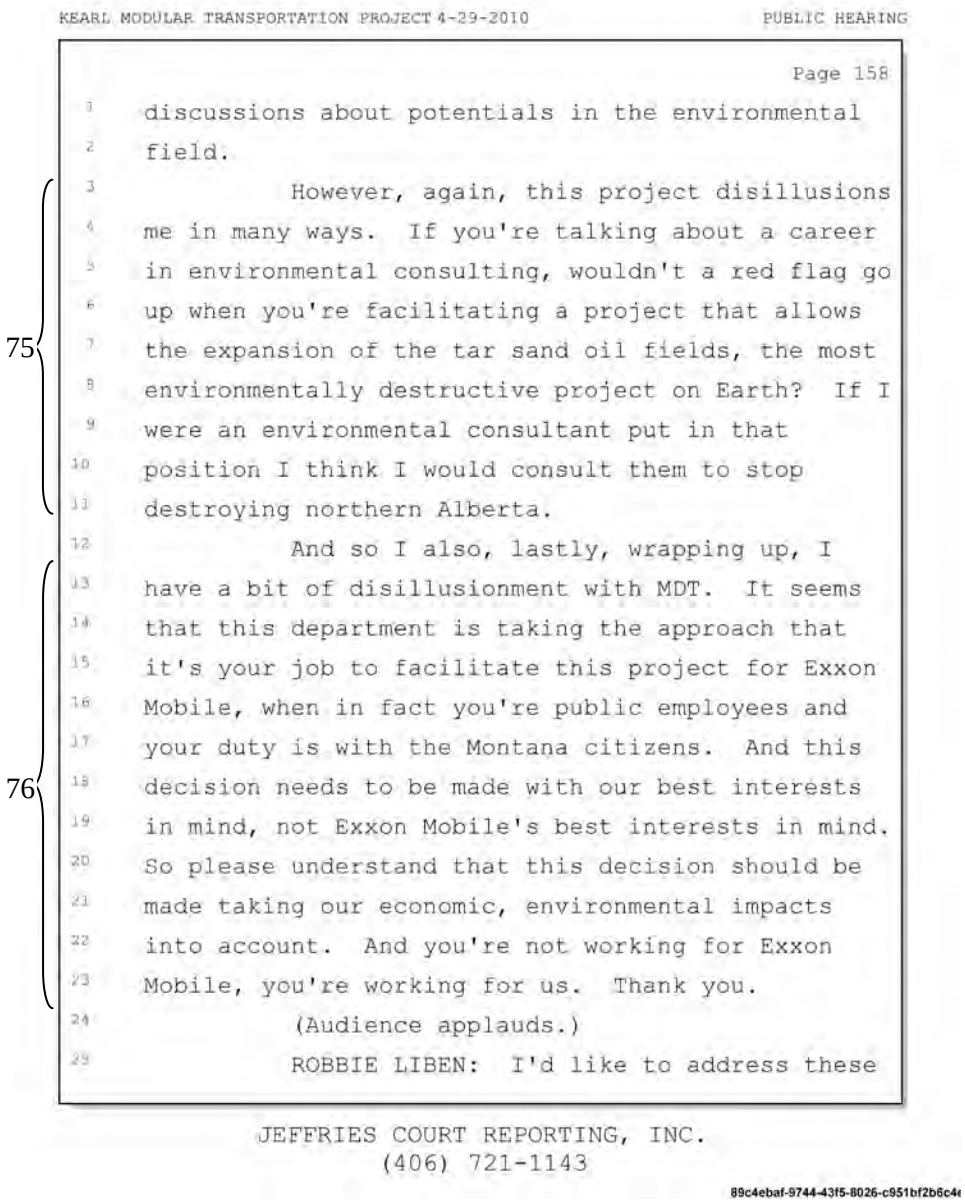
74. Additionally, as stated above, adverse stream impacts are not expected due to the distance between the proposed turnouts and stream resources, the use of Best Management Practices to minimize sediment and erosion, and revegetation will be employed. (Please see Sections 3.9 and 3.13 of the EA.)



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discussions about potentials in the environmental field.

However, again, this project disillusions me in many ways. If you're talking about a career in environmental consulting, wouldn't a red flag go up when you're facilitating a project that allows the expansion of the tar sand oil fields, the most environmentally destructive project on Earth? If I were an environmental consultant put in that position I think I would consult them to stop destroying northern Alberta.

And so I also, lastly, wrapping up, I have a bit of disillusionment with MDT. It seems that this department is taking the approach that it's your job to facilitate this project for Exxon Mobile, when in fact you're public employees and your duty is with the Montana citizens. And this decision needs to be made with our best interests in mind, not Exxon Mobile's best interests in mind. So please understand that this decision should be made taking our economic, environmental impacts into account. And you're not working for Exxon Mobile, you're working for us. Thank you.

(Audience applauds.)

ROBBIE LIBEN: I'd like to address these

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75. See response to Common Comment E1.

76. See responses to Common Comments M and S.

Liben, Robbie

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comments to the Montana Department of Transportation, please.

The emergency response section of the Environmental Assessment talks about things like what happens if there's a gas tank leak or a radiator leak, that's what it calls emergency response. There is no serious disaster plan in there, you know, as we found in the question-and-answer period before, there's no concept of what happens if one of these trailers loses its load, if one of these trailers gets broken down in such a way that it requires the load to be off of it. If the structural integrity of the trailer is impaired so that it cannot move and blocks the road, there is nothing of this, and we saw this before, I asked before, so do you have no plan in this, is there no plan to handle a disaster like this? And there was silence, so obviously there's not.

And this is just one small aspect of the whole environmental assessment, you know, that misleading -- that intentionally misleading part saying that we have a disaster plan, we have an emergency response plan because we can cover what happens if the gas tank leaks, and not really

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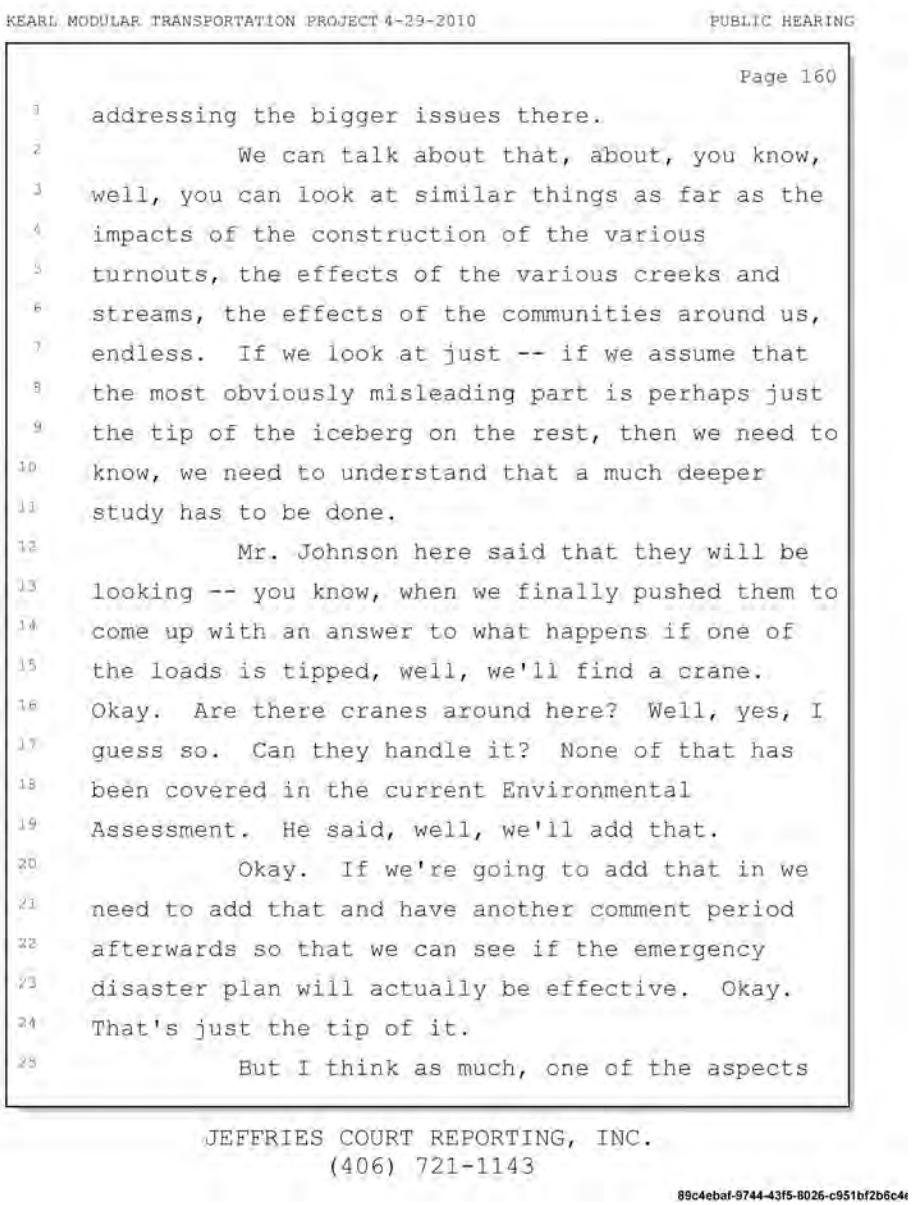
77. See response to Common Comments H1, H2, and H3.



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addressing the bigger issues there.

We can talk about that, about, you know, well, you can look at similar things as far as the impacts of the construction of the various turnouts, the effects of the various creeks and streams, the effects of the communities around us, endless. If we look at just -- if we assume that the most obviously misleading part is perhaps just the tip of the iceberg on the rest, then we need to know, we need to understand that a much deeper study has to be done.

Mr. Johnson here said that they will be looking -- you know, when we finally pushed them to come up with an answer to what happens if one of the loads is tipped, well, we'll find a crane. Okay. Are there cranes around here? Well, yes, I guess so. Can they handle it? None of that has been covered in the current Environmental Assessment. He said, well, we'll add that.

Okay. If we're going to add that in we need to add that and have another comment period afterwards so that we can see if the emergency disaster plan will actually be effective. Okay. That's just the tip of it.

But I think as much, one of the aspects

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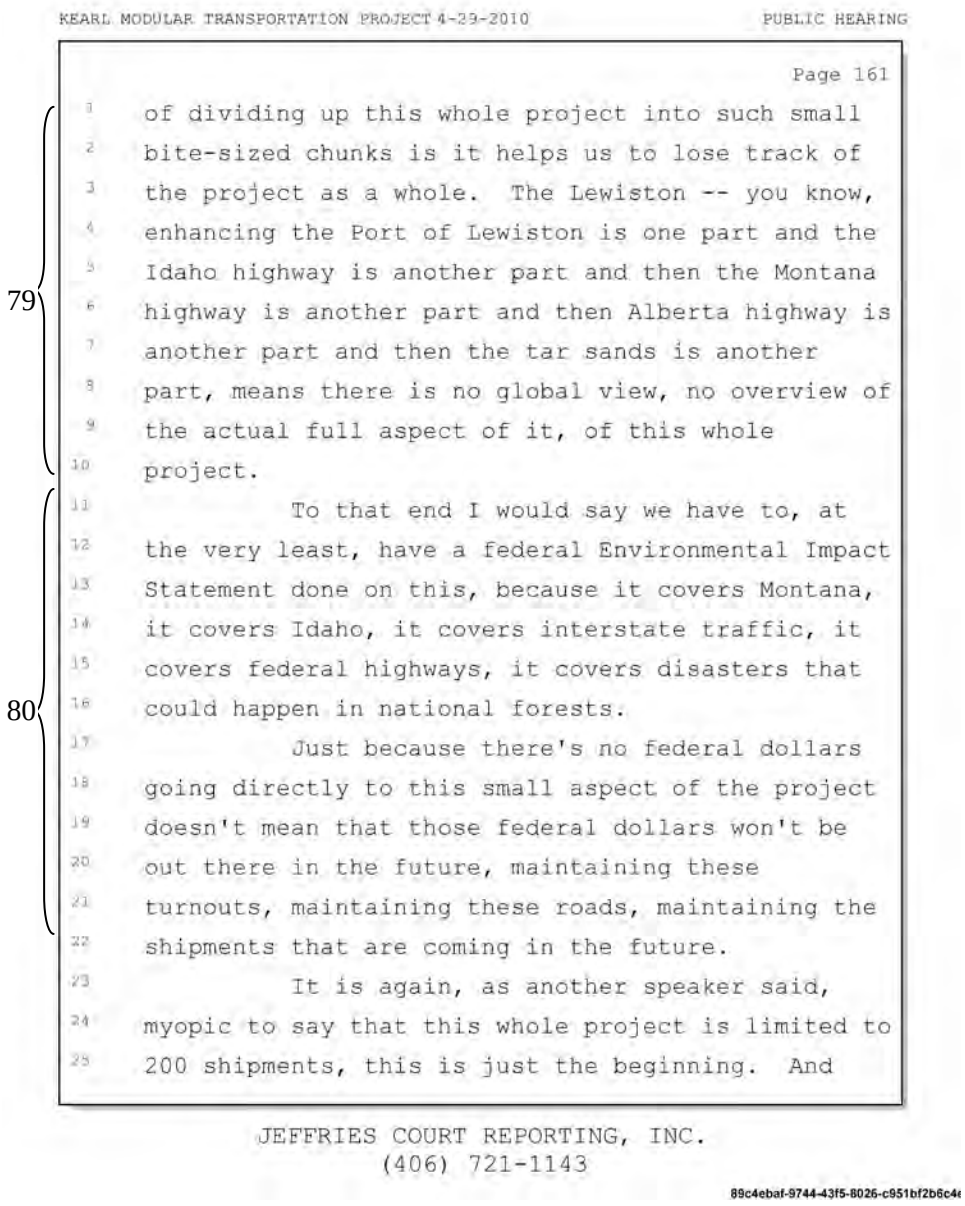
78. See Common Comment F1 and H1, H2, and H3



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of dividing up this whole project into such small bite-sized chunks is it helps us to lose track of the project as a whole. The Lewiston -- you know, enhancing the Port of Lewiston is one part and the Idaho highway is another part and then the Montana highway is another part and then Alberta highway is another part and then the tar sands is another part, means there is no global view, no overview of the actual full aspect of it, of this whole project.

79

To that end I would say we have to, at the very least, have a federal Environmental Impact Statement done on this, because it covers Montana, it covers Idaho, it covers interstate traffic, it covers federal highways, it covers disasters that could happen in national forests.

Just because there's no federal dollars going directly to this small aspect of the project doesn't mean that those federal dollars won't be out there in the future, maintaining these turnouts, maintaining these roads, maintaining the shipments that are coming in the future.

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It is again, as another speaker said, myopic to say that this whole project is limited to 200 shipments, this is just the beginning. And

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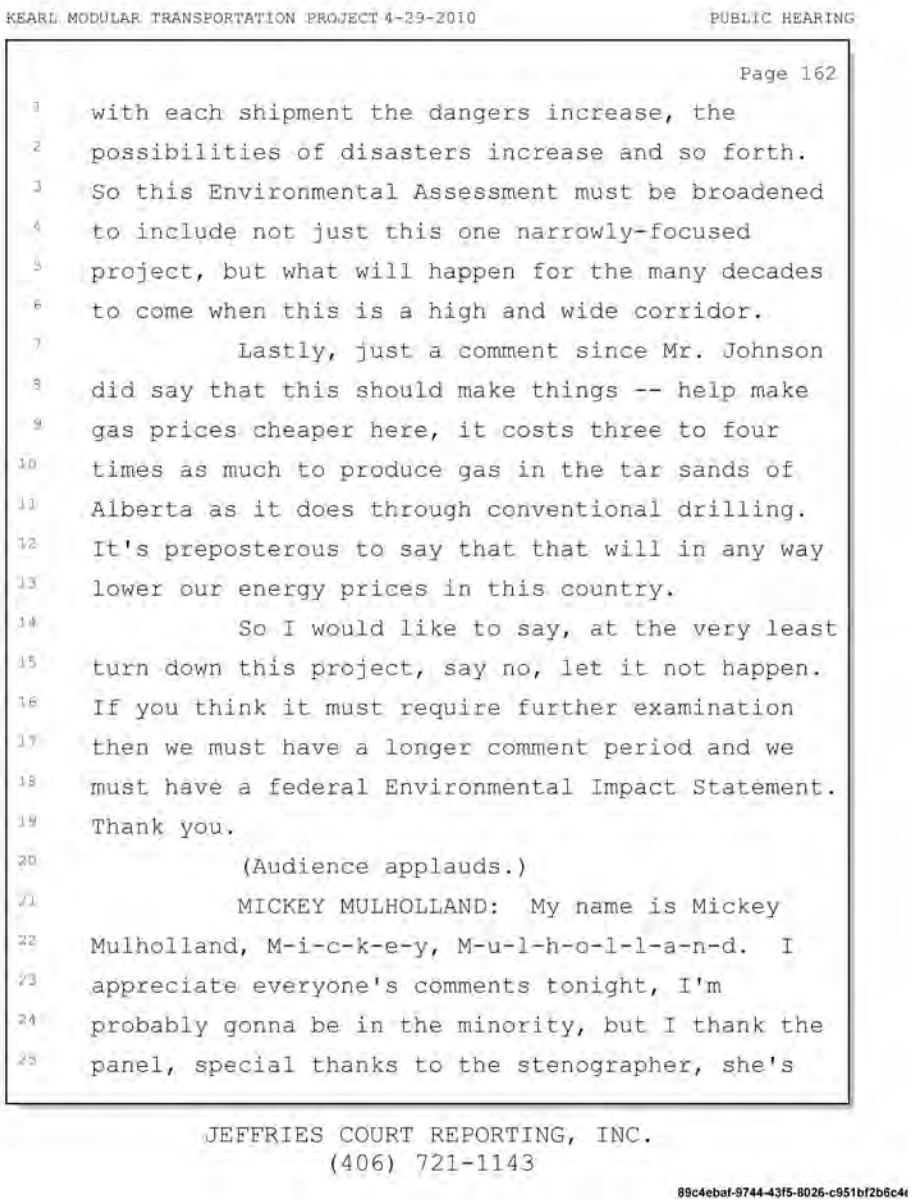
79. See response to Common Comment E1 and Common Comment E2.

80. See response to Common Comment A.



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with each shipment the dangers increase, the possibilities of disasters increase and so forth. So this Environmental Assessment must be broadened to include not just this one narrowly-focused project, but what will happen for the many decades to come when this is a high and wide corridor.

Lastly, just a comment since Mr. Johnson did say that this should make things -- help make gas prices cheaper here, it costs three to four times as much to produce gas in the tar sands of Alberta as it does through conventional drilling. It's preposterous to say that that will in any way lower our energy prices in this country.

So I would like to say, at the very least turn down this project, say no, let it not happen. If you think it must require further examination then we must have a longer comment period and we must have a federal Environmental Impact Statement. Thank you.

(Audience applauds.)

MICKEY MULHOLLAND: My name is Mickey Mulholland, M-i-c-k-e-y, M-u-l-h-o-l-l-a-n-d. I appreciate everyone's comments tonight, I'm probably gonna be in the minority, but I thank the panel, special thanks to the stenographer, she's

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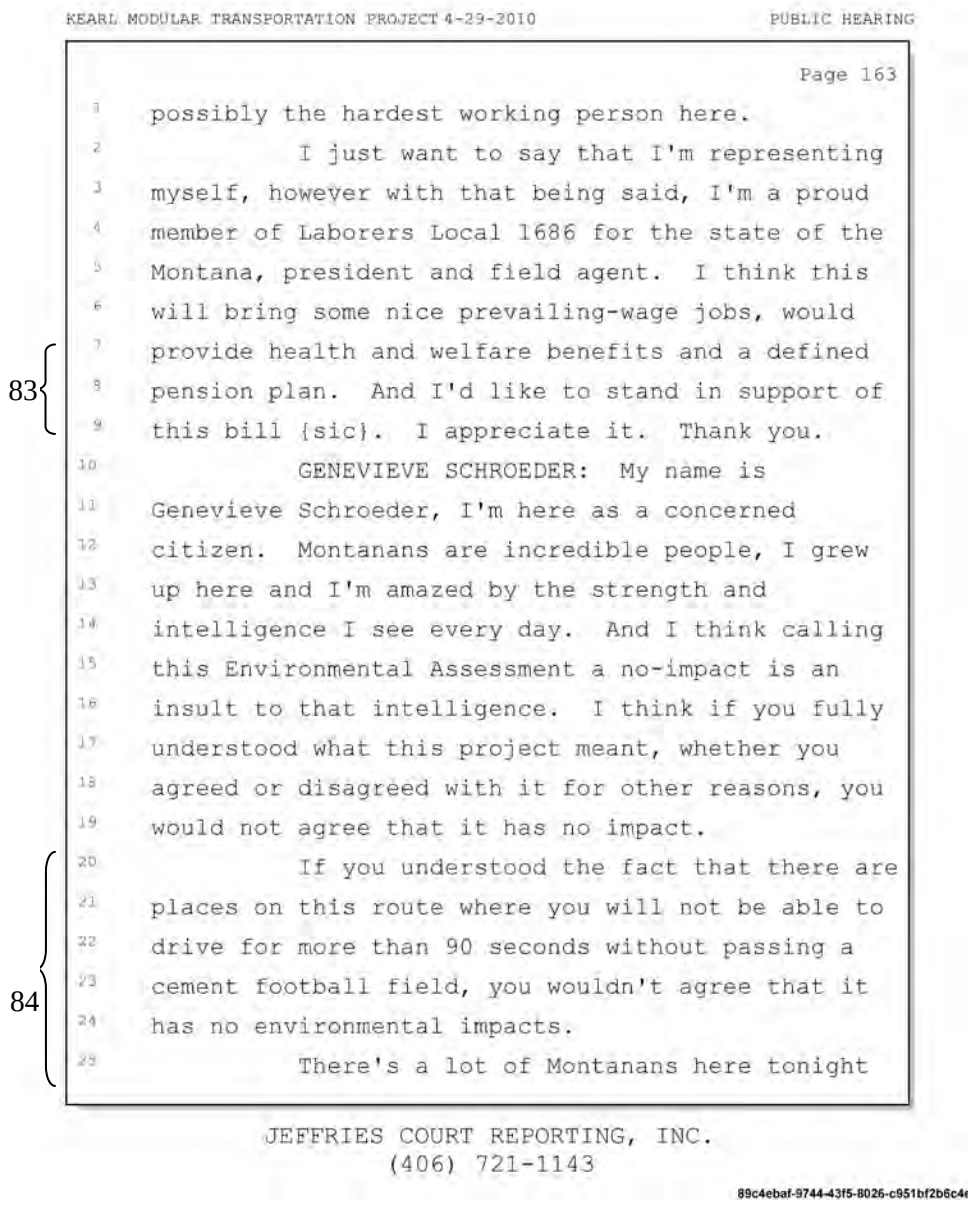
81. See response to Common Comment K.

82. Comments noted.

Mulholland, Mickey



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possibly the hardest working person here.

I just want to say that I'm representing myself, however with that being said, I'm a proud member of Laborers Local 1686 for the state of the Montana, president and field agent. I think this will bring some nice prevailing-wage jobs, would provide health and welfare benefits and a defined pension plan. And I'd like to stand in support of this bill {sic}. I appreciate it. Thank you.

GENEVIEVE SCHROEDER: My name is Genevieve Schroeder, I'm here as a concerned citizen. Montanans are incredible people, I grew up here and I'm amazed by the strength and intelligence I see every day. And I think calling this Environmental Assessment a no-impact is an insult to that intelligence. I think if you fully understood what this project meant, whether you agreed or disagreed with it for other reasons, you would not agree that it has no impact.

If you understood the fact that there are places on this route where you will not be able to drive for more than 90 seconds without passing a cement football field, you wouldn't agree that it has no environmental impacts.

There's a lot of Montanans here tonight

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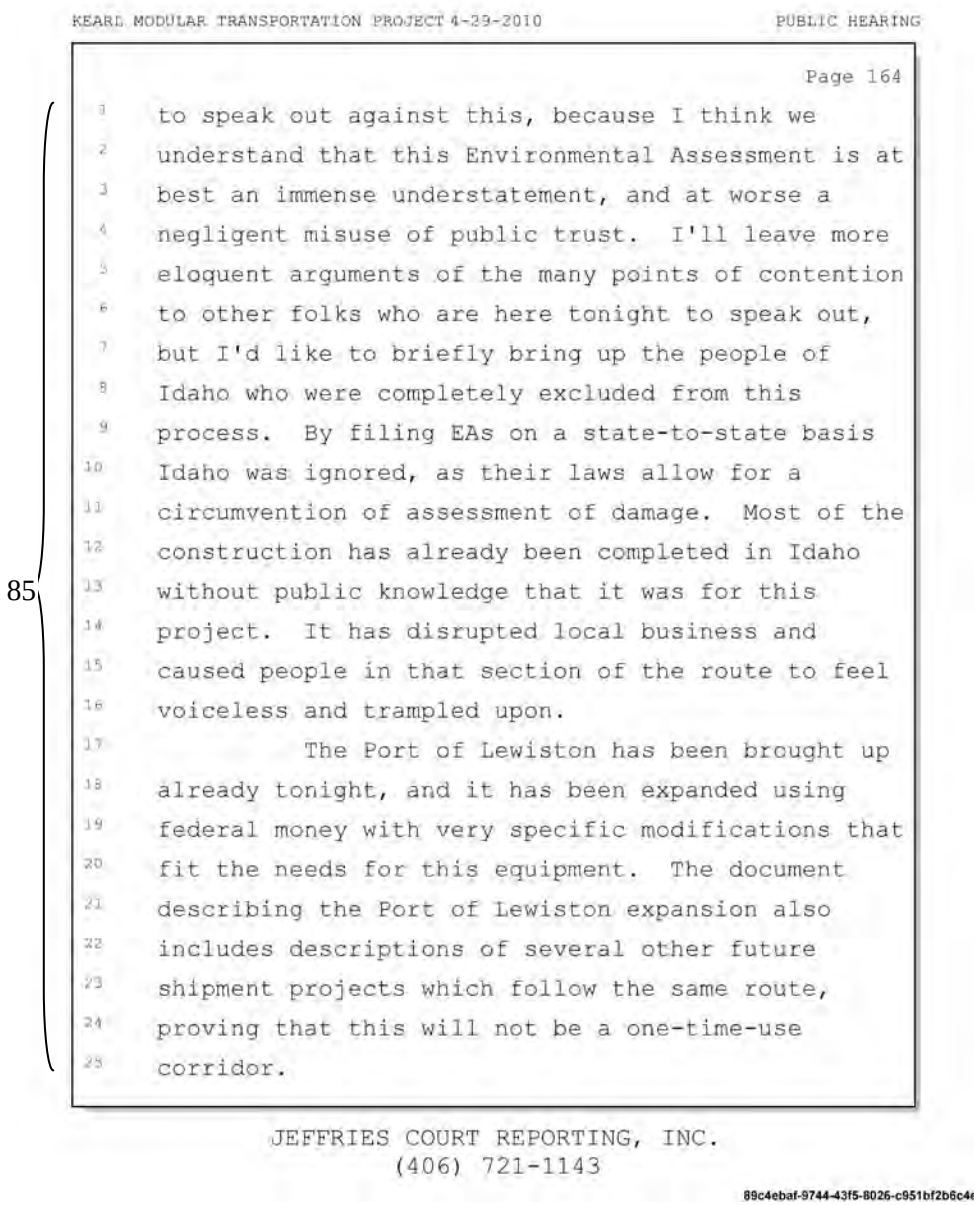
83. Comment noted.

Schroeder, Genevieve

84. See response to Common Comment S.



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to speak out against this, because I think we understand that this Environmental Assessment is at best an immense understatement, and at worse a negligent misuse of public trust. I'll leave more eloquent arguments of the many points of contention to other folks who are here tonight to speak out, but I'd like to briefly bring up the people of Idaho who were completely excluded from this process. By filing EAs on a state-to-state basis Idaho was ignored, as their laws allow for a circumvention of assessment of damage. Most of the construction has already been completed in Idaho without public knowledge that it was for this project. It has disrupted local business and caused people in that section of the route to feel voiceless and trampled upon.

The Port of Lewiston has been brought up already tonight, and it has been expanded using federal money with very specific modifications that fit the needs for this equipment. The document describing the Port of Lewiston expansion also includes descriptions of several other future shipment projects which follow the same route, proving that this will not be a one-time-use corridor.

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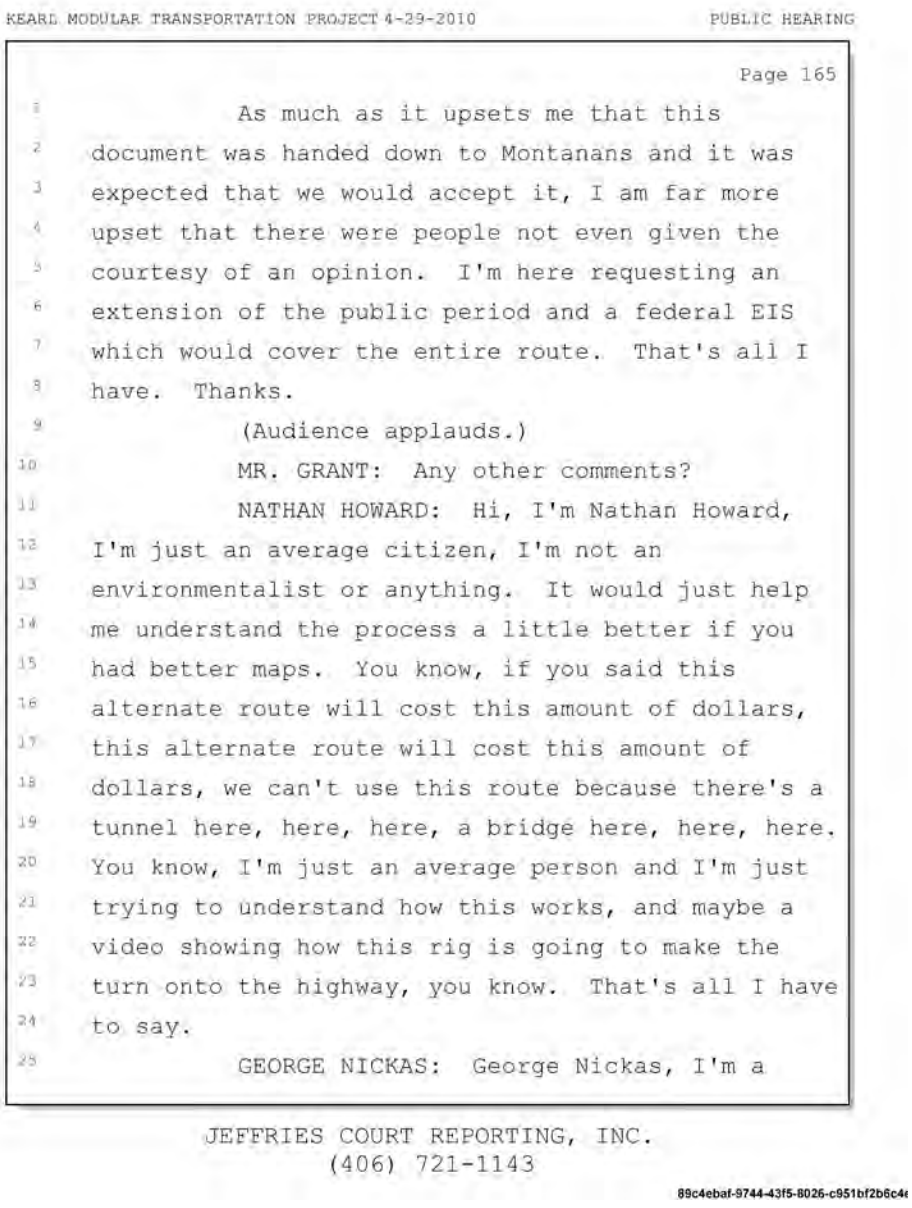
85. See response to Common Comment E2.



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As much as it upsets me that this document was handed down to Montanans and it was expected that we would accept it, I am far more upset that there were people not even given the courtesy of an opinion. I'm here requesting an extension of the public period and a federal EIS which would cover the entire route. That's all I have. Thanks.

(Audience applauds.)

MR. GRANT: Any other comments?

NATHAN HOWARD: Hi, I'm Nathan Howard, I'm just an average citizen, I'm not an environmentalist or anything. It would just help me understand the process a little better if you had better maps. You know, if you said this alternate route will cost this amount of dollars, this alternate route will cost this amount of dollars, we can't use this route because there's a tunnel here, here, here, a bridge here, here, here. You know, I'm just an average person and I'm just trying to understand how this works, and maybe a video showing how this rig is going to make the turn onto the highway, you know. That's all I have to say.

GEORGE NICKAS: George Nickas, I'm a

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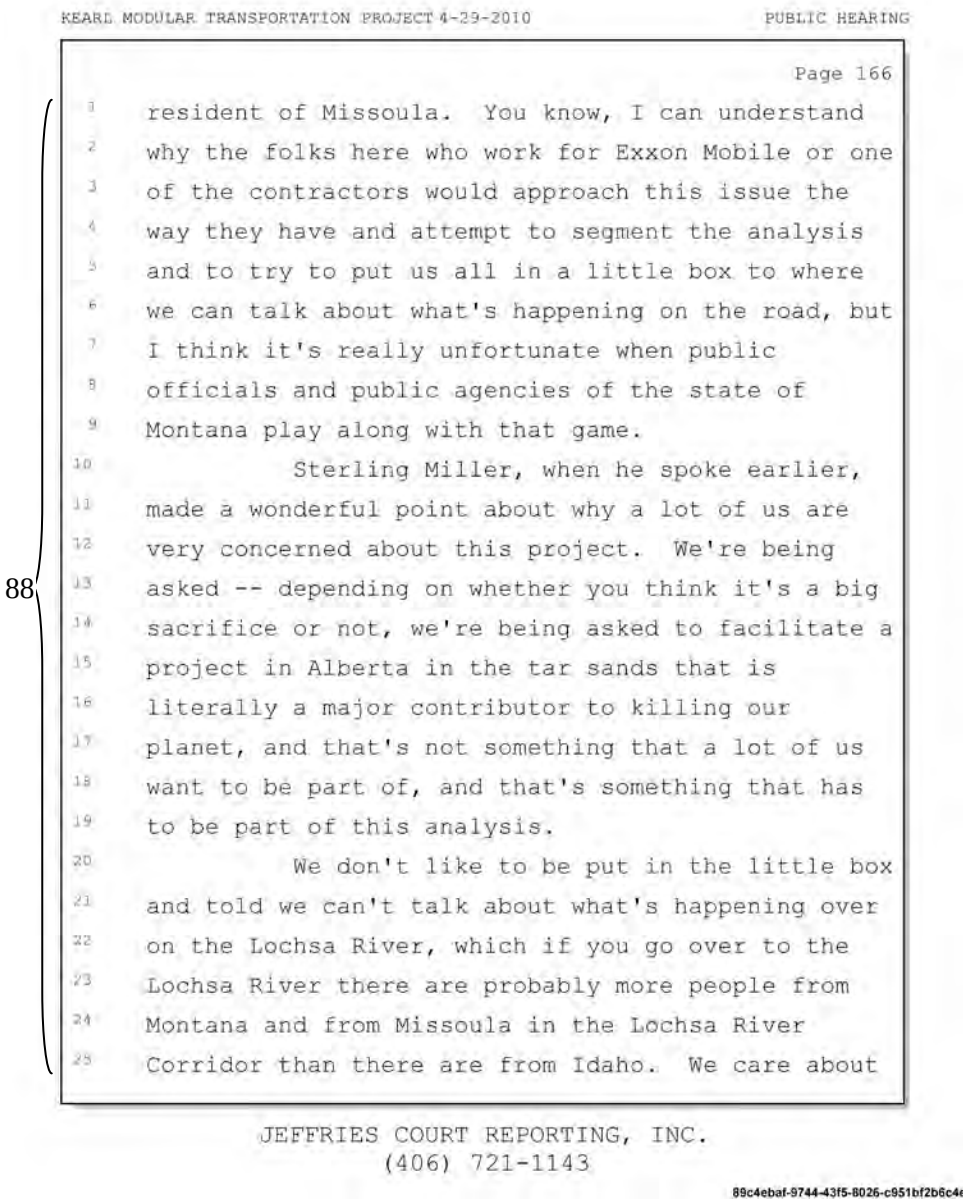
86. See response to Common Comments F1 and A.

Howard, Nathan

87. See responses to Common Comments D1 and D2.

Nickas, George



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resident of Missoula. You know, I can understand why the folks here who work for Exxon Mobile or one of the contractors would approach this issue the way they have and attempt to segment the analysis and to try to put us all in a little box to where we can talk about what's happening on the road, but I think it's really unfortunate when public officials and public agencies of the state of Montana play along with that game.

Sterling Miller, when he spoke earlier, made a wonderful point about why a lot of us are very concerned about this project. We're being asked -- depending on whether you think it's a big sacrifice or not, we're being asked to facilitate a project in Alberta in the tar sands that is literally a major contributor to killing our planet, and that's not something that a lot of us want to be part of, and that's something that has to be part of this analysis.

We don't like to be put in the little box and told we can't talk about what's happening over on the Lochsa River, which if you go over to the Lochsa River there are probably more people from Montana and from Missoula in the Lochsa River Corridor than there are from Idaho. We care about

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88. See responses to Common Comments S, E1, E2, and P.

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what happens to the wild and scenic river corridor and we don't think that what is being proposed for that corridor is at all consistent with the reason that that place was set aside, the reason that that place was made a national scenic highway and the reason it was made one of our nation's premier wild and scenic corridors. And a lot of us feel the same way about the Blackfoot and the Big Blackfoot.

So there's a lot at stake here and we don't even get to talk about the way that this analysis has evolved so far, and I really think it's imperative that our state officials step up to the plate here and say, we're gonna take a look at the bigger picture, we're gonna look at the issues that are of concern to Montanans, not just the issues that are of concern to Exxon Mobile.

And with that I'll leave it, except I just want to associate myself with the comments of the Northern Rockies Rising Tide, which I think laid out a lot of major concerns very well. Thank you.

(Audience applauds.)

ALEXIS BONOGOFSKY: My name is Alexis Bonogofsky, I'm representing the National Wildlife Federation, I'm based out of Billings, Montana.

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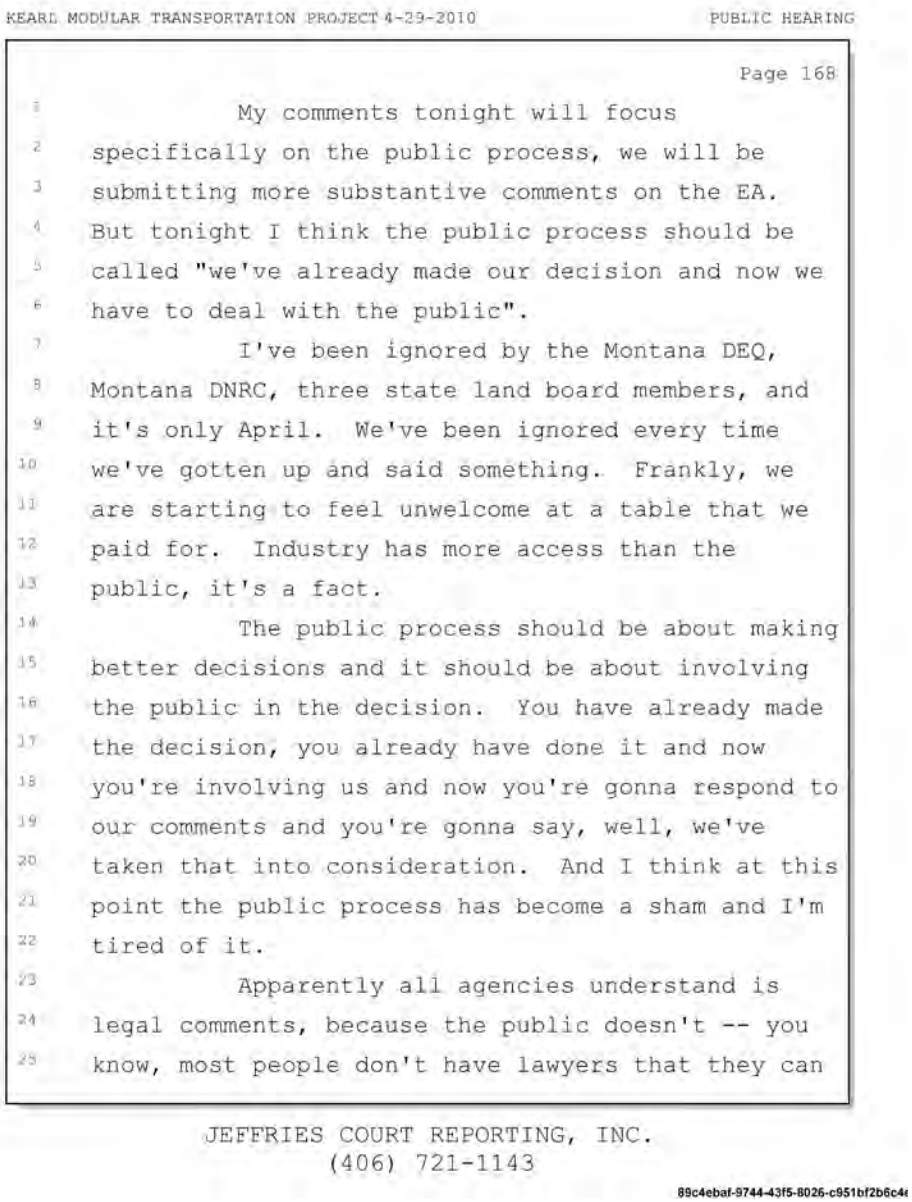
See previous page.

National Wildlife Federation, Alexis Bonogofsky



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My comments tonight will focus specifically on the public process, we will be submitting more substantive comments on the EA. But tonight I think the public process should be called "we've already made our decision and now we have to deal with the public".

I've been ignored by the Montana DEQ, Montana DNRC, three state land board members, and it's only April. We've been ignored every time we've gotten up and said something. Frankly, we are starting to feel unwelcome at a table that we paid for. Industry has more access than the public, it's a fact.

The public process should be about making better decisions and it should be about involving the public in the decision. You have already made the decision, you already have done it and now you're involving us and now you're gonna respond to our comments and you're gonna say, well, we've taken that into consideration. And I think at this point the public process has become a sham and I'm tired of it.

Apparently all agencies understand is legal comments, because the public doesn't -- you know, most people don't have lawyers that they can

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89. See response to Common Comment S.

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go to, that's why groups like us have to step in. So I'm just -- this is -- you know, it's just another public meeting that we've been to that we've been ignored, and we're asking for an extension so more people can be involved, at least a 90-day public comment period.

(Audience applauds.)

DRU CARR: My name is Dru Carr, I'm a resident of Missoula. I really appreciate the last speaker's comments, and this whole setup here tonight -- I don't know, but this is really strange. Half of the speakers have been making comments to Exxon Mobile, it's ridiculous. You all are sitting back here in a corner behind the bleachers, it just makes no sense to me at all, and I think it sort of represents the process.

We hear that this has been going on for a long time, that the planning process has been going on for a long time, and now I'm hearing that people who have been asking for the EA didn't get it until a couple of weeks ago. This is a huge project in Montana, you have to extend the comment period 90 days, at least, and give us a chance to see this EA and know more about it.

Forgive me, I don't trust an

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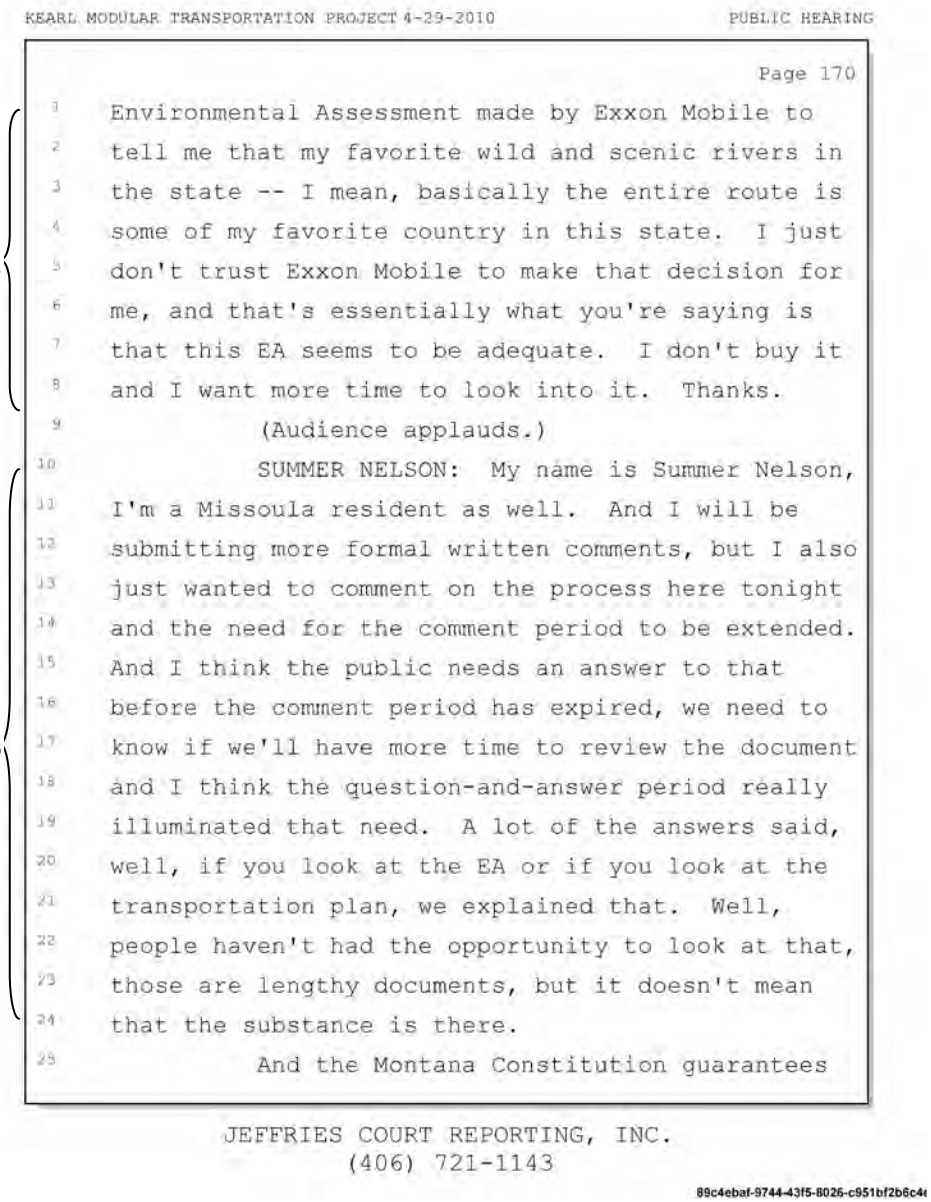
90. See response to Common Comment F1.

Carr, Dru

91. Please see Section 4.0 of the EA which includes a listing of consultation activities. Consultation started in 2009. See response to Common Comment F1.



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Environmental Assessment made by Exxon Mobile to tell me that my favorite wild and scenic rivers in the state -- I mean, basically the entire route is some of my favorite country in this state. I just don't trust Exxon Mobile to make that decision for me, and that's essentially what you're saying is that this EA seems to be adequate. I don't buy it and I want more time to look into it. Thanks.

(Audience applauds.)

SUMMER NELSON: My name is Summer Nelson, I'm a Missoula resident as well. And I will be submitting more formal written comments, but I also just wanted to comment on the process here tonight and the need for the comment period to be extended. And I think the public needs an answer to that before the comment period has expired, we need to know if we'll have more time to review the document and I think the question-and-answer period really illuminated that need. A lot of the answers said, well, if you look at the EA or if you look at the transportation plan, we explained that. Well, people haven't had the opportunity to look at that, those are lengthy documents, but it doesn't mean that the substance is there.

And the Montana Constitution guarantees

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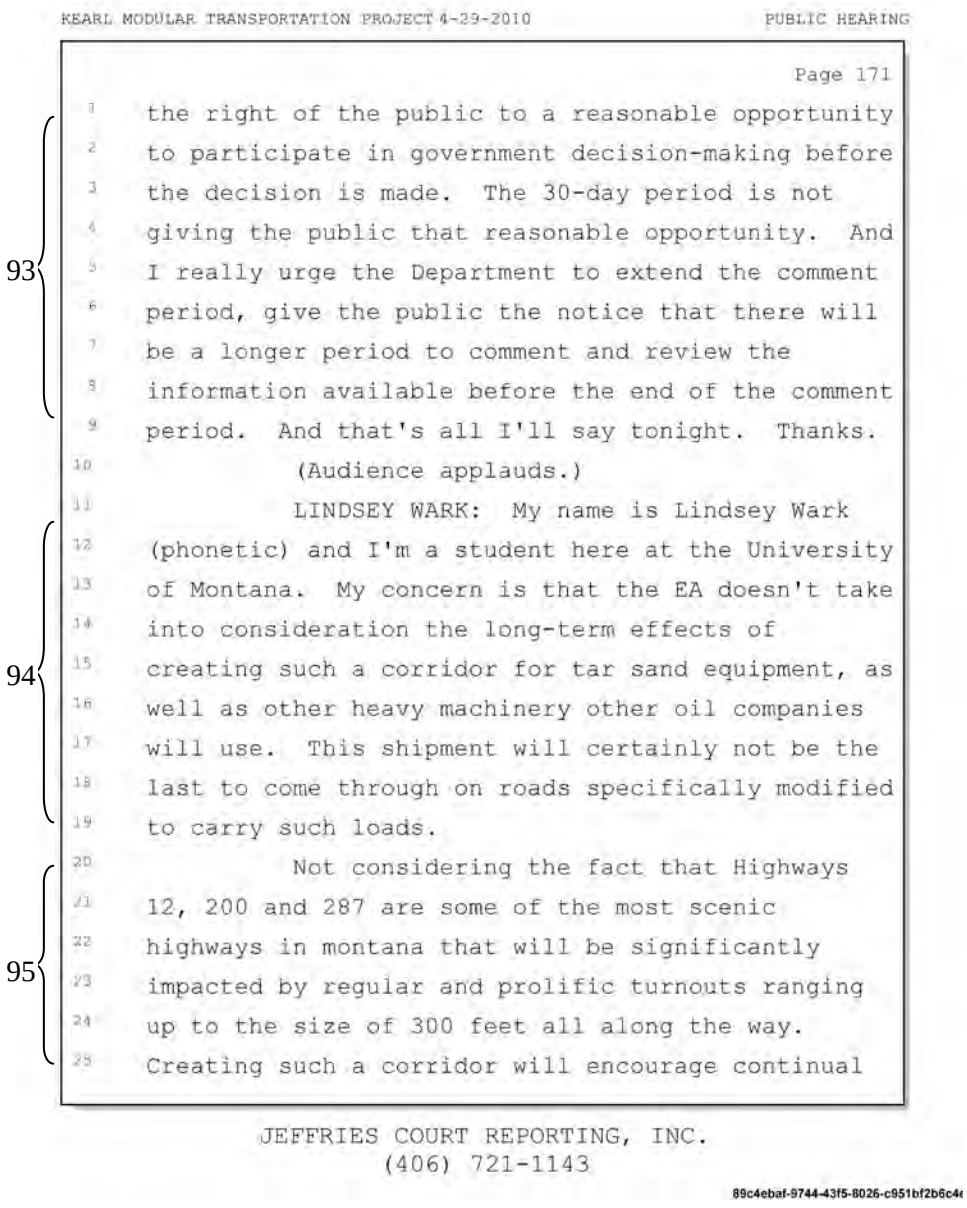
92. Imperial Oil and its consultants were extensively involved in the preparation of the environmental analyses and documentation. MDT staff were extensively involved in the process and MDT takes full responsibility for the content of the document.

Nelson, Summer

93. See response to Common Comment F1.



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the right of the public to a reasonable opportunity to participate in government decision-making before the decision is made. The 30-day period is not giving the public that reasonable opportunity. And I really urge the Department to extend the comment period, give the public the notice that there will be a longer period to comment and review the information available before the end of the comment period. And that's all I'll say tonight. Thanks.

(Audience applauds.)

LINDSEY WARK: My name is Lindsey Wark (phonetic) and I'm a student here at the University of Montana. My concern is that the EA doesn't take into consideration the long-term effects of creating such a corridor for tar sand equipment, as well as other heavy machinery other oil companies will use. This shipment will certainly not be the last to come through on roads specifically modified to carry such loads.

Not considering the fact that Highways 12, 200 and 287 are some of the most scenic highways in montana that will be significantly impacted by regular and prolific turnouts ranging up to the size of 300 feet all along the way. Creating such a corridor will encourage continual

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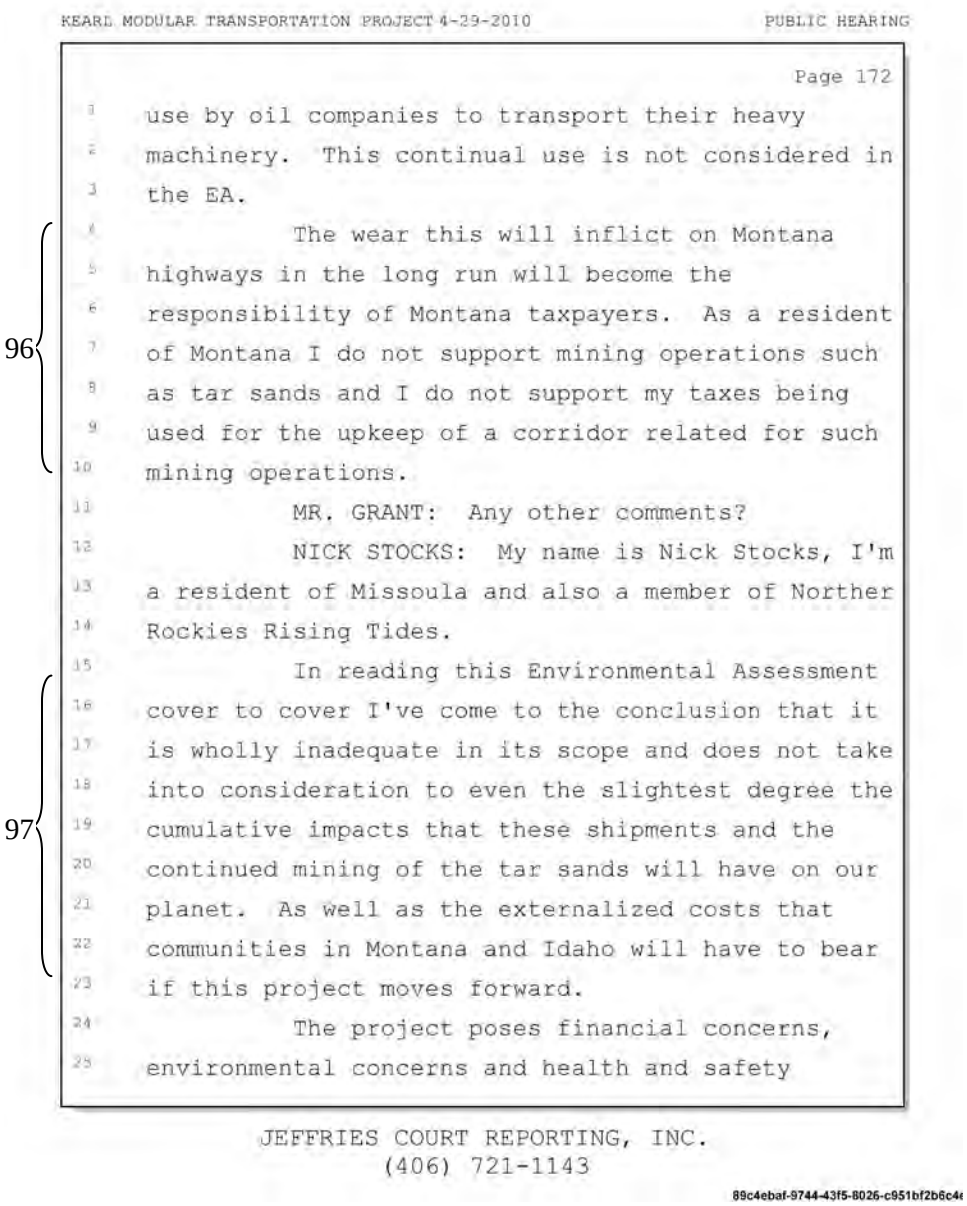
See previous page.

Wark, Lindsey

94. See response to Common Comment K.

95. See response to Common Comment J.MDT does not agree the that the number of turnouts are “prolific”. Along approximately 31 miles of Highway 12, one new turnout will be constructed; along approximately 110 miles of Highway 200, 12 new turnouts will be constructed; along approximately 45 miles on Highway 287, 11 new turnouts will be constructed.



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use by oil companies to transport their heavy machinery. This continual use is not considered in the EA.

The wear this will inflict on Montana highways in the long run will become the responsibility of Montana taxpayers. As a resident of Montana I do not support mining operations such as tar sands and I do not support my taxes being used for the upkeep of a corridor related for such mining operations.

MR. GRANT: Any other comments?

NICK STOCKS: My name is Nick Stocks, I'm a resident of Missoula and also a member of Norther Rockies Rising Tides.

In reading this Environmental Assessment cover to cover I've come to the conclusion that it is wholly inadequate in its scope and does not take into consideration to even the slightest degree the cumulative impacts that these shipments and the continued mining of the tar sands will have on our planet. As well as the externalized costs that communities in Montana and Idaho will have to bear if this project moves forward.

The project poses financial concerns, environmental concerns and health and safety

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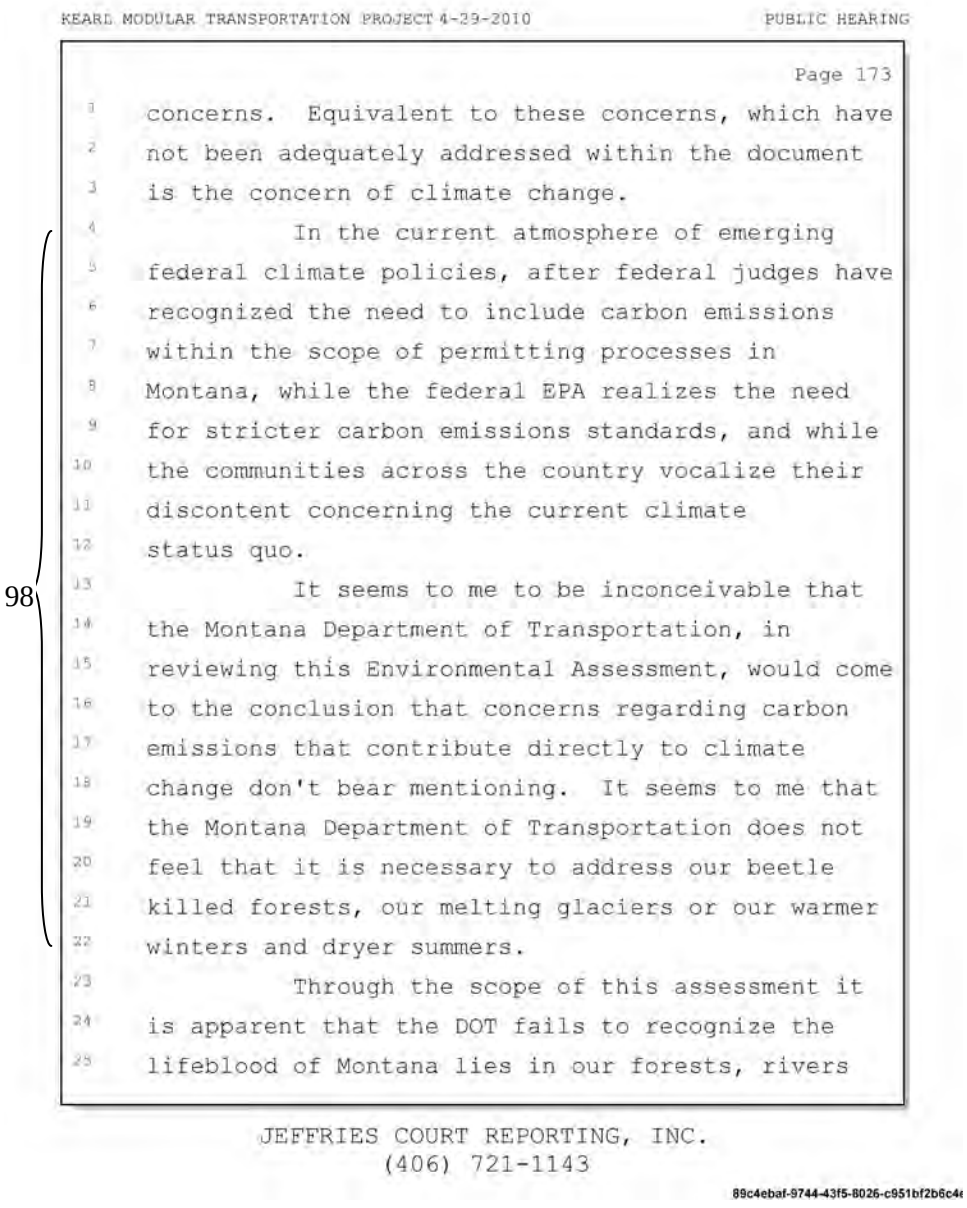
96. See responses to Common Comments E1 and L.

Stocks, Nick

97. See responses to Common Comments E1 and M.



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concerns. Equivalent to these concerns, which have not been adequately addressed within the document is the concern of climate change.

In the current atmosphere of emerging federal climate policies, after federal judges have recognized the need to include carbon emissions within the scope of permitting processes in Montana, while the federal EPA realizes the need for stricter carbon emissions standards, and while the communities across the country vocalize their discontent concerning the current climate status quo.

98

It seems to me to be inconceivable that the Montana Department of Transportation, in reviewing this Environmental Assessment, would come to the conclusion that concerns regarding carbon emissions that contribute directly to climate change don't bear mentioning. It seems to me that the Montana Department of Transportation does not feel that it is necessary to address our beetle killed forests, our melting glaciers or our warmer winters and dryer summers.

Through the scope of this assessment it is apparent that the DOT fails to recognize the lifeblood of Montana lies in our forests, rivers

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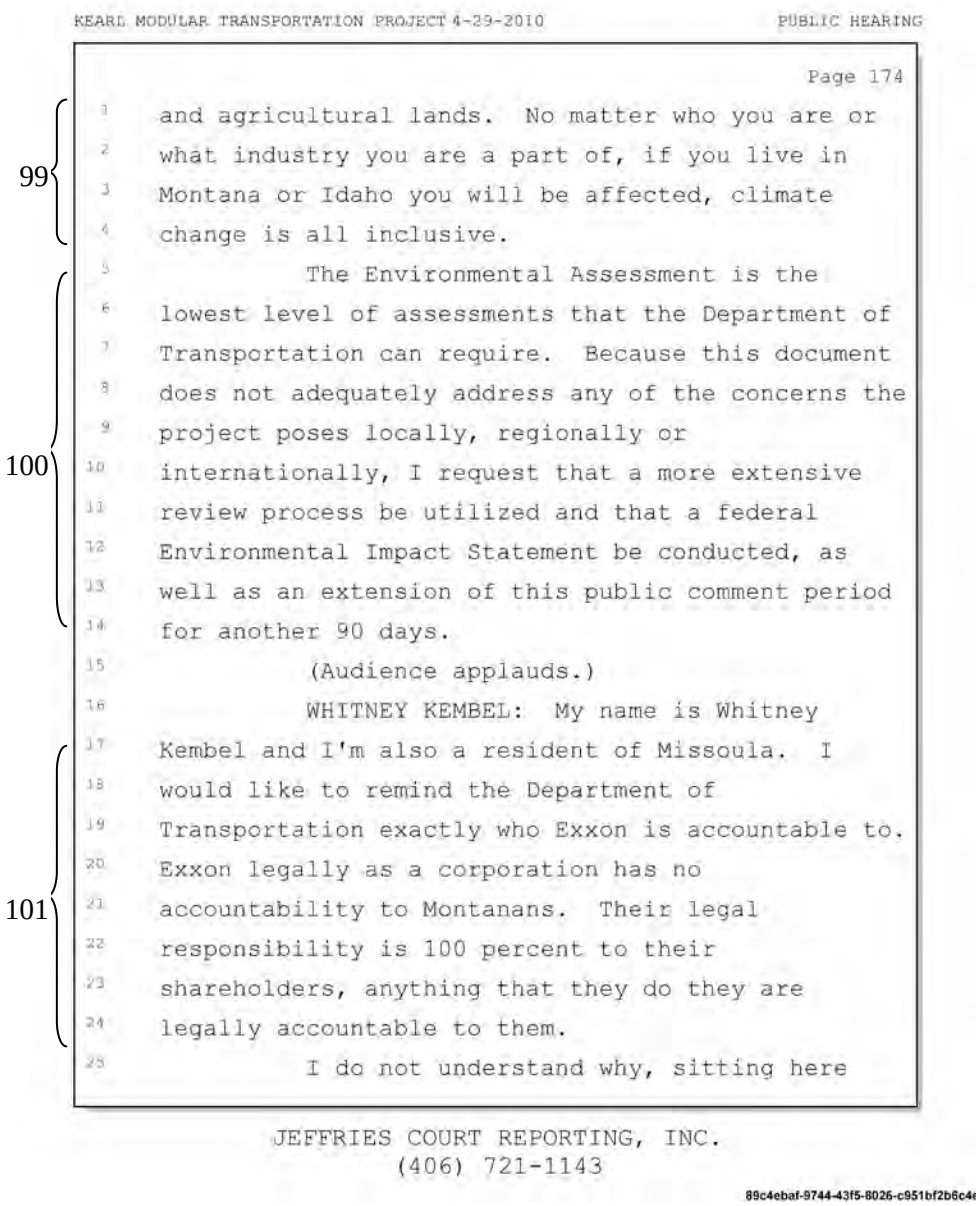
98. See response to Common Comment P.



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and agricultural lands. No matter who you are or what industry you are a part of, if you live in Montana or Idaho you will be affected, climate change is all inclusive.

The Environmental Assessment is the lowest level of assessments that the Department of Transportation can require. Because this document does not adequately address any of the concerns the project poses locally, regionally or internationally, I request that a more extensive review process be utilized and that a federal Environmental Impact Statement be conducted, as well as an extension of this public comment period for another 90 days.

(Audience applauds.)

WHITNEY KEMBEL: My name is Whitney Kembel and I'm also a resident of Missoula. I would like to remind the Department of Transportation exactly who Exxon is accountable to. Exxon legally as a corporation has no accountability to Montanans. Their legal responsibility is 100 percent to their shareholders, anything that they do they are legally accountable to them.

I do not understand why, sitting here

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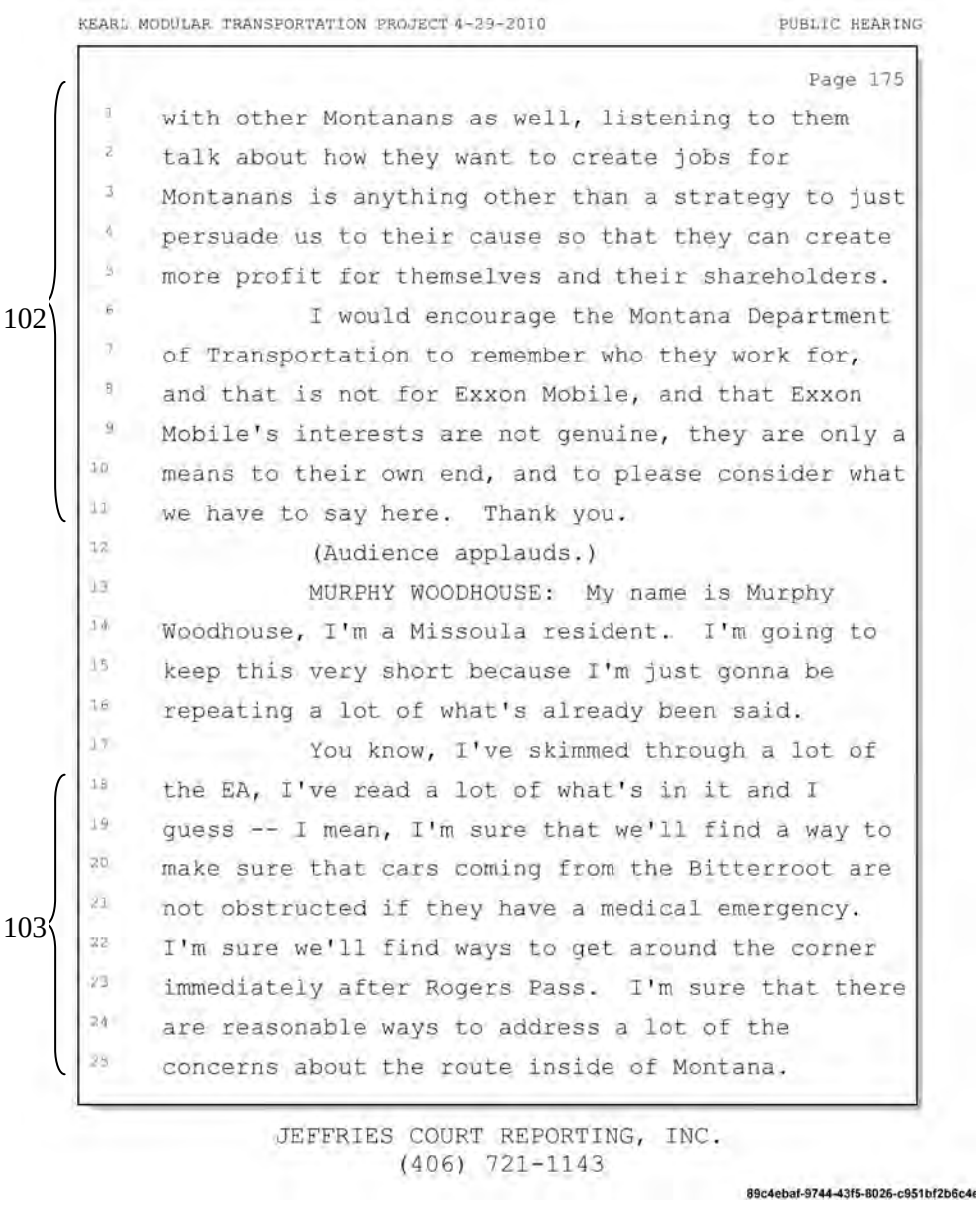
99. Comment noted.

100. See response to Common Comment A, B and F1.

Kembel, Whitney

101. KMTP must abide by Montana law.



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with other Montanans as well, listening to them talk about how they want to create jobs for Montanans is anything other than a strategy to just persuade us to their cause so that they can create more profit for themselves and their shareholders.

I would encourage the Montana Department of Transportation to remember who they work for, and that is not for Exxon Mobile, and that Exxon Mobile's interests are not genuine, they are only a means to their own end, and to please consider what we have to say here. Thank you.

(Audience applauds.)

MURPHY WOODHOUSE: My name is Murphy Woodhouse, I'm a Missoula resident. I'm going to keep this very short because I'm just gonna be repeating a lot of what's already been said.

You know, I've skimmed through a lot of the EA, I've read a lot of what's in it and I guess -- I mean, I'm sure that we'll find a way to make sure that cars coming from the Bitterroot are not obstructed if they have a medical emergency. I'm sure we'll find ways to get around the corner immediately after Rogers Pass. I'm sure that there are reasonable ways to address a lot of the concerns about the route inside of Montana.

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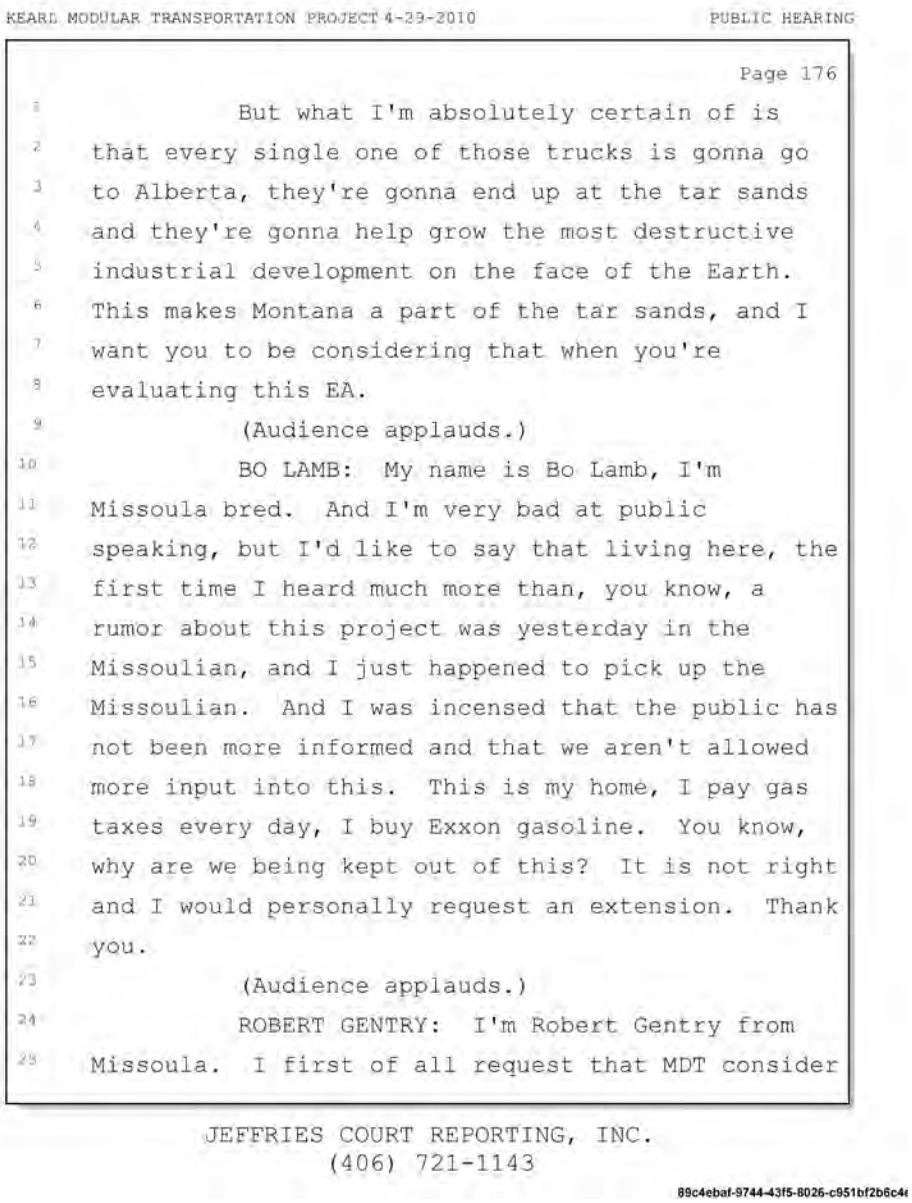
102. Comment noted.

Woodhouse, Murphy

103. See response to Common Comment H3.



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But what I'm absolutely certain of is that every single one of those trucks is gonna go to Alberta, they're gonna end up at the tar sands and they're gonna help grow the most destructive industrial development on the face of the Earth. This makes Montana a part of the tar sands, and I want you to be considering that when you're evaluating this EA.

(Audience applauds.)

BO LAMB: My name is Bo Lamb, I'm Missoula bred. And I'm very bad at public speaking, but I'd like to say that living here, the first time I heard much more than, you know, a rumor about this project was yesterday in the Missoulian, and I just happened to pick up the Missoulian. And I was incensed that the public has not been more informed and that we aren't allowed more input into this. This is my home, I pay gas taxes every day, I buy Exxon gasoline. You know, why are we being kept out of this? It is not right and I would personally request an extension. Thank you.

(Audience applauds.)

ROBERT GENTRY: I'm Robert Gentry from Missoula. I first of all request that MDT consider

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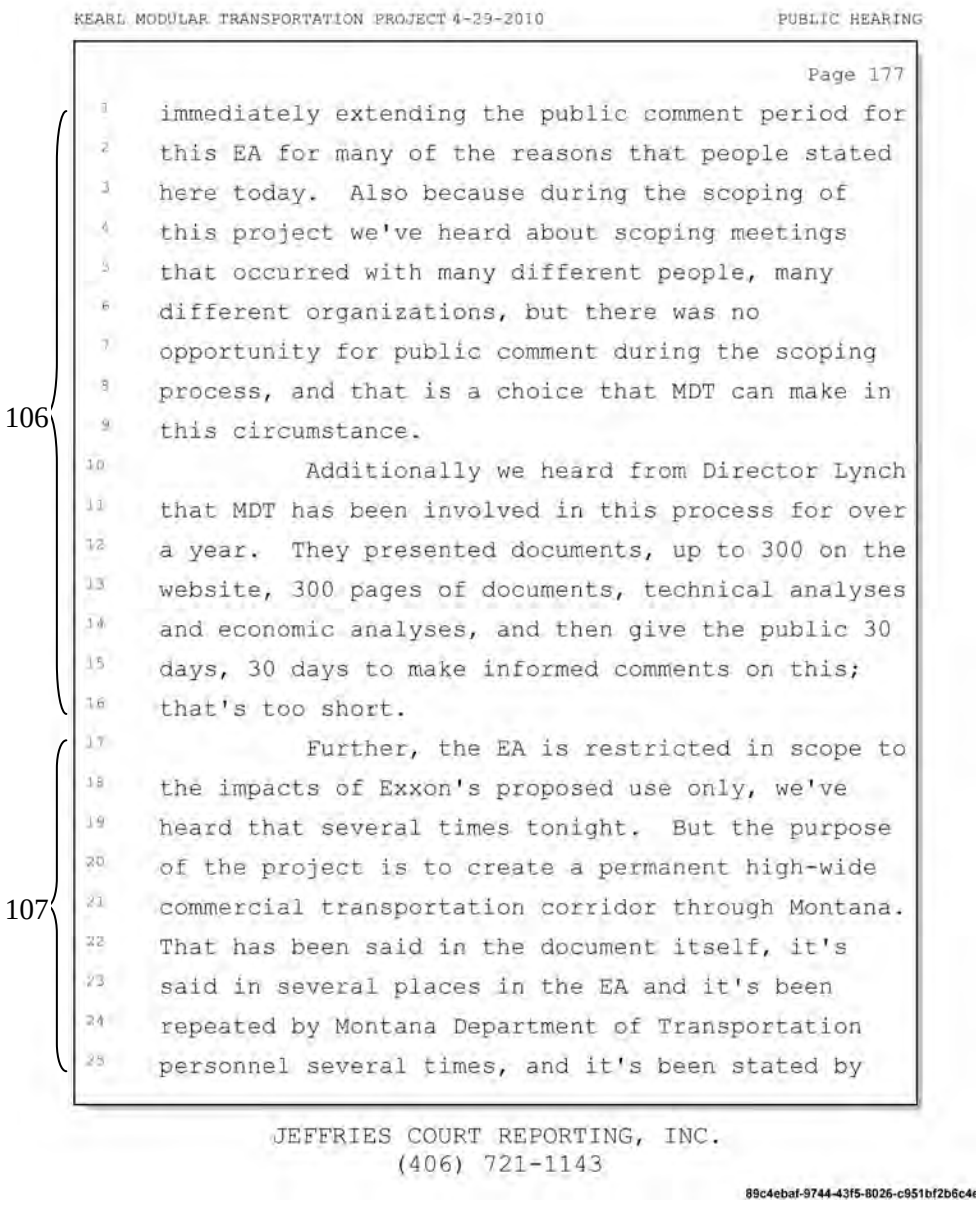
104. See response to Common Comment E1.

Lamb, Bo

105. See response to Common Comment F1. MDT conducted an extensive effort to notify the public. See Section 2.0 of the FONSI.

Gentry, Robert



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immediately extending the public comment period for this EA for many of the reasons that people stated here today. Also because during the scoping of this project we've heard about scoping meetings that occurred with many different people, many different organizations, but there was no opportunity for public comment during the scoping process, and that is a choice that MDT can make in this circumstance.

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Additionally we heard from Director Lynch that MDT has been involved in this process for over a year. They presented documents, up to 300 on the website, 300 pages of documents, technical analyses and economic analyses, and then give the public 30 days, 30 days to make informed comments on this; that's too short.

Further, the EA is restricted in scope to the impacts of Exxon's proposed use only, we've heard that several times tonight. But the purpose of the project is to create a permanent high-wide commercial transportation corridor through Montana. That has been said in the document itself, it's said in several places in the EA and it's been repeated by Montana Department of Transportation personnel several times, and it's been stated by

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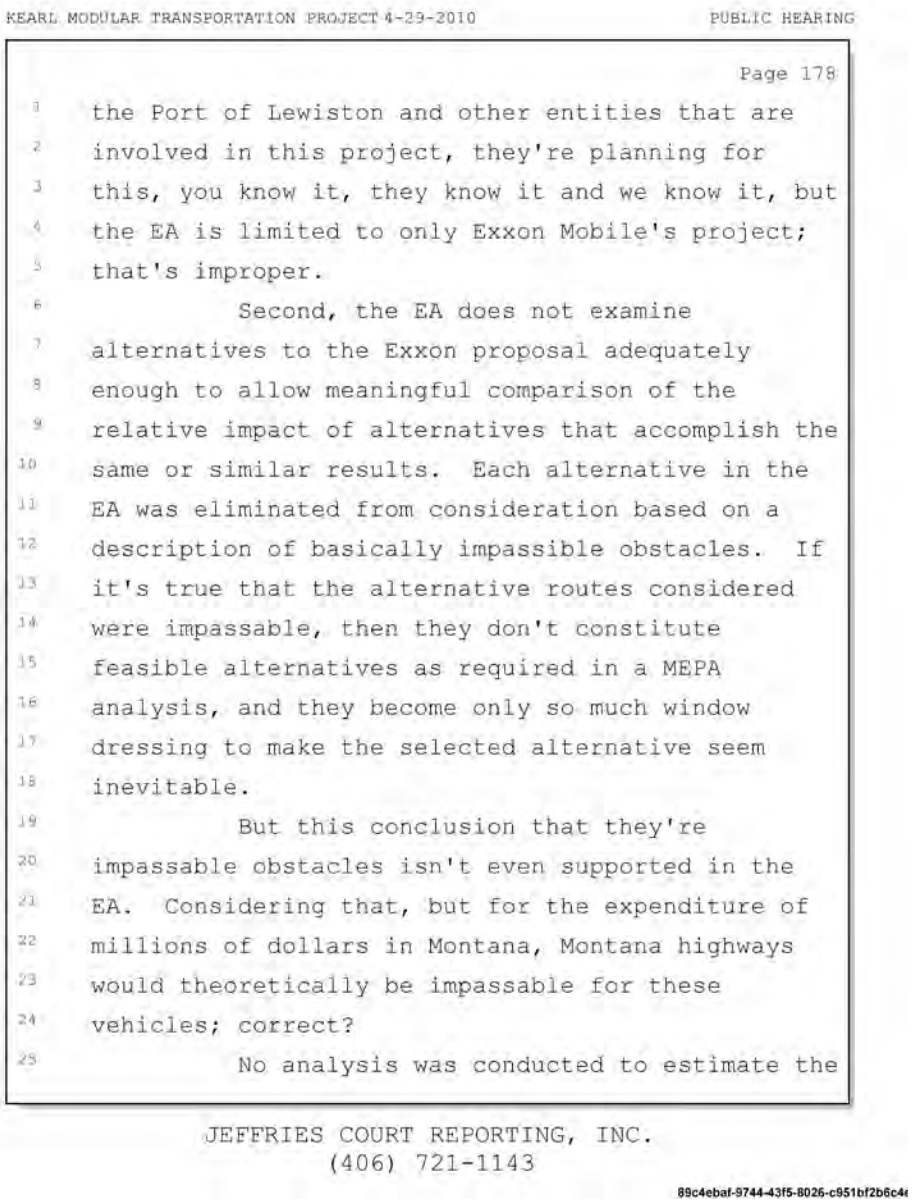
106. See responses to Common Comment F1 and S.

107. See response to Common Comment K. The Purpose and Need for the project, provided in the EA in Sections 1.2 and 1.3, does not include the creation of a permanent high wide corridor.



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the Port of Lewiston and other entities that are involved in this project, they're planning for this, you know it, they know it and we know it, but the EA is limited to only Exxon Mobile's project; that's improper.

Second, the EA does not examine alternatives to the Exxon proposal adequately enough to allow meaningful comparison of the relative impact of alternatives that accomplish the same or similar results. Each alternative in the EA was eliminated from consideration based on a description of basically impassible obstacles. If it's true that the alternative routes considered were impassable, then they don't constitute feasible alternatives as required in a MEPA analysis, and they become only so much window dressing to make the selected alternative seem inevitable.

But this conclusion that they're impassable obstacles isn't even supported in the EA. Considering that, but for the expenditure of millions of dollars in Montana, Montana highways would theoretically be impassable for these vehicles; correct?

No analysis was conducted to estimate the

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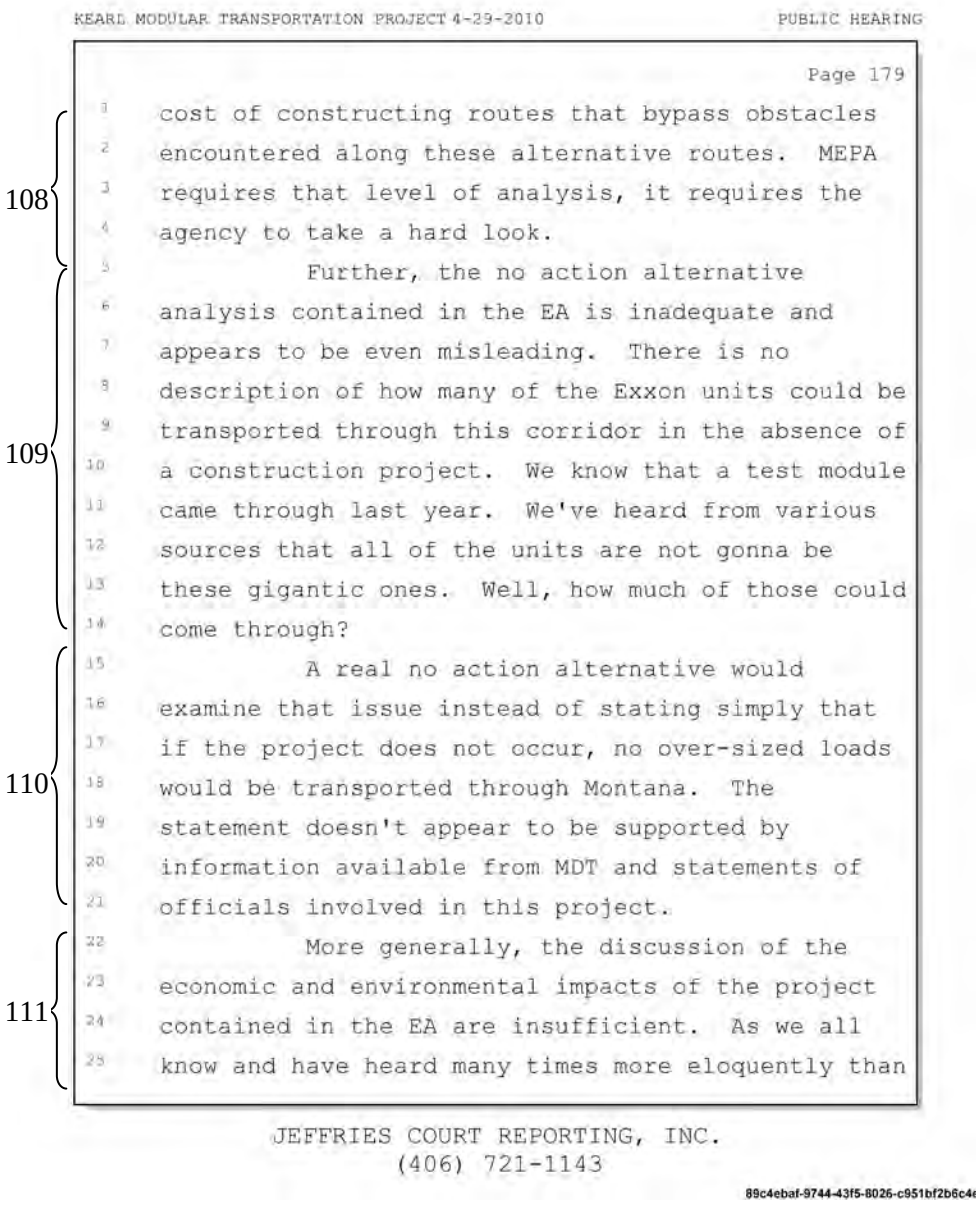
See previous page.

108. See response to Common Comment D1. The alternatives summarized in Section 2.3 were eliminated because they were infeasible. The only alternatives for MDT to consider were the proposed action and the no action alternative. According to ARM 18.2.236(2), the no action alternative is considered a reasonable alternative.



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cost of constructing routes that bypass obstacles encountered along these alternative routes. MEPA requires that level of analysis, it requires the agency to take a hard look.

Further, the no action alternative analysis contained in the EA is inadequate and appears to be even misleading. There is no description of how many of the Exxon units could be transported through this corridor in the absence of a construction project. We know that a test module came through last year. We've heard from various sources that all of the units are not gonna be these gigantic ones. Well, how much of those could come through?

A real no action alternative would examine that issue instead of stating simply that if the project does not occur, no over-sized loads would be transported through Montana. The statement doesn't appear to be supported by information available from MDT and statements of officials involved in this project.

More generally, the discussion of the economic and environmental impacts of the project contained in the EA are insufficient. As we all know and have heard many times more eloquently than

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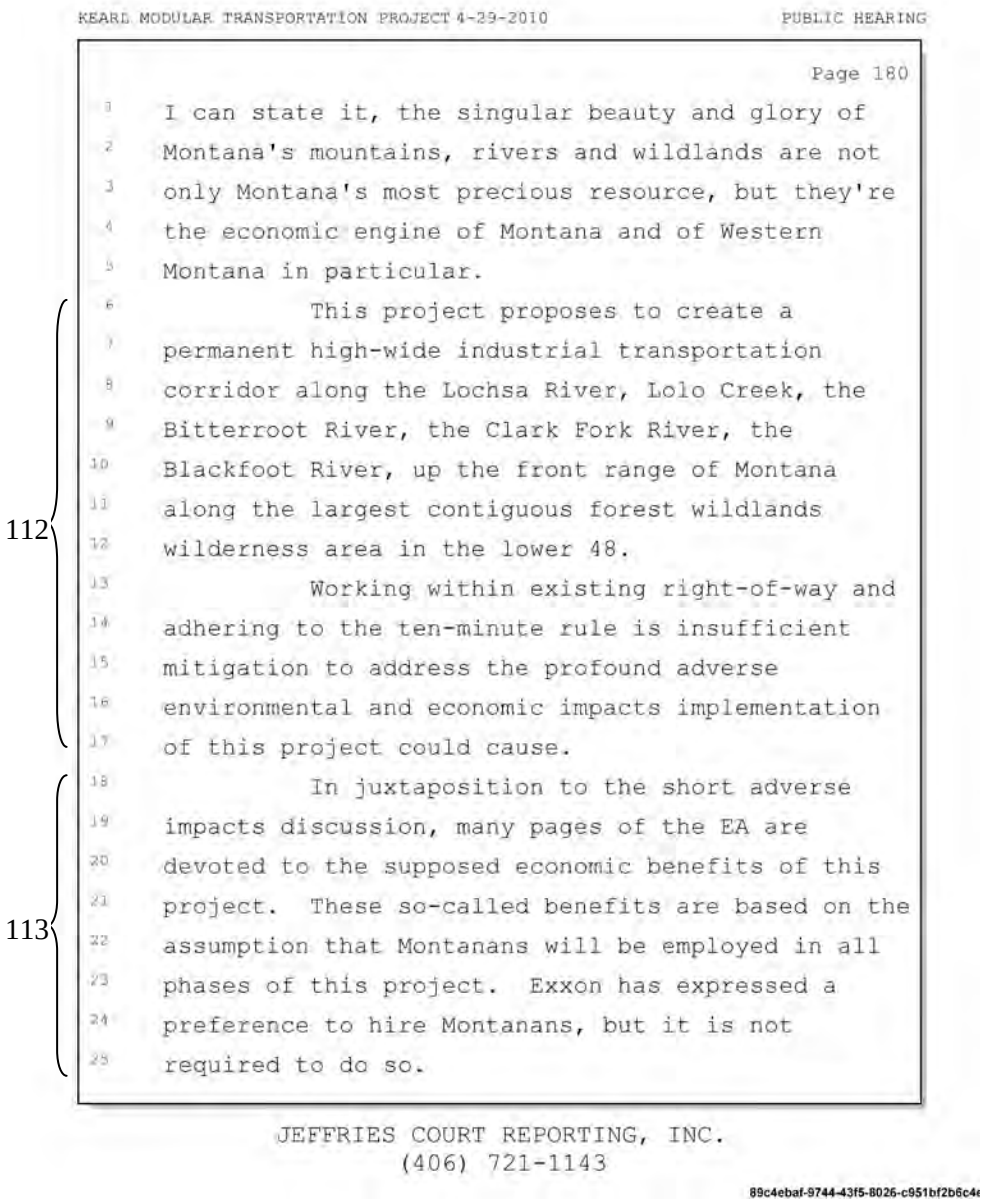
See previous page.

109. KMTP has not shipped a test module. KMTP. As shown in Table 9, the loads will be various sizes. None of the modules could be transported and meet the 10-minute rule without the turnouts.

110. See response to Common Comment D3.

111. MDT concludes the analysis of economic and environmental impacts is sufficient. MDT has received no substantive comments indicating otherwise.



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I can state it, the singular beauty and glory of Montana's mountains, rivers and wildlands are not only Montana's most precious resource, but they're the economic engine of Montana and of Western Montana in particular.

This project proposes to create a permanent high-wide industrial transportation corridor along the Lochsa River, Lolo Creek, the Bitterroot River, the Clark Fork River, the Blackfoot River, up the front range of Montana along the largest contiguous forest wildlands wilderness area in the lower 48.

Working within existing right-of-way and adhering to the ten-minute rule is insufficient mitigation to address the profound adverse environmental and economic impacts implementation of this project could cause.

In juxtaposition to the short adverse impacts discussion, many pages of the EA are devoted to the supposed economic benefits of this project. These so-called benefits are based on the assumption that Montanans will be employed in all phases of this project. Exxon has expressed a preference to hire Montanans, but it is not required to do so.

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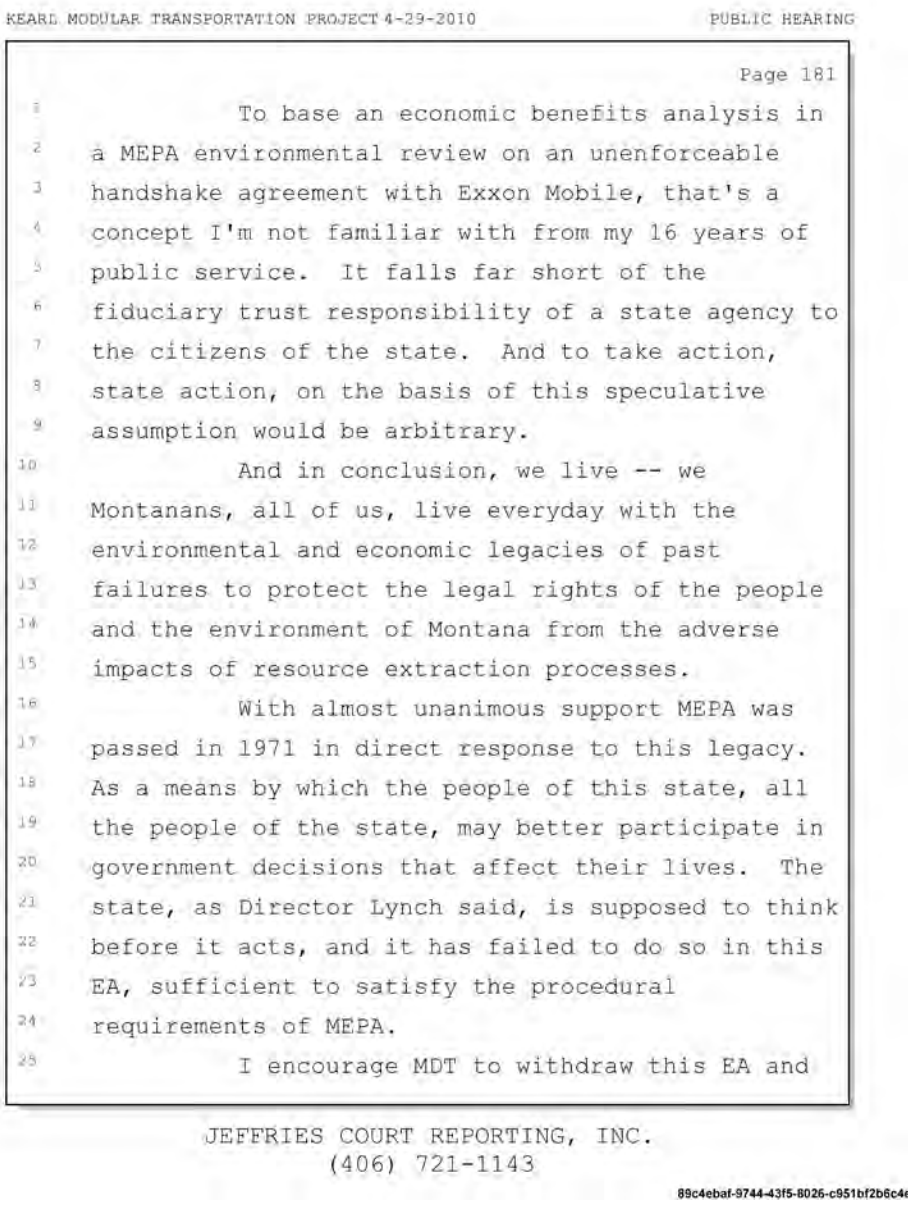
112. See Common Comment K.

113. See response to Common Comment Q.



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To base an economic benefits analysis in a MEPA environmental review on an unenforceable handshake agreement with Exxon Mobile, that's a concept I'm not familiar with from my 16 years of public service. It falls far short of the fiduciary trust responsibility of a state agency to the citizens of the state. And to take action, state action, on the basis of this speculative assumption would be arbitrary.

And in conclusion, we live -- we Montanans, all of us, live everyday with the environmental and economic legacies of past failures to protect the legal rights of the people and the environment of Montana from the adverse impacts of resource extraction processes.

With almost unanimous support MEPA was passed in 1971 in direct response to this legacy. As a means by which the people of this state, all the people of the state, may better participate in government decisions that affect their lives. The state, as Director Lynch said, is supposed to think before it acts, and it has failed to do so in this EA, sufficient to satisfy the procedural requirements of MEPA.

I encourage MDT to withdraw this EA and

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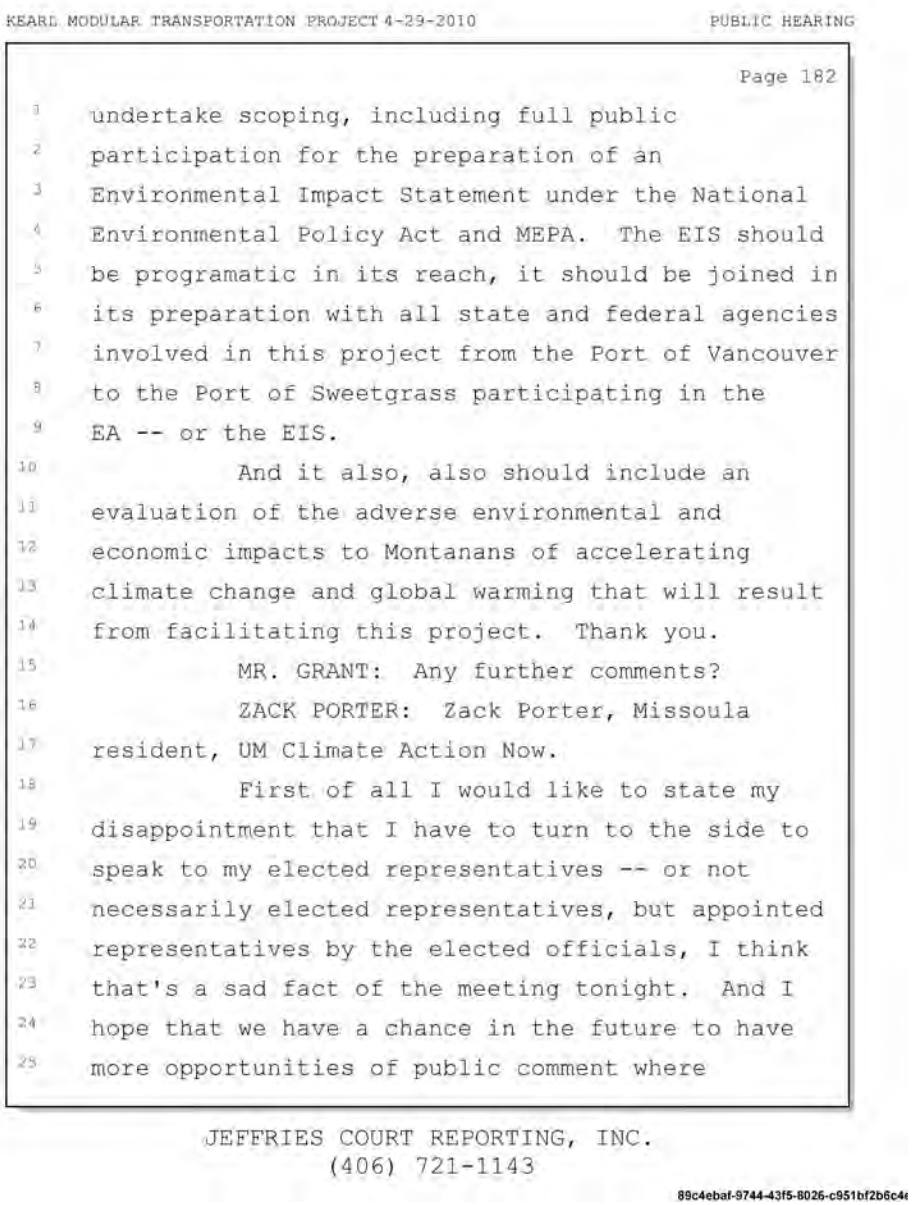
114. See response to Common Comment Q.

115. See response to Common Comment S.



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undertake scoping, including full public participation for the preparation of an Environmental Impact Statement under the National Environmental Policy Act and MEPA. The EIS should be programatic in its reach, it should be joined in its preparation with all state and federal agencies involved in this project from the Port of Vancouver to the Port of Sweetgrass participating in the EA -- or the EIS.

And it also, also should include an evaluation of the adverse environmental and economic impacts to Montanans of accelerating climate change and global warming that will result from facilitating this project. Thank you.

MR. GRANT: Any further comments?

ZACK PORTER: Zack Porter, Missoula resident, UM Climate Action Now.

First of all I would like to state my disappointment that I have to turn to the side to speak to my elected representatives -- or not necessarily elected representatives, but appointed representatives by the elected officials, I think that's a sad fact of the meeting tonight. And I hope that we have a chance in the future to have more opportunities of public comment where

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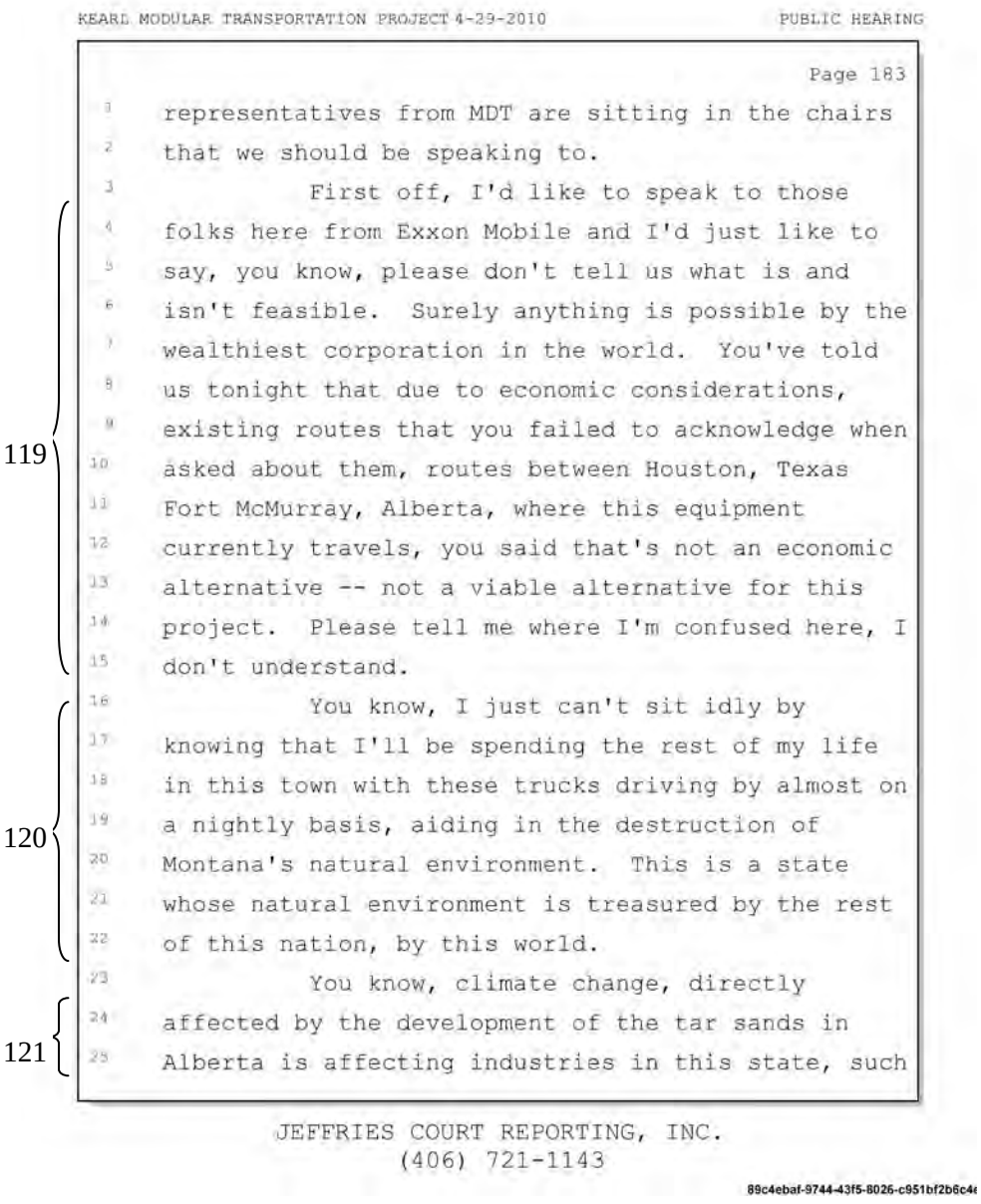
116. See responses to Common Comments A, B, and C1.

117. See response to Common Comment P.

UM Climate Action Now, Zack Porter, President

118. Comment noted.



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representatives from MDT are sitting in the chairs that we should be speaking to.

First off, I'd like to speak to those folks here from Exxon Mobile and I'd just like to say, you know, please don't tell us what is and isn't feasible. Surely anything is possible by the wealthiest corporation in the world. You've told us tonight that due to economic considerations, existing routes that you failed to acknowledge when asked about them, routes between Houston, Texas Fort McMurray, Alberta, where this equipment currently travels, you said that's not an economic alternative -- not a viable alternative for this project. Please tell me where I'm confused here, I don't understand.

You know, I just can't sit idly by knowing that I'll be spending the rest of my life in this town with these trucks driving by almost on a nightly basis, aiding in the destruction of Montana's natural environment. This is a state whose natural environment is treasured by the rest of this nation, by this world.

You know, climate change, directly affected by the development of the tar sands in Alberta is affecting industries in this state, such

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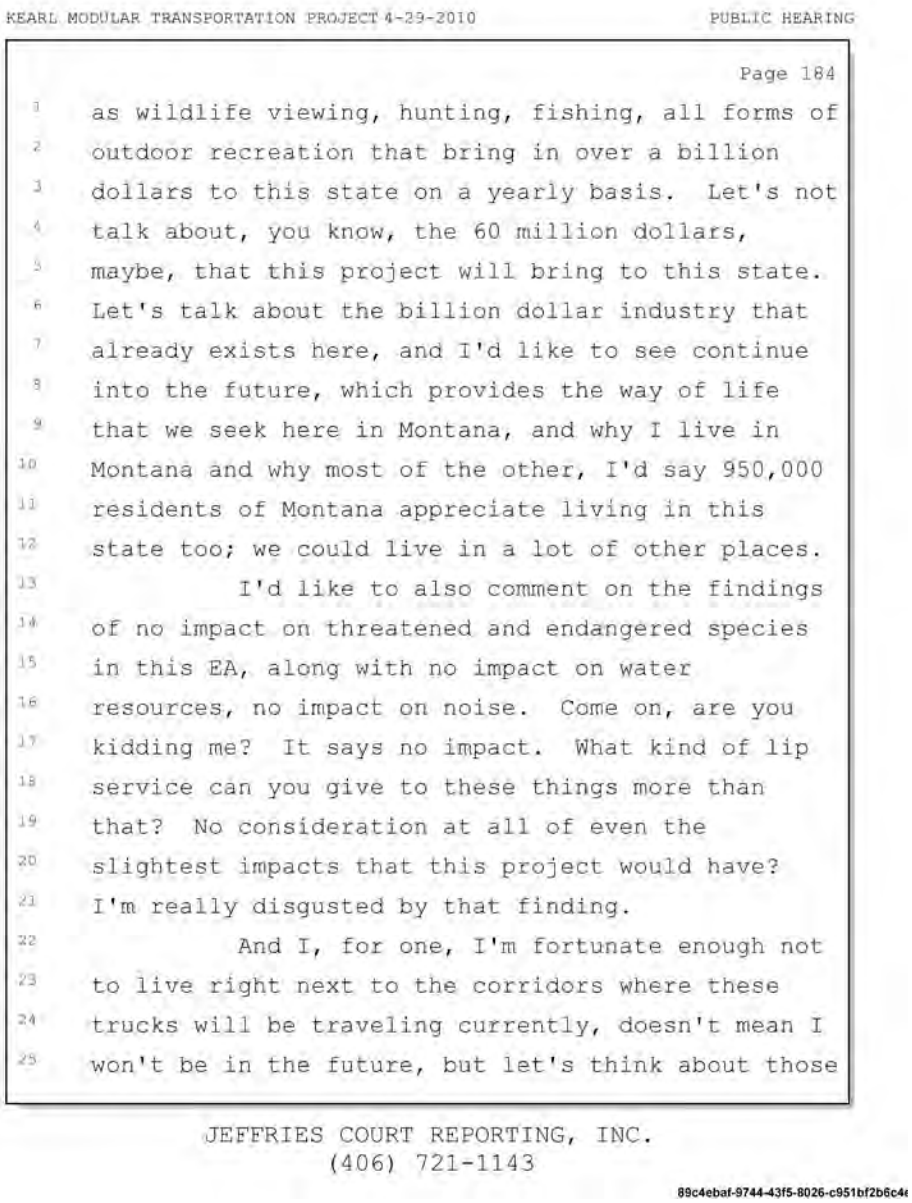
119. See response to Common Comment D1.

120. See response to Common Comment K.

121. See responses to Common Comments E1 and P.



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as wildlife viewing, hunting, fishing, all forms of outdoor recreation that bring in over a billion dollars to this state on a yearly basis. Let's not talk about, you know, the 60 million dollars, maybe, that this project will bring to this state. Let's talk about the billion dollar industry that already exists here, and I'd like to see continue into the future, which provides the way of life that we seek here in Montana, and why I live in Montana and why most of the other, I'd say 950,000 residents of Montana appreciate living in this state too; we could live in a lot of other places.

I'd like to also comment on the findings of no impact on threatened and endangered species in this EA, along with no impact on water resources, no impact on noise. Come on, are you kidding me? It says no impact. What kind of lip service can you give to these things more than that? No consideration at all of even the slightest impacts that this project would have? I'm really disgusted by that finding.

And I, for one, I'm fortunate enough not to live right next to the corridors where these trucks will be traveling currently, doesn't mean I won't be in the future, but let's think about those

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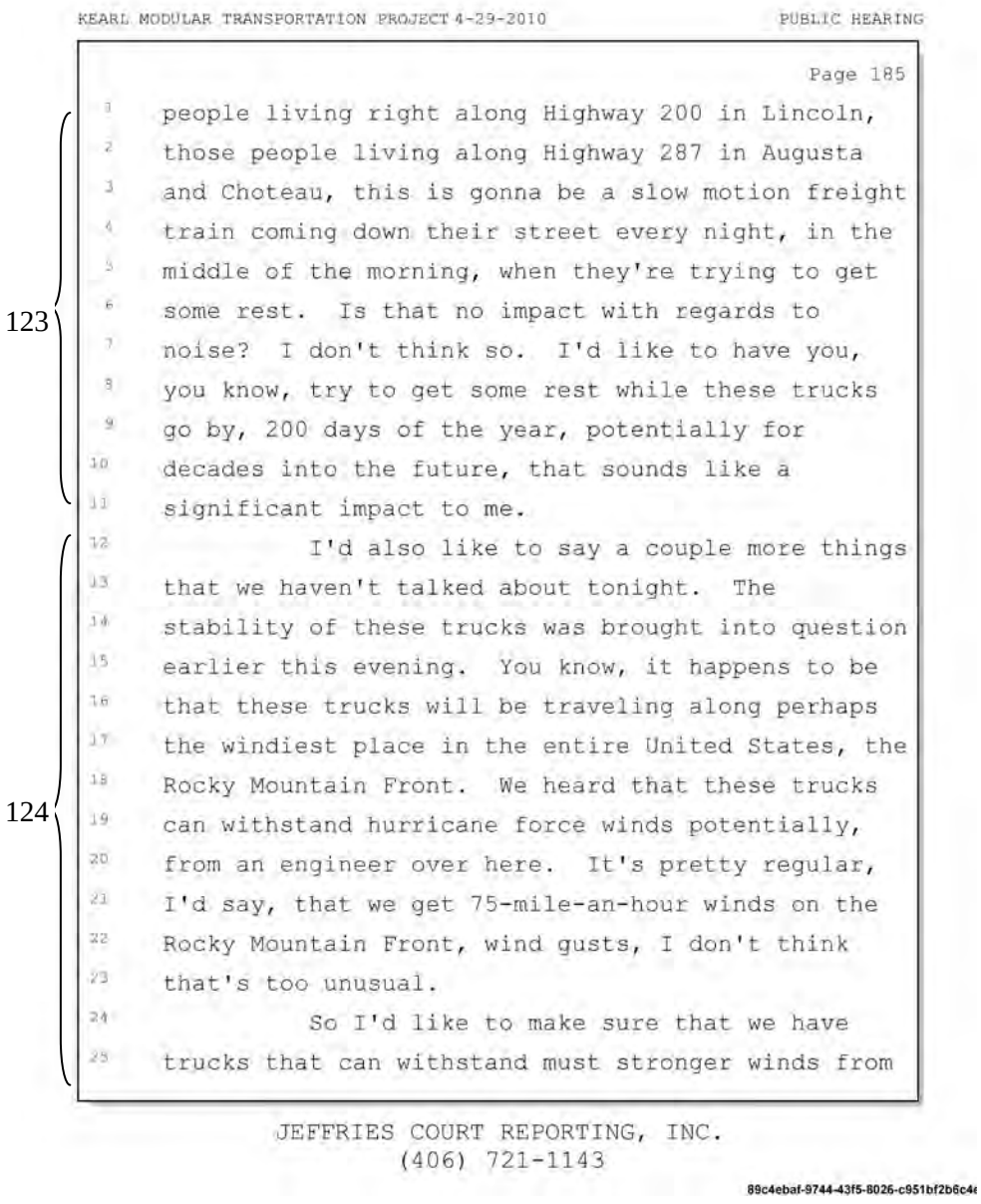
122. See response to Common Comment I.



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people living right along Highway 200 in Lincoln, those people living along Highway 287 in Augusta and Choteau, this is gonna be a slow motion freight train coming down their street every night, in the middle of the morning, when they're trying to get some rest. Is that no impact with regards to noise? I don't think so. I'd like to have you, you know, try to get some rest while these trucks go by, 200 days of the year, potentially for decades into the future, that sounds like a significant impact to me.

I'd also like to say a couple more things that we haven't talked about tonight. The stability of these trucks was brought into question earlier this evening. You know, it happens to be that these trucks will be traveling along perhaps the windiest place in the entire United States, the Rocky Mountain Front. We heard that these trucks can withstand hurricane force winds potentially, from an engineer over here. It's pretty regular, I'd say, that we get 75-mile-an-hour winds on the Rocky Mountain Front, wind gusts, I don't think that's too unusual.

So I'd like to make sure that we have trucks that can withstand must stronger winds from

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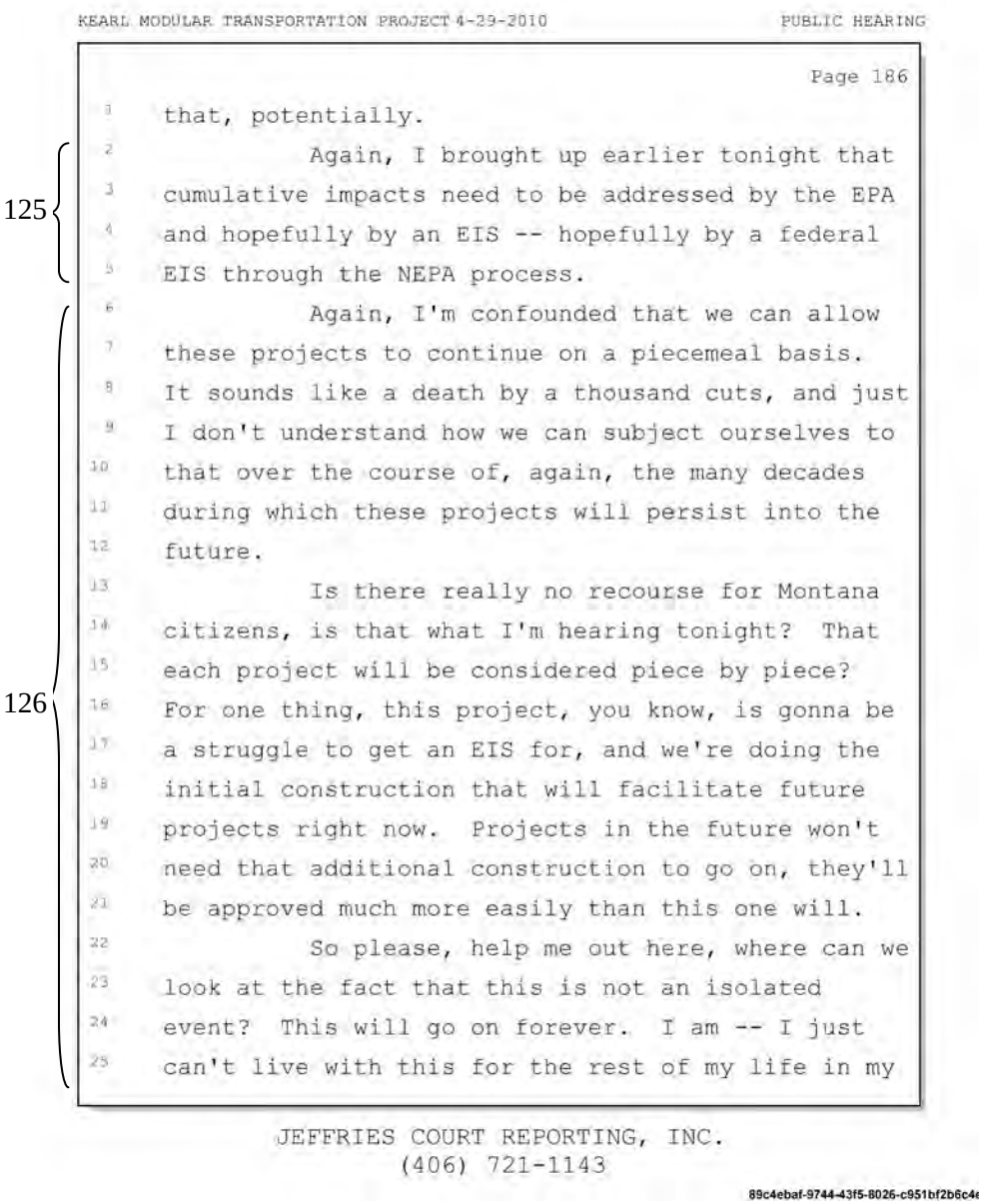
123. See response to Common Comment K. Noise levels would not increase. The trucks would generate no more noise than other commercial vehicles that currently use the route (see page 36 of the EA).

124. Contingency plans for adverse weather conditions are included in Appendix 2 of the MTP.



KEARL MODULAR TRANSPORTATION PROJECT 4-29-2010 PUBLIC HEARING

Page 186

that, potentially.

Again, I brought up earlier tonight that cumulative impacts need to be addressed by the EPA and hopefully by an EIS -- hopefully by a federal EIS through the NEPA process.

Again, I'm confounded that we can allow these projects to continue on a piecemeal basis. It sounds like a death by a thousand cuts, and just I don't understand how we can subject ourselves to that over the course of, again, the many decades during which these projects will persist into the future.

Is there really no recourse for Montana citizens, is that what I'm hearing tonight? That each project will be considered piece by piece? For one thing, this project, you know, is gonna be a struggle to get an EIS for, and we're doing the initial construction that will facilitate future projects right now. Projects in the future won't need that additional construction to go on, they'll be approved much more easily than this one will.

So please, help me out here, where can we look at the fact that this is not an isolated event? This will go on forever. I am -- I just can't live with this for the rest of my life in my

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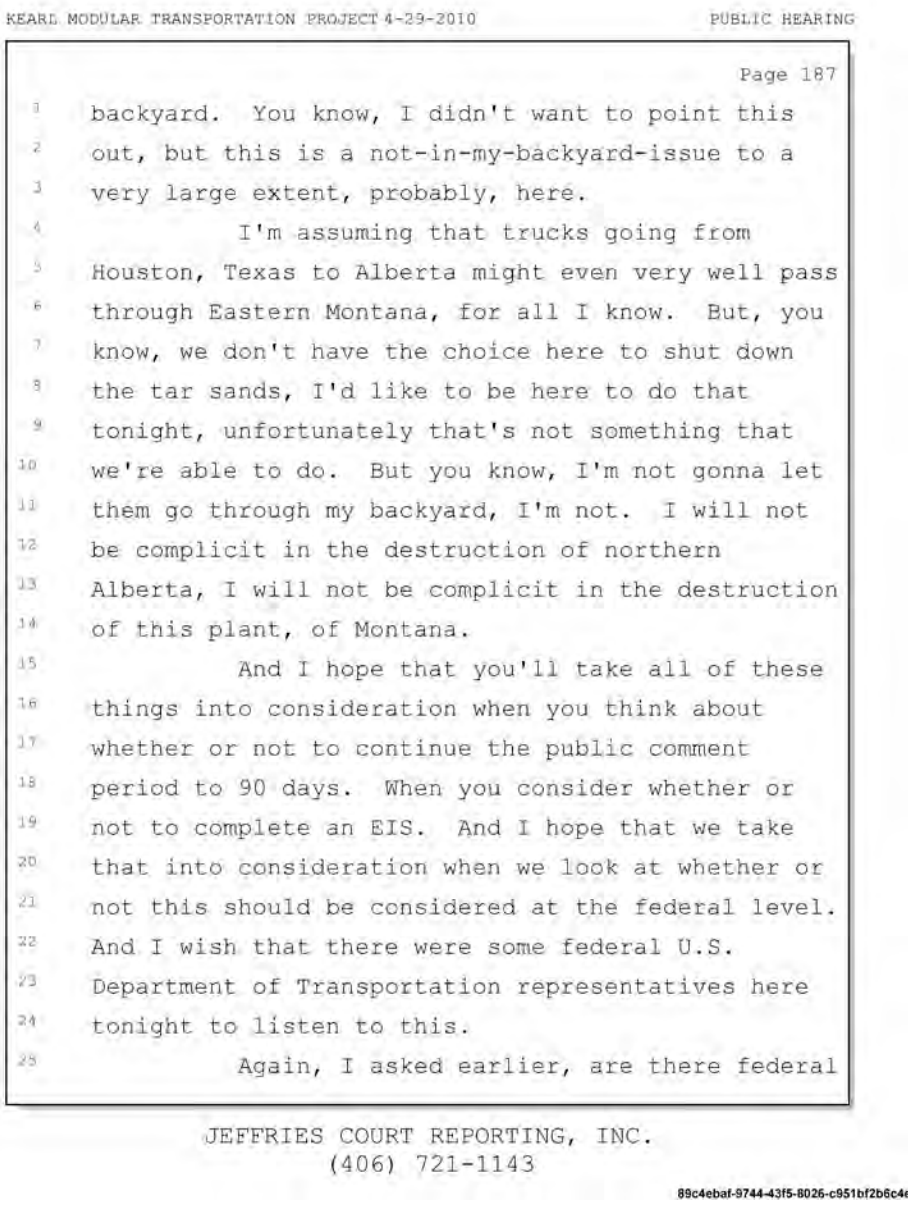
126

125. See responses to Common Comments A and B.

126. See response to Common Comment K.



KEARL MODULAR TRANSPORTATION PROJECT 4-29-2010 PUBLIC HEARING

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backyard. You know, I didn't want to point this out, but this is a not-in-my-backyard-issue to a very large extent, probably, here.

I'm assuming that trucks going from Houston, Texas to Alberta might even very well pass through Eastern Montana, for all I know. But, you know, we don't have the choice here to shut down the tar sands, I'd like to be here to do that tonight, unfortunately that's not something that we're able to do. But you know, I'm not gonna let them go through my backyard, I'm not. I will not be complicit in the destruction of northern Alberta, I will not be complicit in the destruction of this plant, of Montana.

And I hope that you'll take all of these things into consideration when you think about whether or not to continue the public comment period to 90 days. When you consider whether or not to complete an EIS. And I hope that we take that into consideration when we look at whether or not this should be considered at the federal level. And I wish that there were some federal U.S. Department of Transportation representatives here tonight to listen to this.

Again, I asked earlier, are there federal

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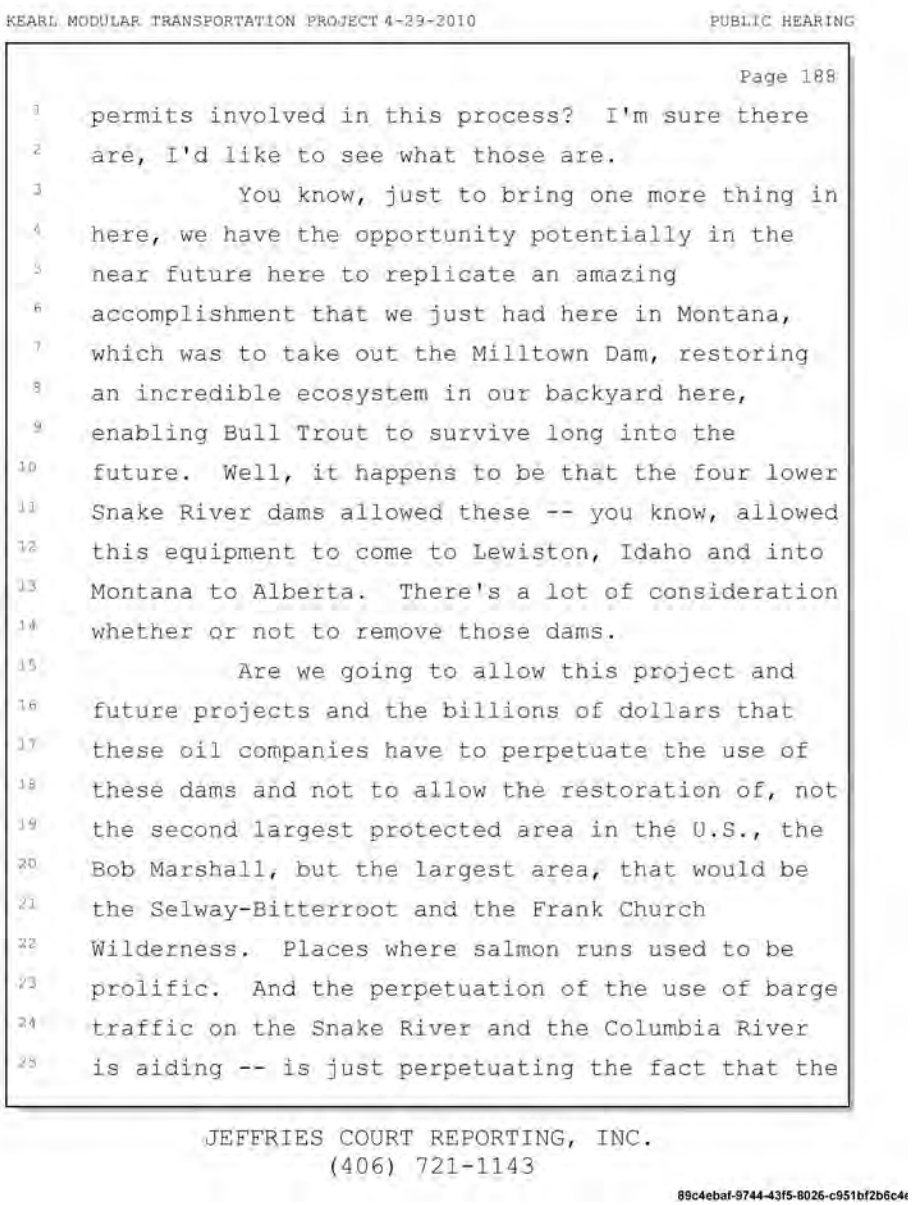
127. Comment noted.

128. See responses to Common Comments F1 and B.



KEARL MODULAR TRANSPORTATION PROJECT 4-29-2010 PUBLIC HEARING

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129 permits involved in this process? I'm sure there are, I'd like to see what those are.

You know, just to bring one more thing in here, we have the opportunity potentially in the near future here to replicate an amazing accomplishment that we just had here in Montana, which was to take out the Milltown Dam, restoring an incredible ecosystem in our backyard here, enabling Bull Trout to survive long into the future. Well, it happens to be that the four lower Snake River dams allowed these -- you know, allowed this equipment to come to Lewiston, Idaho and into Montana to Alberta. There's a lot of consideration whether or not to remove those dams. 130

Are we going to allow this project and future projects and the billions of dollars that these oil companies have to perpetuate the use of these dams and not to allow the restoration of, not the second largest protected area in the U.S., the Bob Marshall, but the largest area, that would be the Selway-Bitterroot and the Frank Church Wilderness. Places where salmon runs used to be prolific. And the perpetuation of the use of barge traffic on the Snake River and the Columbia River is aiding -- is just perpetuating the fact that the

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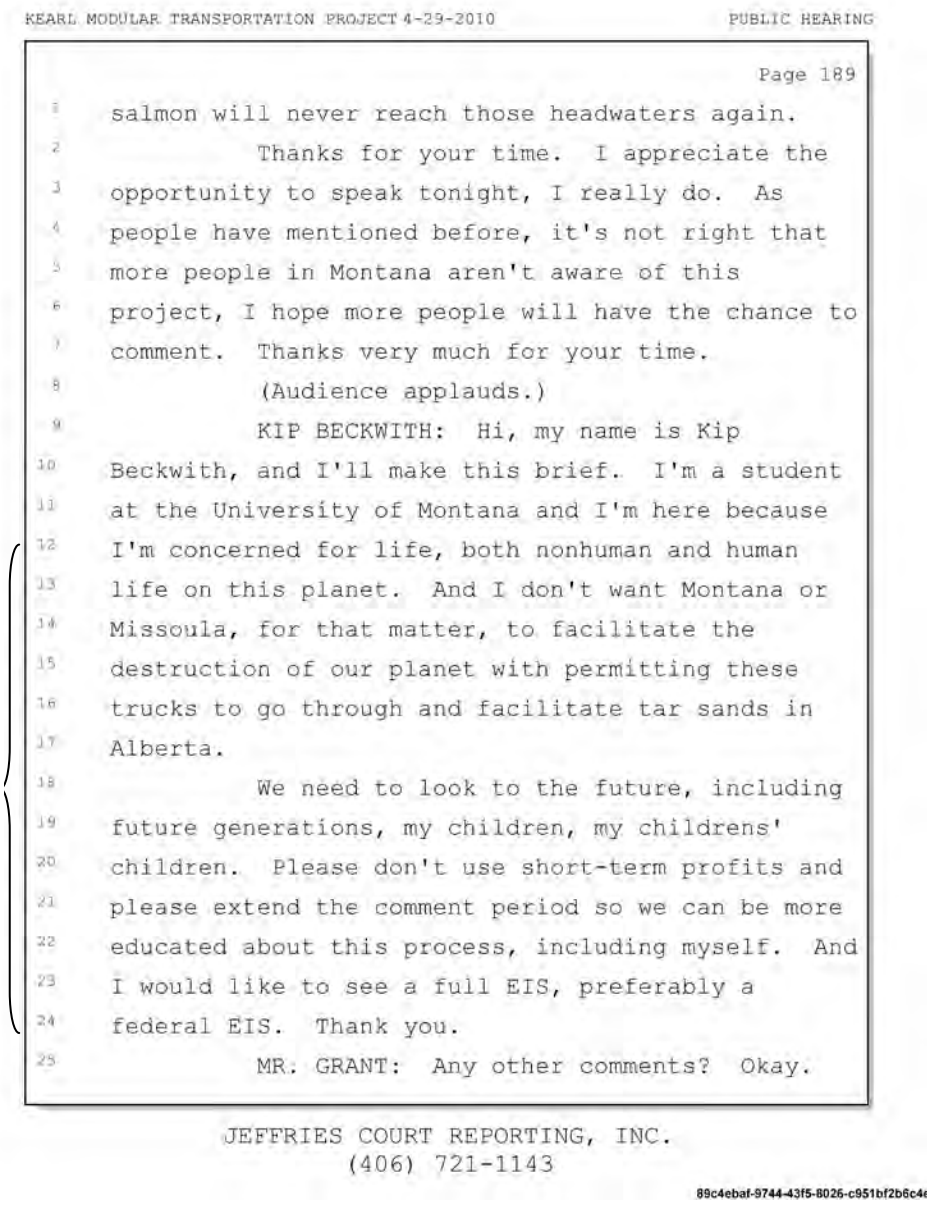
129. The list of permits required has been updated. See Section 4 of the FONSI.

130. Comment noted.



KEARL MODULAR TRANSPORTATION PROJECT 4-29-2010 PUBLIC HEARING

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salmon will never reach those headwaters again.

Thanks for your time. I appreciate the opportunity to speak tonight, I really do. As people have mentioned before, it's not right that more people in Montana aren't aware of this project, I hope more people will have the chance to comment. Thanks very much for your time.

(Audience applauds.)

KIP BECKWITH: Hi, my name is Kip Beckwith, and I'll make this brief. I'm a student at the University of Montana and I'm here because I'm concerned for life, both nonhuman and human life on this planet. And I don't want Montana or Missoula, for that matter, to facilitate the destruction of our planet with permitting these trucks to go through and facilitate tar sands in Alberta.

We need to look to the future, including future generations, my children, my childrens' children. Please don't use short-term profits and please extend the comment period so we can be more educated about this process, including myself. And I would like to see a full EIS, preferably a federal EIS. Thank you.

MR. GRANT: Any other comments? Okay.

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131

Beckwith, Kip

131. See responses to Common Comments A, B, E1 and F1.

This will conclude the formal hearing. And again, we thank you for attending tonight and for being very orderly. We really appreciate your dialogue with us tonight. Also, we'll be around if you have any other questions regarding the display boards. Again, thank you for coming tonight.

(Public hearing concluded at 10:38 p.m.)

* * *

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MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 28, 2010
Location: Lincoln School, 808 Main St., Lincoln, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Comments: Not A good Sign when you CAnt start on Time!

Anonymous

Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Deborah Richie Oberbillig
503 Linden Street
Missoula, MT 59802

Comments: (I will submit more comments). First, I find the structure of this meeting to be flawed. Long presentations followed by limitless technical questions before public comment gives people doubts and discourages true public comment. Many of us have families and children. So I'm leaving early without a chance to present, because it's late.

Briefly, my main concerns:

1 1. This is no regular request for an oversized vehicle permit. This is unprecedented in size & scope & long-term possibilities for an industrial corridor with huge equipment moving through.

B. Therefore, an EIS, not an EA, is appropriate.

2 2. The global impact from developing the tar sands on our world climate is astronomical & deplorable. Why

Deborah Richie Oberbillig

1. See response to Common Comments B and K.

2. See responses to Common Comments E1 and P.

2 Should Montana willingly help Exxon Mobil destroy the Tar Sands & release millions of tons of greenhouse gases?
I feel like we are being treated like a third world country once again. (back in the Anaconda Co. days). —
We are expected to allow these massive trucks, these unnecessary turnsts, & potential & likely fatalities for wildlife
3 & huge economic losses for wildlife-related tourism & outfitting — all to help Exxon destroy the planet?
If they can't get to the Tar Sands through Canada, they ~~can't~~ shouldn't go there to mine at all.

4 3. Once Montana sets itself up for industrial trail of massive oil modules, we will become a target for all ~~oil &~~ mining-related transports because the infrastructure would be in place. Once again, this requires an E.I.S.
4. Finally, Montana should not facilitate this devastating enterprise — ever —
Thank you,
[signature]

See above response.

3. Please see response to Common Comment M.

4. Please see response to Common Comments B.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Erin Axelrod
355 Knowles Hall
Missoula, MT 59801

University of Montana student
UM Climate Action Now

Comments: I have concerns as to the integrity of this project on a number of levels. First of all, the Environmental Assessment that has been completed is insufficient. An encompassing Environmental Impact Statement needs to be done before further consideration or approval of this project. I am extremely concerned at the number of areas listed under "no impact" in the EA. It simply cannot be true. When we consider the ecological impacts of potentially expanding this project over decades, as well as the indirect repercussions of continued fossil fuel combustion as it pertains to global climate change, the EA is clearly mistaken.

Furthermore, I know that this comment period is designed for concerns directly pertaining to the trucks →

1

Erin Axelrod

1. Please see the responses to Common Comments B and P.

and their impact on Montana. I cannot limit my comment to this topic. I fail to see why we, as the city of Missoula, wish to support a Tarsands project when the ultimate purpose is part of a dead-end economy. Why go through all of this hassle, reconstruction of roads and alienation of Montana residents to support the oil industry when we could be using all of this time and energy to invest in renewable energy technologies? It just does not make sense to me and, with all due respect, I believe many, many people would appreciate consideration of a re-direction in our intentions.

2 As a concerned citizen and member of the global community, I urge the deep consideration of all the impacts, both direct and indirect, of supporting a project like this. What a statement we could make if we were to ban these trucks from our city!

Thank you for your time.

Eric Allerod

Ken Johnson [illegible]

Robin Commiant
[illegible]

2. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Talasi Brooks
1312 Phillips St.
Missoula MT 59802
talasi.brooks@gmail.com

Comments: The proposed project raises a number of concerns for me. The first is that, quite simply, I don't think that Highway 12 can accomodate these loads. We are talking about a narrow, 2 lane, winding highway here. It will cause damage to the Wild & Scenic Lochsa River corridor and will result in traffic & inconvenience to Montana residents.

More importantly, the EA ignores climate change. It considers the project as divorced from its larger context, a tar sands oil extraction project that will add to and exacerbate climate change. Climate change due to a project in Canada will also affect Montana; it will degrade the clean & healthful environment guaranteed to Montanans in the Montana Constitution. Cumulative impacts of this

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Talasi Brooks

1. See the responses to Common Comments E2, E1 and P.

project include climate change and therefore climate change needs to be addressed in the environmental analysis.

Projects that occur on a global scale have global consequences. The least we Montanans can do is promote awareness of how projects we choose to permit in our own state will affect the global environment – global consequences demand a global approach. It is reasonable & feasible to expect ~~the company in question~~ Imperial Oil to mitigate for ~~the~~ effects on the global climate that will affect quality of life in Montana, resulting from a project that they are hoping to profit from.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Brianna Randall
2550 Gilbert Ave
Missoula, MT 59802
brianna.randall@gmail.com

Comments: ①Please conduct a full Environ-Impact Statement that takes into account all economic deficits + potential revenues, as well as all environmental impacts from creating a permanent high + wide industrial corridor that lasts longer than the 1-year time period Imperial Oil proposes to use the route. ②Please address who pays costs for long-term road maintenance on new pull-outs after the 1-year use by Imperial Oil. ③Please address water quality impacts from increased sanding & salting activities on the increased road surface area from new pullouts, including non-point source pollution from salt/sand runoff into Lolo Creek and the Black Foot River. ④Please require →

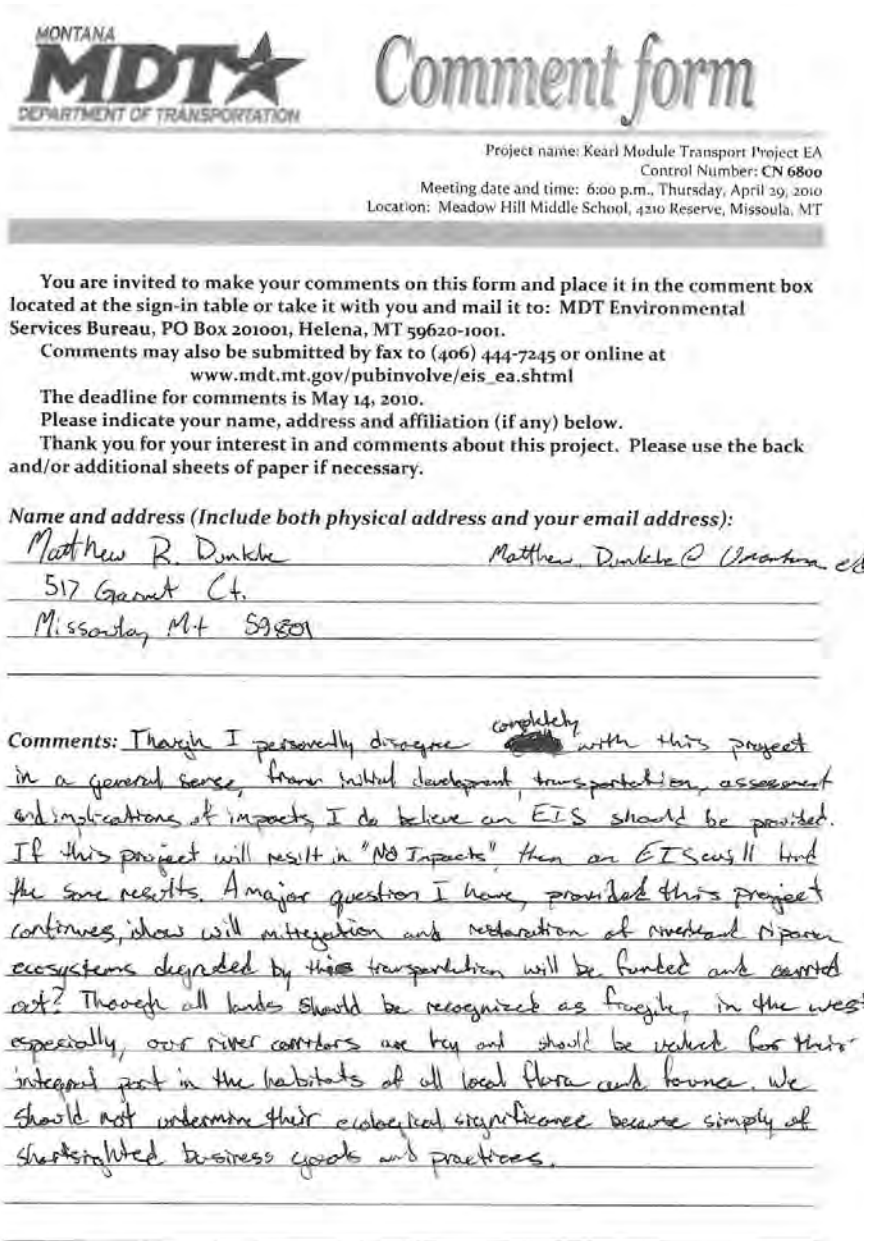
Brianna Randall

1. Please see responses to Common Comment B, C2, and D1.
2. Please see responses to Common Comment L and M.
3. The new and modified turnouts will cause a minimal increase in impervious surface area. See response to Common Comment O.

more conditions on Imperial Oil that better mitigate for the long-term and short-term impacts on Montana communities, our tourism and recreation industries, and on our wildlife, water quality, and road maintenance budgets.

4

4. See responses to Common Comments L, M, and I.



MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Matthew R. Dunkle
517 Grant Ct.
Missoula, MT 59801
Matthew.Dunkle@[illegible].edu

Comments: I have in I personally disagree completely with this project in a general sense, from initial development, transportation, assessment and implications of impacts, I do believe an EIS should be provided. If this project will result in "NO Impacts" then an EIS will find the same results. A major question I have, provided this project continues, how will mitigation and restoration of riverbank riparian ecosystems degraded by this transportation will be funded and carried out? Though all lands should be recognized as fragile, in the west especially, our river corridors are key and should be valued for their integral part in the habitats of all local flora and fauna. We should not undermine their ecological significance because simply of shortsighted business goals and practices.

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Matthew Dunkle

1. Please see response to Common Comment B
2. See response to Common Comment L.
3. See responses to Common Comments I and O.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

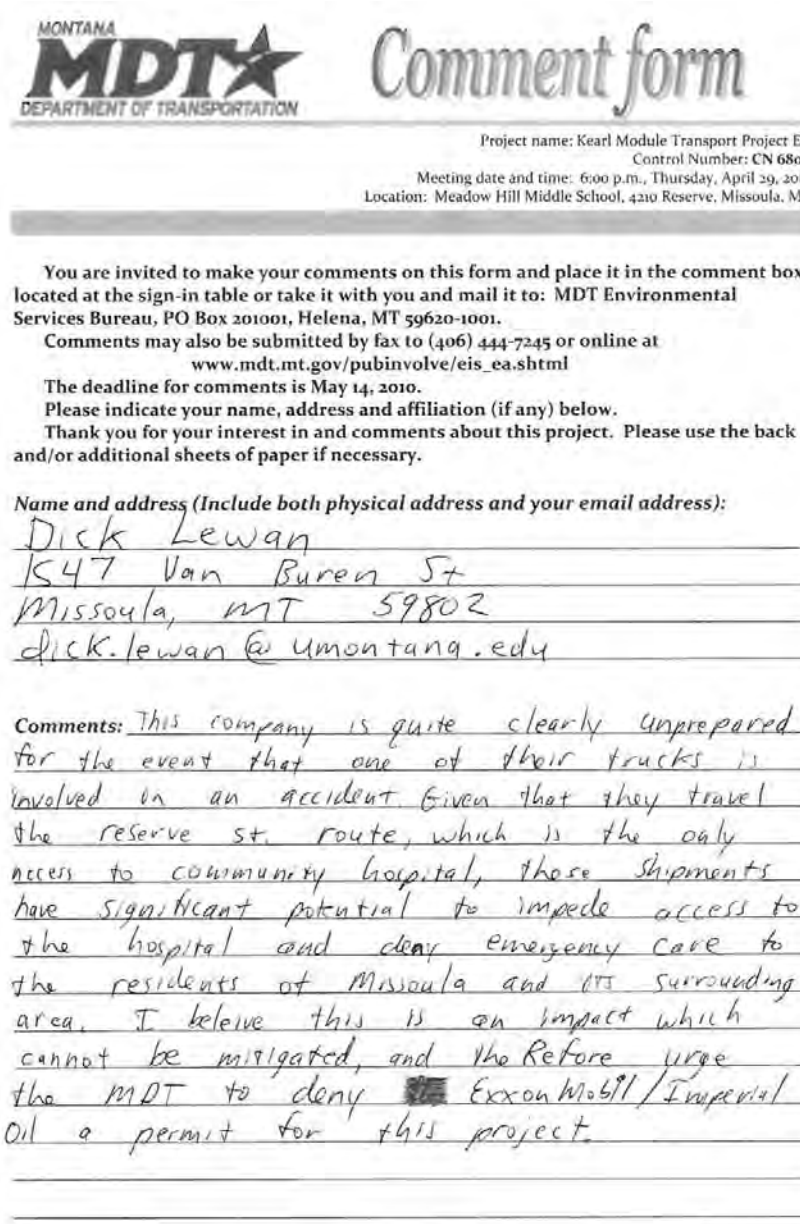
Name and address (Include both physical address and your email address):

Michael Gehman
1150 34th St. Apt. 6D
Missoula MT 59801
mathes_15@hotmail.com

Comments: I'm very unhappy about the turnouts. They constitute permanent environmental degradation.

Michael Gehman

1. Comment noted.



MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project E
Control Number: CN 68
Meeting date and time: 6:00 p.m., Thursday, April 29, 20
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, M

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

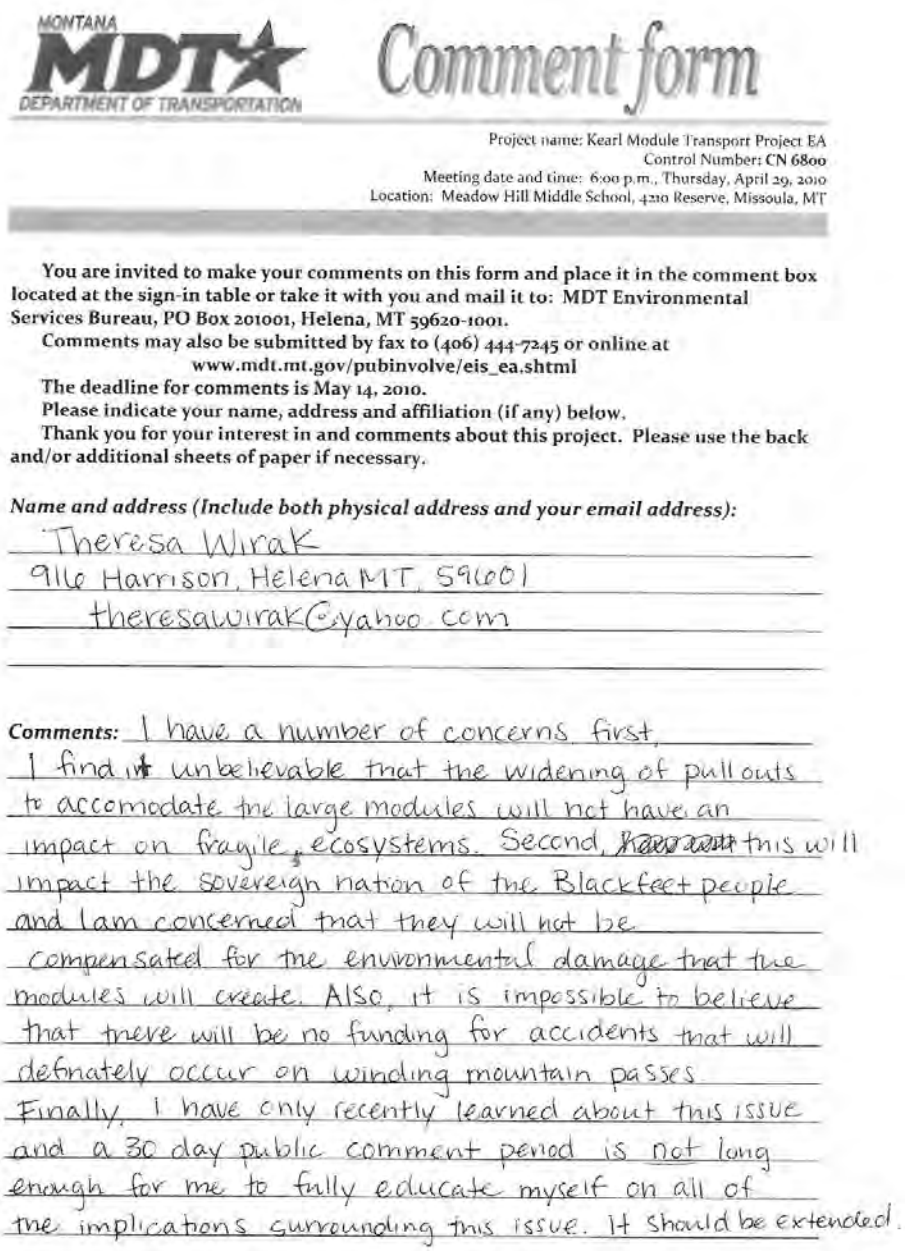
Dick Lewan
547 Van Buren St
Missoula, MT 59802
dick.lewan@umontana.edu

Comments: This company is quite clearly unprepared for the event that one of their trucks is involved in an accident. Given that they travel the reserve st. route, which is the only access to community hospital, these shipments have significant potential to impede access to the hospital and deny emergency care to the residents of Missoula and its surrounding area. I believe this is an impact which cannot be mitigated, and therefore urge the MDT to deny [redacted] ExxonMobil/Imperial Oil a permit for this project.

1

Dick Lewan

1. See responses to Common Comments H2 and H3.



MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Theresa Wirak
916 Harrison, Helena MT, 59601
theresawirak@yahoo.com

Comments: I have a number of concerns first, I find it unbelievable that the widening of pull outs to accomodate the large modules will not have an impact on fragile ecosystems. Second, ~~have with~~ this will impact the sovereign nation of the Blackfeet people and I am concerned that they will not be compensated for the environmental damage that the modules will create. Also, it is impossible to believe that there will be no funding for accidents that will definately occur on winding mountain passes. Finally, I have only recently learned about this issue and a 30 day public comment period is not long enough for me to fully educate myself on all of the implications surrounding this issue. It should be extended.

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Theresa Wirak

1. The Blackfeet Nation was consulted, please see Table 30 beginning on page 55 of the EA.

2. See response to Common Comment L. Imperial Oil has adequate insurance to cover accidents.

3. See response to Common Comment F1.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Whitney Kembel
108 W Broadway #3
Missoula, MT 59802
whitney1223@hotmail.com

Comments:

1 Is the history of Imperial Oil (politically, actually) so unmasked & honest that MDT accepts their EA as truth? That there is no precedent for distrust of an Exxon company?

2 The EA is trite, too simplistic and as addressed in public questions—ignored in some of their findings. An EIS is the only way to see the true impact of this route.

If MDT does not act/see this, you are acting in the interest of Big Oil & corporations, NOT Montana.

Whitney Kembel

1. MDT is responsible for ensuring that the EA conforms with the requirements of MEPA.

2. See response to Common Comment B.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Ashlea Wolf-Sherman - individual
21191 E Mullan Rd Clinton 59807
ashleafaith@hotmail.com

Comments: The question of, Montana Modules continuing through this proposed corridor. I dont believe only 200 trucks are Montana tax payers expected to pay for Road/Bridge construction for future years. Was not answered.

Is this true? If so, this is NOT worth it.

Ashlea Wolf-Sherman

1. See response to Common Comment L.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Michael Gehner
1150 34th St Apt 6D
Missoula MT 59804
mtthes_is@hotmail.com

1 **Comments:** I strongly oppose allowing the rigs through Missoula because I oppose development of the oil sands all together. Please stop the rigs!

Michael Gehner

1. See response to Common Comment E1.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Ted Smith
32333 Skidoo Lane
Polson, MT 59860
tedmsmith@gmail.com

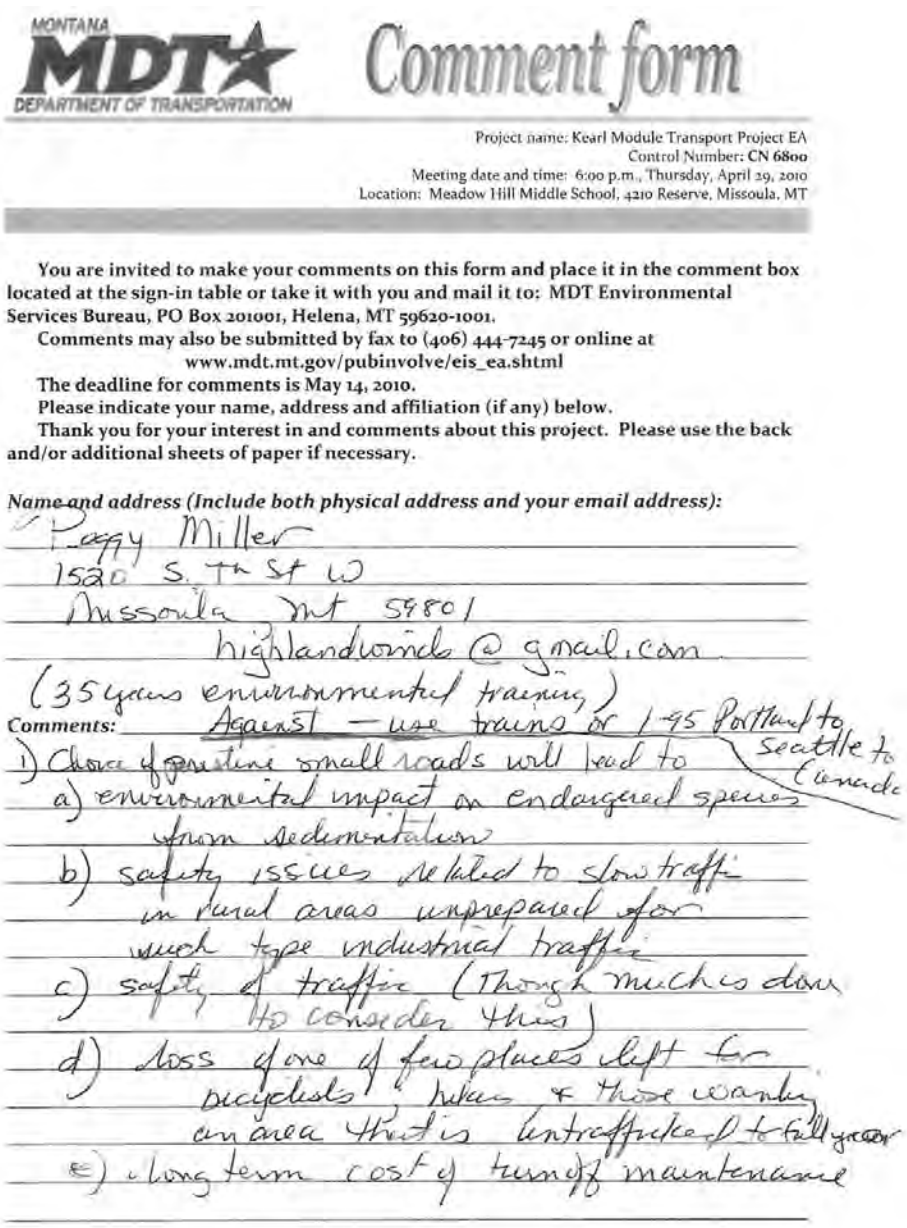
Comments: (1) Imperial will build new pull-outs. Is Imperial establishing a fund with MDT to fund the maintenance of these new pull-outs over the next 20-30 years? Or will this be Montana's responsibility?

(2) Does MDT gain any advantage for helping Imperial make this work? Are there costs to MDT that are not covered by Imperial? MDT staff costs? Time?

1

Ted Smith

1. See response to Common Comment L.



MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Peggy Miller
1520 S. 7th St W
Missoula Mt 59801
highlandwinds@gmail.com
(35 years environmental training)

Comments: Against — use trains or I-95 Portland to Seattle to Canada

1 1) Choice of pristine small roads will lead to
2 a) environmental impact on endangered species from sedimentation
3 b) safety issues related to slow traffic in rural areas unprepared for such type industrial traffic
c) safety of traffic (Though much is done to consider this)
4 d) loss of one of few places left for bicyclists, hikers & those wanting an area that is untrafficked to fall year
5 e) long term cost of turnoff maintenance

Peggy Miller

1. See response to Common Comment D1.
2. See responses to Common Comments I and O.
3. Safety issues are addressed in the EA and the MTP, Also, see responses to Common Comments H1, H2, and H3.
4. The proposed route is an existing transportation corridor. Recreationalists, including bicyclists and hikers are not expected to be affected by the module hauling as most of it would occur at night.
5. See response to Common Comment L.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

JASON BERRY
160 MEADOWLARK CT.
MISSOULA, MT 59803
jberrymt_ski@live.com

Comments: Plan / Packet for proposed project

Thank You

Jason Berry

Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Kip Beckwith
351 Strand Ave
Missoula, MT 59801
Kip.Beckwith@gmail.com

Comments: As has been shown by the large turnout at the comment session, Missoulians & Montanans are extremely concerned with this project. There are numerous factors and impacts that haven't been addressed in the EA. One of these impacts is global climate change. These trucks will deliver equipment to Tar Sands. Tar Sands produce oil extremly inefficiently and therefore contribute to climate change. Climate change will effect Montana. This impact must be accounted for. We need to extend the comment period and need a full E.I.S. (Environmental Impact Statement).

1

Kip Beckwith

1. Please see the responses to Common Comments P, E1, F1, and B.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

William (Bill) Kitchin Owner: Summit Transfer
8975 Warbler Drive, Missoula MT 59808

Skedhead211@MSN.com

Comments: I Strongly support the Kearl Module Transport project. It will create 100's of jobs in a time of great need and an enormous amount of revenue for our State.

William Kitchin, Summit Tranfer

1. Comment noted.

MEETING SIGN IN SHEETS

Cut Bank Meeting

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Public Meeting Sign-in Sheet

Project name: Kearl Module Transport Project
Control Number: **CN 6800**
Meeting date and time: 6:00 p.m., Wednesday, April 27, 2010
Location: Cut Bank Civic Center, 800 E Railroad, Cut Bank, MT

Please Print

	Name	Mailing Address (Include physical address & email address)	Zip Code
1.	[illegible]	202 6th Ave NW Kevin, MT	59454
2.	Rick Flink (BNSF)	238 Lupfer Ave Whitefish, MT	59937
3.	Elroy Eberhardt	Cut Bank	59427
4.	Dave Miller	Toole Co.	59474
5.	Dennis D. Vries	1125 Oilfield Ave Shelby MT 59	59474
6.	Ben Olver	Toole Co Commissioner	59474
7.	Jerilee Wilkerson	PO. BOX 1329 Cut Bank Dev. Corp	59427
8.	Butter True	CB mt	59427
9.	Earl Miller	234 3rd Ave SW Cut Bank MT	59427

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Public Meeting Sign-in Sheet

Project name: Kearl Module Transport Project
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Wednesday, April 27, 2010
Location: Cut Bank Civic Center, 800 E Railroad, Cut Bank, MT

Please Print

	Name	Mailing Address (Include physical address & email address)	Zip Code
11.	Helen McCauley	315 1ST Ave SW CB	59427
12.	Cheryl Curry	311 S Main St D [redacted] Conrad	59425
13.	Doug EMBody	221 5th Ave SW	59427
14.	John McGill	Glacier Reporter Brg	5941)
15.	Glenn Poush	121 5th Ave CB	59427
16.	Art Rooney	148 Hwy 213	59427
17.			
18.			
19.			
20.			

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Public Meeting Sign-in Sheet

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Location: Cut Bank Civic Center, 800 E Railroad, Cut Bank, MT

Please Print

	Name	Mailing Address (Include physical address & email address)	Zip Code
21.	William I McCauley	318 1ST AVE S.W C/B	59427
22.	Sandra Brander	20 4th Ave SW Conrad	59425
23.	BILL BANOCK	512 E MAIN CUT BANK	59427
24.	Steve Kincaid	101 2nd St NE	59427
25.	Cherry Skryja	1463 1st Ave NW	59427
26.	LARRY OVERHOLT	PO BOX 609 SWEETGRASS MT	59484
27.			
28.			
29.			
30.			

Lincoln Meeting

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Public Meeting Sign-in Sheet

Project name: Kearl Module Transport Project EA for western route
Control Number: **CN 6800**
Meeting date and time: 6:00 p.m., Thursday, April 28, 2010
Location: Lincoln School, 808 Main St., Lincoln, MT

Please Print

	Name	Mailing Address (Include physical address & email address)	Zip Code
1.	Tom Ide	42615 Hy 200 E (Greenough)	59823
2.	Mike Ingraham	Lewis & Clark County 316 Park Ave Helena	59623
3.	GARY AITKEN	609 Old Trailhead, Ovando	59854
4.	Mike Miller Rep 4084	20906 Hwy 141 Helmville	59843
5.	Chris J. Castagne	P.O. Box 274	59639
6.	Lonnie Shown	Box 336 Lincoln	59639
7.			
8.			
9.			
10.			

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Public Meeting Sign-in Sheet

Project name: Kearl Module Transport Project EA for western route
Control Number: **CN 6800**
Meeting date and time: 6:00 p.m., Thursday, April 28, 2010
Location: Lincoln School, 808 Main St., Lincoln, MT

Please Print

	Name	Mailing Address (Include physical address & email address)	Zip Code
11.	Bud Williams	Box 1104 Lincoln	59639
12.	JAMES ANDERSON	OVANDO, MT	59854
13.	GLORIA ANDERSON	P.O. Box 12 OVANDO	59854
14.	KATHY SCHOEDDEFER	Box 84 OVANDO	59854
15.	Sara Boyett	Box 104 Ovando	59854
16.	Jim Hodgskiss	Box 1343 Choteau	59422
17.	Sandie Hodgskiss	P.O. Box 1343 Choteau	59422
18.	Murphy Woodhouse	701 Locust Ave.	59801
19.	Brent Rowley	Box 8254	59807
20.	Nick Stocks		59801

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Public Meeting Sign-in Sheet

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Control Number: **CN 6800**
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Location: Lincoln School, 808 Main St., Lincoln, MT

Please Print

	Name	Mailing Address (Include physical address & email address)	Zip Code
31.	Stewart Baker	189 Meadow St P.O. Box 212	59639
32.	Edith M. Baker	189 Meadow St. P.O. Box 212	59639
33.	Carol Wells	P.O. Box 924	59639
34.	Eric Griff. Lewis & Clark County	3402 Colony Dr. Helena MT	59601
35.	Dennis Smrdel	6257 W MT. Hwy 200	59639
36.	Carol Kulish	PO Box 145 Ovando ~~MT~~	59854
37.	Christy Clark	POBox423 Choteau, MT	59422
38.	Phyllis Jack Ward	Box 131 Kinsey, MT	59639
39.	Nyle & Susan Hausmen	P.O. Box 427 Lincoln, MT	59639
40.	Carol Boyd	4040 Hwy 200 Ovando, MT.	59854

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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Please Print

	Name	Mailing Address (Include physical address & email address)	Zip Code
51.	Pete Callahan	Helena	59601
52.	Louie Boma	Box 188 Lincoln	59639
53.	Jim Stone	Box 148 Ovando	59854
54.	Scott Gordon	Box 100 Seeley Lk	59868
55.	Johnny J. Thompson	Box 37 Lincoln MT	59639
56.	Ryan Thompson	" "	59639
57.	Johnnicum Thompson	" "	59639
58.			
59.			
60.			

Missoula Meeting

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Public Meeting Sign-in Sheet

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Control Number: **CN 6800**
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Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

Please Print

	Name	Mailing Address (Include physical address & email address)	Zip Code
1.	Spook Stang	501 N Sanders Helena	59601
2.	Burt Peterson	1760 West Broadway Missoula	59808
3.	Jim Clearley	Seeley Lake	59868
4.	Teri & Mike Aldridge	Lolo MT	59847
5.	ERIK BERRY	MISSOULA, MT	59803
6.	Jason Berry	160 Meadowlark Ct. Missoula, MT	59803
7.	TREVOR LIVESAY	2872 BLACKBIRD DR BOZEMAN, MT	59718
8.	Denise Wilder Rusty WILDER	3341 Eldora Missoula	59803
9.	Mick Muchlethal	1661 S. 7th St. Missoula	59801
10.	Jeff Hollenbaek	Box 955 Lolo MT	59847

MONTANA MDT DEPARTMENT OF TRANSPORTATION

MASTER FILE COPY

Public Meeting Sign-in Sheet

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Please Print

	Name	Mailing Address (Include physical address & email address)	Zip Code
11.	Steve Seninger	9601 Cedar Ridge Missoula MT	59804
12.	Brent J. Evans	51 Brian Ct. Superior, MT. 59872	59872
13.	Tom Alsaker	11600 Mullan Rd. 59808	59808
14.	Doug Bardwell	16885 Schaeffer Ln	59846
15.	Len & Sally Hoskinson	13450 Lolo Crk Rd	59847
16.	Ken Kronsperger	690 Darcy Ln Seeley Lake MT	59868
17.	Rudi Miller	1811 Charlotte Msla	59801
18.	Richard Eggert	11367 Highway 200 Dixon	59831
19.	Cliff Maier	1920 35th Street Missoula, Mont. 59801	
20.	Valerie Wilson	PO Box 201001 Helena	59620

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Public Meeting Sign-in Sheet

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MASTER FILE COPY

Please Print

	Name	Mailing Address (Include physical address & email address)	Zip Code
21.	JOHN WALKER	621 WOODFORD MSLA ~~59~~ JAWALKER21@YAHOO.COM	59801
22.	David Zohner	P.O. Box 460257 Huson, Mt. 59846	59846
23.	[illegible]	PO Box [illegible] West Pine Missoula MT 59807	
24.	Michele Landquist	200 W. Broadway Msla. MT	59801
25.	Larry Anderson	301 E Broadway Missoula, MT. ~~59~~	59802
26.	Robbie Liber	436½ S. G. St. W Missoula, MT	59801
27.	PATRICK O'Herren	200 W. Broadway Missoula ~~5~~	59802
28.	Larry Hoffland	4319 North Ave West Missoula MT 59804	59804
29.	Tetona Dunlap	406 C Pantzer Hall	59801
30.	Jim McKinny	4221 Timberlane MSLA	59802

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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	Name	Mailing Address (Include physical address & email address)	Zip Code
31.	ERROL JOHNSEN	1641 S. 9th W MSLA MT	59801
32.	Richard Bingham	1520 DeFoe St. Msla. mt	59802
33.	PAMELA ENGLISH	1204 MARGARET ST.	59801
34.	Gary Siebers	15060 Mill CRK Frenchtown	59834
35.	Justin Walsh	PO Box 7335 Missoula, MT 59807 jdubbobear @ hotmail.com	59807
36.	Pat Wilson	104 Tahoe Drive Missoula, MT 59803	
37.	Sara Boyett	Box 64 Ovando	59854
38.	Lucas Childress	1725 Madera. Missoula, [illegible]	59802
39.	Mary Matthias	804 W Pine, Msla [illegible]	59802
40.	NORMAN JOHNSON	PO Box 1656, POLSON	59860

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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	Name	Mailing Address (Include physical address & email address)	Zip Code
41.	Willis Curdy	11280 Kona Ranch Rd Missoula wcurdy@bridgemail.com	59804
42.	William Kitchin	P.O. Box 16855 Missoula MT sledhead211@MSN.com	59808
43.	Robert Livesay	Knowles Hall Missoula MT 59801 #312	
44.	Zach Brown	305 Knowles Hall Missoula, MT	59801
45.	Alison Wren	126 Miller Hall Missoula, MT 59801	5980
46.	Sam Wilson	301 Elrod Hall missoula, mt	59801
47.	Yancha Bookhout	720 Stephens Ave Apt A msla MT	5980
48.	Zack Porter	519 E. Front St. #6 MSLA, MT 59802	
49.	Aleta Jokisch	614 Woodworth Ave Missoula MT	59801
50.	Allen Danenhauer	2306 42 st Missoula	59803

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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	Name	Mailing Address (Include physical address & email address)	Zip Code
51.	Bill Flanery	1917 E. Broadway Missoula 59802 beflanery@yahoo.com	
52.	Orrin Johnson	PO Box 8532 Missoula, MT 59807 / 301 W. Alder #34 Apt 607 59802	owj5454@yahoo.com
53.	Michael Gehman	1160 34th St. Apt 60 Missoula MT 59801	matthes.15@hotmail.com
54.	Derek Kanwischer	633 SE St. East Msla 801	59801
55.	Rashmen Doowa	university of Montana	59801
56.	Erin Axelrod	University of Montana	59801
57.	Anton Gabrielson	2210 38th St. Missoula, MT 5	59801
58.	Kip Beckwith	351 Strand Ave Missoula, MT 5980	59801
59.	Julie Oldfield	University of Mt	59801
60.	Karen Perszyk	620 Evans	59801

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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	Name	Mailing Address (Include physical address & email address)	Zip Code
61.	ERICA DOSSA	434 Brooks St. erica.g.dossa@gmail.com	59801
62.	John Wolverton	1637 58th St W Missoula, MT	59801
63.	Dana M Boruch	1954 S 4th W #7 Missoula MT 59	59801
64.	Robert Schweitzer	11905 Green Acres Missoula 59804	59804
65.	B T NIELSEN	2245 Sunlite Ln kelseya.b@gmail.com	59804
66.	CLIFF LARSEN	8925 Laville Cr R. cliff@larsenusa.com	59807
67.	JESSE LAMB	706 HIBERTA MISSOULA BOSEFINO@YAHOO	59807
68.	KEVIN GUSTAWS	PO BOX 491 BILLINGS MT	59101
69.	Dan Nordlund	PO Box 5653 Helena MT	59604
70.	Brian Nordlund	809 Hauser Blvd Helena MT	59611

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Public Meeting Sign-in Sheet

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	Name	Mailing Address (Include physical address & email address)	Zip Code
71.	Patrick Rhea	633 S. 5th St. E. Missoula, 59801 pwrhea@gmail.com	59801
72.	Prairie Wolfe	500 Daly Ave Msla MT ~~59801~~	59801
73.	Jim Wilson	2625 Briggs msla mt	59803
74.	[illegible]	1520 S 7th St W Mis	59801
75.	[illegible]	400 W Franklin Missoula	59801
76.	Dru Carr	619 Howell, Missoula drua@highplainsfilms.org	59802
77.	Roy O'Connor	125 BANK ST MSLA	59802
78.	Rick Newton	200 W. BROADWAY	59802
79.	DILAN HOCHSTETLER	5845 US Hwy 93 S	59804
80.	Jeanette Zentgraf	P.O. Box 1116 Lolo 59847 11015 Sherman Creek Rd Lolo 59847	59847

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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	Name	Mailing Address (Include physical address & email address)	Zip Code
81.	K.C. Hayes	1321 Jackson St. Missoula	59802
82.	Andrew Gorder	411 Livingston Ave. Missoula	59801
83.	Don & Kay Salmonson	1919 So 8th W Msla	59801
84.	Dick Lewan	1547 Van Buren St Missoula, MT	59802
85.	Jean A Lafriniere	4750 Hoblitt Ln Florence, MT.	59833
86.	Ben Nunnallee	1771 Sheffield Dr Missoula	59808
87.	Jim Hepburn	912 E Broadway Missoula, MT	59801
88.	Laurel Faurot	245 SW Higgins Ave Apt #1 Missoula MT	59803
89.	Cheyenne Rogers	323 Hazel St Missoula MT	59801
90.	Nick Stocks		59801

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	Name	Mailing Address (Include physical address & email address)	Zip Code
91.	Jon Wilkins	501 Fairview Missoula MT 59801	59801
92.	Cyndy Brown	1321 Jackson msla 59802	59802
93.	Noah Farr	1315 S 1st W MSLA 59801	59801
94.	John Darova	411 Livingston Ave Missoula MT	59801
95.	Rita Jankowska-Bradley	P.O. Box 9325 Missoula MT 59807	59801
96.	Ted Smith	32333 Skidoo Ln. Polson ~~59860~~	59860
97.	HARRY LAFRINIERE	4750 HOBLITT LN FLORENCE	59803
98.	Jake Gabaldon	2410 Camino Ramon Suite #250 San Ramon, CA 94583	94583
99.	Steven Mumblo	329 E Front #C12 Missoula MT	59802
100.	Paul Shively - Sierra Club	210 N. Higgins Ste 222	59802

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Please print!

	Name	Mailing Address (Include physical address & email address)	Zip Code
101.	Forrest Sentelfeit	2407 Raymond Ave	59802
102.	Max Granger	1009 W. Sussex, 59801 —>	
103.	Amy Cilimburg	1601 Tamarack St	59802
104.	Cyndle Clift	806 N. 5th St	59802
105.	Summer Nelson	summer@summernelsonlaw.com Missoula	59802
106.	Meghan Gill	PO Box 7923 Missoula MT	59807
107.	Robert Gentry	2422 Wylie Ave MSLA MT	59802
108.	Steve Riddle	305 Agnes Ave	59801
109.	Kevin Walsh	713 N 4th St W	59802
110.	Pam Walzer	1329 Sherwood	59802

Please print!

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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Please print!

	Name	Mailing Address (Include physical address & email address)	Zip Code
111.	TALASI BROOKS	1312 PHILLIPS ST MISSOULA MT (talasi.brooks@gmail.com)	59802
112.	DEREK GOLDMAN	1759 S. 7TH ST W. Missoula MT	59801
113.	LARRY NOLAN	MSLA, MT.	59802
114.	Genevieve Schroeder	810 South St W Missoula MT	59801
115.	Ray Dowell	Missoula	59801
116.	JIM LYNCH 114	MDT Helena	5991
117.	Deborah Oberbilly	503 Linden St Missoula MT	59802
118.	Kristin Baunsgard	11111 Mullan Rd. E Superior MT.	59872
119.	TIM LAEDEKE	POBOX 2672 MISSOULA MT	59806
120.	Nathan Howard	1960 Chickadee Missoula, MT	59803

Please print!

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Public Meeting Sign-in Sheet

Project name: Kearl Module Transport Project EA for western route
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

Please print!

	Name	Mailing Address (Include physical address & email address)	Zip Code
121.	Kathleen Kennedy	1580 Cornerstone Dr. Missoula, MT KKennedy68@hotmail.com	59802
122.	Laulette HANSEN	127 S. Easy St Missoula	MT 59802
123.	Sterling Miller	Lolo, MT	59847
124.	Heather McAdow	Missoula	59803
125.	Stephanie Olszewski	527 E. main Apt 41	59802
126.	Jennifer Oakland	311 Skyline	59802
127.	J. Marum		
128.	Murphy Wadhouse	701 Locust Ave.	59801
129.	Lauren Caldwell	280 E. Front St. Missoula, MT	59802
130.	Chris Brick	7060 Lolo St Missoula MT	59802

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	Name	Mailing Address (Include physical address & email address)	Zip Code
141.	GEORGE NICKAS	Box 7362, Missoula	59807
142.	Deborah Brae Tanner	414 Hartman St Apt D 6 memphistomissoula@yahoo.com	59802
143.	Whitney Kembel	108 W Broadway #3 Missoula whitney1223@hotmail.com	59802
144.	Alex Sakariassen Missoula Independent	317. S. Orange Missoula, MT 59801 @sakariassen@missoulanews.com	
145.	Jeffrey P. Shotty	1967 Johanna Dr. Missoula MT 59804	
146.	Darrel Armstrong	537 E. Pine, #3, Missoula 59802	
147.	Lindsey Myers	PO BOX 193 Drummond MT	59832
148.			
149.			
150.			

Please print!

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	Name	Mailing Address (Include physical address & email address)	Zip Code
131.	Clarence Wildboer	6860 Gharrett	03
132.	Karen Smyers	PO BOX 143 Drummond MT	59832
133.	Brent Rowley	PO. Box 8254 Missoula	59807
134.	Lane Evans	PO 7306 Missoula MT 59807	
135.	William E Larson	12500 Hwy 93 S, Box 98 Lolo MT	59847
136.	Barbara Hall	1110 Phillips Street Missoula MT	59802
137.	Jennifer Pelej	576 Swan River RD Bigfork MT 59	59911
138.	Nina Leamington	Hot springs	59845
139.	Mike Sullivan	Helmville	59843
140.	Kent Watson	225 Black Pine Tr.	59803

Please print!

MONTANA MDT DEPARTMENT OF TRANSPORTATION

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	Name	Mailing Address (Include physical address & email address)	Zip Code
151.	Shane Stack	2331 South 7th	59801
152.	[illegible]	Box 294 LoLo MT	59847
153.	Derek Gallagher	1809 S. 6th St. W, Apt. A	59801
154.	Ashlea Wolf-Sherman	21191 E. Mullan Rd Clinton ~~59825~~	59825
155.	Jennifer Watson	11321 Stella Blue Drive Lolo	59847
156.	Brianna Randall	2550 Gilbert ave Msla ~~59802~~	59802
157.	CHRIS POTTER	P.O. Box 7106 MSLA, MT 59807	59807
158.	Melissa Early	831 Hastings Missoula, MT	59801
159.	ELLEN BUCHANAN	431 W. ALDER ST MISSOULA, MT	59802
160.	JOSH MAHAN	1626 S. 5th W. #4 Missoula, MT 59801	59801

Please print!

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	Name	Mailing Address (Include physical address & email address)	Zip Code
171.	Erika Foster	614 Woodworth Ave Msla, MT 59801 efoster111@msn.com	59801
172.	Matt Dunkle	517 Garnet Ct. 59801 Missoula, Montana Matthew.Dunkle@Montana.edu	59801
173.	Amy Zanoni	622 Rollins amyzanoni@ Msla, MT ~~59801~~ gmail.com	59801
174.			
175.			
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180.			

Please print!



Volume III

Appendix D Part 2

Response to Comments

Kearl Module Transportation Project

Finding of No Significant Impact

Module Transport and Required Utility and Road Modifications

Kearl OIL SANDS



MONTANA MDT DEPARTMENT OF TRANSPORTATION

February 2011

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Table D-1 NRDC Letter Writers D-489

1 Why should you ask for comments, just do the transport. The complainers can use another road to get to their destination. Just having a pulse makes some idiots complain.

Mary Anne Aafedt
Maafedt1952@gmail.com
Helena, MT

AAFEDT, MARY ANNE

1. Comment Noted

Please put these comments in the record:

An EA is not an adequate assessment of this project.

1 1) Damage to rivers and stream beds have not been assessed

2 2)This should be considered a federal, not just a state, project

3 3)Long term road and bridge damage has not been addressed

4 4) The long range implications of a "high and wide" corridor

5 5) damage to wildlife along Hwy 12, a major animal corridor, has not been addressed.

6 This project should have a full EIS assessment.

Thank you,
Carla Abrams
Missoula MT 59802

ABRAHMS, CARLA

1. See responses to Common Comment I and O.
2. See response to Common Comment A.
3. See responses to Common Comments L and M.
4. See response to Common Comment K.
5. See response to Common Comment I.
6. See response to Common Comment B.

PRIOR MSG. SENT WITHOUT SIGNATURE AND CONCLUDING REMARKS. SEE BELOW, BENEATH LINE....
Dear MDT Staff and Tom Martin:
Do NOT issue the permit for moving the gargantuan tar sands equipment over Montana highways. Not over any MT highways.

1 Reasons: Practical: (1) We absolutely should not destroy the new roadwork (widening, paving) between Four Corners and Augusta.
(2) Do not degrade the surfaces and roadbed of all other MT highways over which this huge equipment passes

2 (3) Do not tie up local and cross-country traffic through MT for a year and a half for this purpose

Moral: MT should not, by issuing a transport permit, subsidize the environmental destruction coal tar development in Canada will bring.

3 _____
This is an outrageous proposal and should be denied for reasons noted above and for a host of environmental and global warming issues not mentioned here but submitted by others.

Thank you for listening. Thank you for DENYING the permit.
Bob Adams
1029 State Street
Helena, MT 59601
406-443-3248

ADAMS, ROBERT

1. See response to Common Comment L. Module movement will not destroy the new road work.
2. See response to Common Comment G.
3. See response to Common Comment E1 and P.

To the Montana Department of Transportation

Re: Public Comment on Kearl Module Transport Project Environmental Assessment

May 14, 2010

I am writing on behalf of Adventure Cycling Association, headquartered in Missoula, Montana. Adventure Cycling is the largest membership cycling non-profit in North America, with 44,500 dues paying members. Our non-profit charitable mission is to inspire people of all ages to travel by bicycle.

1 We believe that the current EA under consideration is deficient in many ways and is not an adequate tool for determining the environmental, tourism, cultural and economic

2 impacts of the enormous Kearl Project. In particular, this project will have a major impact on Montana tourism in general and specifically on bicycle travel, which is a major activity throughout Montana and nationally.

ADVENTURE CYCLING ASSOCIATION, JIM SAYER

1. Comment noted.
2. See response to Common Comment M.

3 The planned Kearl corridor will directly impact at least 175 miles of bicycle travel routes that have been mapped by Adventure Cycling since 1976. They include the Trans America Trail (http://www.adventurecycling.org/routes/transamerica.cfm), the Great Parks North Trail (http://www.adventurecycling.org/routes/greatparks.cfm), the Lewis & Clark Trail (http://www.adventurecycling.org/routes/lewisandclark.cfm), and the Great Divide Mountain Bike Trail, the longest mapped mountain bike route in the world (http://www.adventurecycling.org/routes/greatdivide.cfm). Every year, thousands of cyclists use these routes because they are relatively safe and quiet, with low vehicle traffic volumes, and only intermittent truck traffic. This could radically change with the addition of hundreds of huge vehicles on scenic, bike-friendly highways like Highway 12 and Highway 200. There are no safe, nearby alternatives for cyclists to these corridors, which would now be dominated by wide-load truck traffic carrying the modules.

3. The proposed route is an existing transportation corridor that currently facilitates oversized and commercial loads. The KMTP moves would occur at night on most of the routes. Impacts to bicyclists are not expected.

4 Deterring thousands of high value tourists from cycling the roads of Montana would be economically detrimental to countless Montana businesses, including restaurants, markets, campgrounds, hotels, and bicycle and camp stores. It has been documented in a number of states around the country that bike travel is a large and growing tourism sector. Bicycle tourists tend to have higher average discretionary incomes. Overnight bicycle travelers spend more than average tourists (on average, $98 per day for the bicycle tourist versus $60 per day for a tourist traveling by motor vehicle) because of their added need for shelter and other services. States with a reputation for excellent cycling can reap huge economic rewards. A report released in January 2010 demonstrated that the State of Wisconsin realizes $530 million annually from out-of-state visitors who come to Wisconsin to bicycle on quiet country roads (http://www.bfw.org/uploads/media/Valuing_Bicycling_in_Wisconsin_Final_Report_January_2010%5B1%5D.pdf). Other places that have emphasized bicycle travel – from Summit County, Colorado to Quebec Province in Canada -- are reaping large financial returns by promoting cycling, especially in rural, undeveloped areas, such as the terrain that the Kearl Project would impact.

4. See response to Common Comment M.

5 The EA utterly fails to address the harmful impact of the Kearl Project on bicycle tourism and the Montana communities that benefit from this environmentally low-impact activity. The EA also fails to address the broader impact on Montana's reputation as a tourism mecca. At a time when the State of Montana is advertising its scenic attractions on billboards and buses from Chicago to Seattle, there appears to be no focus on the reputational damage that will occur to the "Last Best Place" by allowing an extraordinary peleton of massive module-carrying vehicles on what are now relatively quiet, low-traffic rural highways.

5. See response to Common Comment M.

6 Adventure Cycling Association strongly urges MDT and all appropriate agencies to subject this massive and disruptive project to a full Environmental Impact Study (EIS) process, as mandated under the National Environmental Policy Act.

Jim Sayer
Executive Director
jsayer@adventurecycling.org
t. 800 755 2453 ext 201 *or* 406 721-1776 x201
150 East Pine Street, Missoula, Montana 59802
Adventure Cycling Association
Inspiring people of all ages to travel by bicycle

6. See responses to Common Comments A and B.

MDTCommentsKearl May 14, 2010

AITKEN, DONA BOGGS

1 I am a resident of Ovando, former resident of Potomac, and have read the environmental assessment regarding the Kearl project. It seems to me to be a document that was designed from the outset with an attitude to accommodate this company rather than to truly consider the interests of the residents of the state of Montana and the potential environmental and safety impacts. The alternatives cannot be described as "unfeasible" just because they would cost the company more money. The EA does not do its job objectively if it merely parrots the point of view of the company. A truly objective full Environmental Impact statement should be prepared before this proposal is considered by the Montana State Department of Transportation. There are indeed alternatives for this company and even if there were not it is the job of our state government to protect our state not to cow tow to every corporation that wants to use us for their own purposes even if that use constitutes an abuse.

1. See response to Common Comment B.

2 The routes that they propose to use through Idaho and Montana were not designed for interstate commerce as were the interstate highways. These are local scenic routes along relatively narrow roadways through fragile rural, montane and riverine ecosystems that will be damaged by this intrusion of extremely heavy large dimension cargo both by their shear mass, the proposed road alterations and the risk of accident, and allowing this 'one time' use sets a very dangerous and unacceptable precedent for other companies to presume they can use these routes for similar purposes with similar potential negative impacts on the environment and quality of life of our residents.

2. See responses to Common Comments H1, H2, D2, and K.

3 Having turn-outs added to the roadway every 5 miles is not a 'lasting benefit' to us and their construction and use hold the potential to endanger the Blackfoot river at several of the proposed locations, especially near the Sperry access. The statement that the new turn outs would always be at least 100' from streams, irrigation canals or wetlands seems highly unlikely to be possible in all cases as the highway comes very close to the river at several points along its course. The EA again did not

3. See responses to Common Comments, I, O, and K.

do its job when it stated there would be "no impact" expected on water resources. It is their job to consider the impacts of construction and potential tip-overs in 'worse case scenarios'. At public meetings there was a suggestion by MDT that the turnouts could be removed after this year long project is over, implying some recognition of their negative impact and yet in the EA statement they are listed as a lasting benefit. You can't have it both ways and I don't think anyone believes that once there they would ever be removed and doing so could recreate the potential hazards to the river that putting them there in the first place caused. 4

Removal of overhead signage on interstates is accepted as inconsequential by the EA providers eager to accommodate this company rather than being objectively considered with respect to the safety issues for drivers. Overhead signs were much more expensive to put up in the first place when the option of roadside signs was always there. Hence there was a good reason for doing it and that probably was because it much improves visibility to all drivers reducing errors in navigation that can lead to accidents. 5

These scenic routes are used by our tourist industry that would be negatively impacted by the big rigs. They are also used by bicyclists and other recreationist all sorts, by school buses, farm equipment and all manner of such uses typical of rural roads and not typical of interstate highways that were designed for interstate commerce use in contrast to these routes that were not. This fact alone implies innumerable safety hazards that have been all too readily dismissed by this less than objective EA report. 6
We deserve better than that and we demand better than that from our state government.
Dona Boggs Aitken
609 Old Trailhead Road
Ovando Mt 59854

4. Comment noted.

5. Signs would be modified or replaced in a manner to maintain safety to the traveling public.

6. See responses to Common Comments G, H2, H3, J, and M.

I forgot to mention another concern about the big rigs coming through highway 200 at night. I know from personal experience using this road late at night that there are numerous elk herds along this highway, with one of the largest herds regularly hanging out ON and beside the highway at night between Clearwater junction and the Sperry access. They are especially likely to be there in winter when it can be difficult to stop in a small car let alone a 600,000 lb big rig with tremendous inertia. 1
Hence I submit it is extremely likely that these big rigs will kill hundreds of elk along this route at night. Just one more negative environmental impact not considered in your inadequate biased EA.
Dona Boggs Aitken
609 Old Trailhead Lane
Ovando MT

AITKEN, DONA BOGGS

1. See wildlife section in response to Common Comment I.

609 Old Trailhead
Ovando, MT 59854
2010-05-14
406 793 5836

AITKEN, GARY

MDT Environmental Services Bureau
P.O. Box 201001
Helena, MT 59620-1001

Dear Sirs:

This letter is to comment on the proposed Kearl Module Transport Project Environmental Assessment.

Please include this letter in its entirety in the official record.

Perspective

This EA was clearly prepared from an entirely inappropriate perspective. It begins with the statement in the abstract:

> "The purpose of the proposed project is for Imperial Oil to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads (height, widths, and weight) through Montana to the Canadian border and return trailers through Montana to the Idaho border."

This is absolutely not the case. The purpose of this project is to allow Imperial / Exxon to save money by moving oversize structures which were built overseas, but which could have been built in Canada or the United States and not required travel over this route, by the least expensive means to their project in Alberta.

1 MDT and Imperial/Exxon stressed in their presentations at public hearings that this was a one-time event, not a long term plan. That statement directly contradicts the purpose stated in the abstract: "... to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads". If the purpose was to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads, one would spend a significant effort doing long-range planning to decide where we want to route over-dimension loads for the next 50 or so years. No such study was even undertaken. That should have been the first step in this process. We already have a highway system specifically designed for carrying industrial traffic – the interstate highway system. Any plans for the movement of major quantities of oversized and overweight industrial equipment which are incompatible with the existing industrial route should seriously investigate, in depth, the challenges and costs involved in upgrading the designated industrial route so that it may handle that traffic.

1. See response to Common Comment C2.

2. See response to Common Comment D2 and C2.

3 The modifications proposed in this EA would turn some of our scenic highways into alternate industrial corridors. As such, this is a long-term decision affecting all Montana citizens for generations to come. Surely we can do a little long-range planning to route industrial traffic where it belongs – where it has the least impact in the long term, not the least cost to the largest corporation in the world in the short term..

The EA states

> "Since the returning haul trailers ..., the interstate return trailer route was selected to minimize public impacts and for efficiency."

4 This clearly implies that the interstate is both more efficient and has fewer public impacts. As the recognized industrial transportation corridor, it should be the chosen route for module transport as well as the return vehicles. MDT's first responsibility is to the long-term interests of Montana and its citizens, not to minimize Imperial / Exxon's costs. It has clearly abbrogated its obligation to do long range planning, which would involve asking the question

> "Where do we want monster industrial traffic traveling?"

5 Indeed, this is a golden opportunity to do just such planning and finance some of this beneficial and needed work.

6 In section 2.2, under "Alternatives Considered in Detail", the alternative routes are dismissed as being "infeasible". Worse, the alternatives of manufacture in various places in North America are not even mentioned. None of the alternatives is, in fact, infeasible. All of them would be more expensive for Imperial / Exxon. Again, MDT's primary responsibility is not Imperial / Exxon's bottom line; it is the long-term interests of Montana citizens.

Need

The abstract further states:

> "...The proposed project is *needed* to transport specialized processing equipment through Montana to Alberta, Canada." [emphasis added]

7 To the contrary, the project is definitely not needed. It is *desired*, by Imperial / Exxon. It is not desired in any way by many Montana citizens, whose long-term well-being should rightfully be MDT's primary responsibility.

3. See responses to Common Comment J and K.

4. See response to Common Comment D2. See Section 4 of Decision Document regarding clarification of return trailer route.

5. Comment noted.

6. See responses to Common Comments D1, D2, and D3.

7. Comment noted.

Required Sourcing in Korea

The EA states

> "The overall Kearl Project involves ... specialized manufacturing capability ... that *require* sourcing of various pieces of equipment including modules that are manufactured in Korea." [emphasis added]

8 Nothing about this project *requires* sourcing anything in Korea. Imperial / Exxon stated in the public hearing in Lincoln that the modules could just as well have been manufactured in Edmonton, AB, Canada, thousands of miles closer to the site where they will be used. A site that by their own admission had the capability to manufacture them. They are manufactured in Korea solely to save money. At the public hearing in Lincoln, Imperial / Exxon was asked about this directly -- "What would you do if you were not allowed to use this route?" The answer was they would have to consider other options, not that they would have to abandon the project.

Consequently, the perspective used by MDT when evaluating this project, that it is required and must somehow be accomodated, is false.

The EA touts the economic benefits due to road projects from this project. But no comparitive data is available for economic benefits should the modules be constructed in Canada or the United States. Imperial / Exxon refused to even hint at the cost savings they are obtaining by manufacturing overseas. Those numbers are huge direct economic losses to North America, far in excess of any benefits obtained by this small transportation project.

Benefits

9 The EA goes to great pains to present supposed long-term economic benefits of this project. In doing so, it totally ignores the negative impacts of converting two of our scenic corridors (highway 12 and highway 200) into industrial corridors. It justifies this by saying this is a one-time event, and that it may require Imperial / Exxon to remove some of the “improvements”.

> "Turnout and road modifications include construction ... to allow adequate turning radius for the load *and other* long vehicles." [emphasis added]

What *other* long vehicles? This implies permanent changes to accommodate future industrial loads.

10 The discussion of adverse impacts is limited to direct impacts of solely the 200 loads Imperial / Exxon is seeking to use under this permit. It totally ignores long-term adverse impacts of increased industrial traffic. We are 100% guaranteed to have increased long-term industrial traffic as a result of this project – other firms have already applied for permits to use this route to get oversized equipment to the tar sands area in Canada.

8. See response to Common Comment D3.

9. See response to Common Comment K.

10. Please see response to Common Comment K

11 The EA touts economic benefits due to road modification construction projects. Because it fails to do any in-depth evaluation of alternatives such as the existing interstate industrial corridor, no data is available for comparison. It is virtually certain that the economic benefits due to this project are a pittance, both short- and long-term, when compared to those from improving the existing industrial corridor along the interstates. In particular, modifying highway overpasses on the interstates through Montana to add on- and off-ramps would have massively greater economic benefits in terms of construction jobs and long-term economic visitation to the surrounding areas. It would increase property values along this already designated industrial corridor, and provide additional opportunities for businesses serving the interstate highway system. As such, the people of Montana are being shortchanged in this analysis, similar to the pittance given to Native Americans in exchange for their valuable lands years ago. We are being exploited almost as a third world nation.

11. See response to Common Comment D3.

Ten Minute Rule

12 The EA takes great pains to mention, many times over, the MDT ten minute rule for traffic delays.

> "The proposed project must adhere to a 10-minute maximum traffic delay rule and minimize potential for adverse impacts to the built and natural environment, the public, local businesses, and current uses."

Yet the proposal is full of data showing that it will be guaranteed to violate that rule.

The maximum speed is stated as 30 mph. That means a maximum distance between pull-outs of 5 miles. Furthermore, as any 16 year old can tell you, you do not accelerate a 600,000 pound load from zero to 30 mph very quickly regardless of your monster trucks hauling the load. As any Montana resident who has braked to avoid a deer, elk, moose, bear, or other animal can tell you, you do not decelerate very quickly either. In addition, speed must be reduced to 5 mph over bridges. Finally, there are both uphill and steep downhill grades involved, further slowing travel. The obvious conclusion is that the maximum distance between pull-outs must be significantly less than 5 miles. If average speed between two pullouts is reduced to 25 mph, the pullouts must be a maximum of 4.2 miles apart.

The EA lists eight distances between pull-outs which are over 5 miles apart, and more when you look at a more realistic limit such as 4.2 or 4.5 miles. Consequently, the proposal is guaranteeing it will violate the MDT Ten Minute Rule in numerous places along the route.

If these simple calculations concerning a significant portion of the EA are representative of the quality of the overall work in this EA, it should be rejected out of hand as

12. See response to Common Comment G and Appendix 2 of the MTP.

insufficient, inaccurate, and totally inadequate; and the quality of the engineering firm which prepared it as totally unacceptable.

Distances to Streams

13 The existing turnout at mile marker 62.9 on highway 200 is not 137 feet from the stream; it is directly adjacent to a backwater directly connected to the stream, approximately 20' away. This may be ascertained easily from aerial photos or Google Earth. There is always water from the river in this area, and it floods through this area during spring high water.

Bridge Integrity

The extreme weight and length of these modules is passed off on pp 4, Table 3, section 1.6.2, with the simple statement "Requires Bridge Bureau Approval." Indeed, the total weight of a truck plus module is not even listed in the EA; only the (misleading) module weight alone is given. When the trailer weight is also considered, the total weight is in excess of 600,000 pounds. According to the EA, MT DEQ has stated that

> "...the loads may be too heavy for some of the bridges and he was afraid that might lead to water pollution or a possible spill..."

Yet no additional investigation or supporting data appears to have even been undertaken.

14 From the national bridge inventory, the route along highway 200 contains bridges rated as H 15, HS 15, HS 20, and HS 20+Mod, plus one rated Unknown. The length of some of these bridges is more than the length of the trailers in this project, meaning the entire weight must be born by the structure alone. No data is provided to even remotely address this issue. The only hint of concern is the speed reduction to 5 mph, even less than the uphill speed. The obvious implication to any engineer is that speed is being reduced to hopefully prevent structural damage from vibration under extreme load. A vibrating extreme load is the equivalent of an earthquake whose epicenter is on the bridge. Some of these structures were built as far back as 1939 and 1949, and were in no way designed to handle loads in excess of 600,000 pounds. According to the Montana department of commerce,

> "There are over 5,200 bridges in Montana. Of these, 85 percent (4,433) receive regular inspections in accordance with federal guidelines. Nearly 25 percent of the inspected bridges are rated as ”structurally deficient” or ”functionally obsolete.”
>
> "While counties delay funding to maintain, reconstruct or replace the most deficient bridges, the bridge inventory continues to age. We simply are not repairing or replacing our bridges at anywhere near the same rate at which they are deteriorating.”

13. See response to Common Comment O.

14. See response to Common Comment L. MDT has approved the axle loadings on the transporters for travel over the proposed route.

Yet bridge integrity is not even addressed, despite specific concerns having been mentioned.

Financial Responsibility

In section 2.2.1.2 the EA states

> "Once hauling is complete, Imperial Oil will pay for any needed repairs to roadways and bridges due to their activities ..."

15 Unfortunately, damages to roads and road structures are often not readily apparent. Bridges may be weakened or internally damaged, with no obvious outward signs showing for a significant period of time, sometimes years. When the damage is finally apparent, the company responsible for it has long since been absolved of its respondibility, gone bankrupt, or been dissolved after being bled of its assets by its controlling interest. As demonstrated in its more than ten year procrastination and legal wrangling over the *Exxon Valdez* damages, which it eventually lost, Exxon is not likely to voluntarily assume responsibility for any delayed appearing damages.

15. See response to Common Comment L.

Sign Bridge Removal

16 Two sign bridges are to be removed on Interstate 90. Since sign bridges are considerably more expensive to build than roadside signs, they were almost certainly installed in the first place for improved public safety. Replacing them with roadside signs would therefore make these routes less safe. MDT is choosing to put the Imperial / Exxon bottom line ahead of the public safety of Montana citizens. What was once deemed a benefit for public safety is now deemed unnecessary for Imperial / Exxon's short-term economic benefit.

16. Signs would be modified or replaced in a manner to maintain safety to the traveling public. . It should be noted that the two sign bridges on I-90 would be re-installed following project completion. Also, see Section 4.3 of the FONSI.

Spills

17 Under “Contaminated Sites / Hazardous Waste”, the EA states there will be a slight risk of spill with minimal impacts. Some of the most likely places for accidents and spills are immediately adjacent to the river along highway 200. You cannot have a minimal impact in that case. Furthermore, under “Wildlife and Fisheries” the EA states that no impact is expected. You can't have no impact if you have even a slight risk of spill.

17. See response to Common Comment H1.

Accident Prevention

18 The EA does an admirable job of talking about spill prevention and clean-up plans, and of agencies to be contacted when something goes wrong. Unfortunately, as the leaking oil well in the Gulf of Mexico and mine tailings blowouts have repeatedly demonstrated, plans are often totally inadequate when priceless natural resources are involved. Contacting agencies may relieve one of some legal responsibilities, but it does little to mitigate the disaster.

18. See response to Common Comment H1.

Emergency Traffic

19 The assumption when discussing emergency traffic is that everything will be working according to plan. This may well not be the case. Emergencies tend to be of higher frequency during bad weather, precisely the time when road conditions are difficult and accidents / problems with the modules are more likely. The EA states that modules will not travel when weather does not permit, but weather changes quickly and those are objective decisions easily made in error and pushed past prudent behavior when huge economic consequences of delays are bearing down. What will the response be when a module totally blocks the road and cannot be moved in a timely manner?

19. See responses to Common Comments H1, H2, and H3.

Photographs

20 Figure 2, on pp 13, is presented as representative of the oversized loads. This is hardly the case. It is relatively small, being only about 18 ft wide and 22 ft high (estimated). To illustrate the potential impacts, a photo of the largest load should be used, both head on and from the side, with both passenger vehicles and a standard tractor-trailer present for comparison.

20. Appendix E of the EA has several drawings that show the perspective of the module size next to a standard commercial vehicle.

Traffic Control Officers

21 Will additional highway patrol officers be hired? If not, this is a diversion of officers already stretched and needed for other normal duties.

21. Imperial Oil will enter into a contract with Montana Highway Patrol to pay for vehicles, gas, and salary (including overtime pay). Off duty Patrolmen will be used on a voluntary basis, therefore it will not impact normal Highway Patrol services.

Out-of-hand Rejection of Other Alternatives

Discussion of all alternatives simply indicate that an obstruction was found, no possible detours exist, and the entire route rejected. One could do the same thing with the preferred route being discussed.

22 Instead, construction is being undertaken to make the route feasible. For the alternative routes, the obstructions could be replaced with new facilities which could pass the modules, just as is being proposed for this route. Such construction might take longer, and / or be more expensive for Imperial / Exxon, but that is their problem, and of no concern to MDT and the people of Montana. Indeed, given the amount of traffic the tar sands project is likely to generate, such improvements, if one takes the "long term benefits" touted in this EA for Montana as truth, would be net benefits to either Canada or Montana and highly desirable. For the alternative along the interstate through Montana, building on/off ramps for existing overpasses along the interstate highway system is likely the best, and most suitable, expenditure of effort.

22. See responses to Common Comments D1, D,2 and D3.

Wildlife Impacts

23 The discussion of wildlife impacts limits itself to the actual construction work for infrastructure modifications. No mention is made of the long term impacts of increased industrialized use of the highway 200 and highway 12 corridors. There will undoubtedly be increased wildlife mortality due to collisions with the increased number of vehicles over the long term. Anticipating such problems would call for, at a minimum, the construction of wildlife over- or under-passes in several locations.

Elk, deer, and bear are routinely encountered and killed on these roads during the hours proposed for travel. Due to load inertia and the difficulty of stopping, numerous animals could be killed in a single encounter. At times an entire herd of elk is milling about in the roadway.

Summary

In short, this project has about as much long term benefit to the citizens of Montana as a case of brain cancer.

Respectfully, Gary Aitken

23. See wildlife section in response to Common Comment I.

ALBERTA PRESSURE VESSEL MANUFACTURERS' ASSOCIATION, BOB SAARI

The Alberta Pressure Vessel Manufacturers' Association (APVMA), founded in 1987, is an industry association comprised of twenty major Alberta pressure vessel and heat exchanger manufacturers. Information about the association is available at www.apvma.ca.

It should be noted that pressure vessels and heat exchangers are the main process elements built into the modules being manufactured in South Korea.

The pressure vessels and heat exchangers built in Alberta have in many cases involved unique designs and materials being in many cases designed for a specific specialized purpose. Our members are "world class" and noted around the world for manufacturing "world class" products.

Complementing our sector is a highly experienced modular construction industry that has fabricated large complex modules for the oil sands and other related energy projects for many years. It would be safe to say that there have been thousands of modules designed, assembled, delivered and installed on project sites in Alberta.

1 Our main concern is the reasoning utilized by the Kearl Lake Project's owner Imperial Oil to justify the manufacture of these modules in South Korea. Imperial Oil has said that the modules require "very specialized fabrication" by a large manufacturer with a proven record for assembling this particular equipment and that specialized manufacturing was required that couldn't be done in Canada. We do not believe that these are the true reasons for Imperial Oil's decision as Alberta's pressure vessel and heat exchanger industry is "world class" and the

1. Comment noted.

modular construction industry has built thousands of units that are operating today. There is absolutely no doubt that these modules could have and should have been built in Alberta.

2 An additional concern is the route proposed for these modules. This is not a "one shot" project! This route will become the "highway" for energy related products from not only South Korea

3 but even lower wage suppliers such as China and Vietnam. This will not only hurt employment in our industry in Alberta, but will also have a major impact on the large pressure vessel and heat exchanger industry in the United States.

Better reasons than those provided by Imperial Oil should be required to justify the inconvenience to the public that will be the result of the transportation of these modules through Washington, Idaho, Montana and Alberta.

R.W. Saari, P.Eng.
Manager, APVMA
Alberta Pressure Vessel Manufacturers' Association
5815 - 143A Street
Edmonton, AB
T6H 4G4
Phone: 780/438-4196
Email: vessels@apvma.ca

2. See response to Common Comment K.

3. Comment noted.

Many of my comments are reflected in the City of Missoula's resolution submitted as a comment however, as an individual I want to make three points--one emphasizing a conclusion of the resolution and two on subjects not covered in the resolution explicitly.

1. The scope of the EA is fatally limited. From its inception, the Exxon project has been conceived of as a permanent corridor. The corroborating evidence exists throughout the record, including MDT Directory Lynch's presentation to the Montana Legislature as well as in the Port of Lewiston's application for ARRA funds to expand its port. The only place where the Exxon project is evaluated as a disconnected request for a one-time permit from one Montana border to another is in the official document reviewing its impact. MDT must use common sense (as authorized by the State of Montana's Administrative Rules) to develop a document evaluating the project that will be impacting Montanans--not the fictional segment of the project the applicant has defined exclusively for the purpose of review.

ALDERMAN, WARD ONE, MISSOULA – JASON WIENER

1. Comment noted.

2. The cumulative impacts of the transport project include the massive releases of greenhouse gas that will be facilitated by the installation of the equipment being transported. The omission of any consideration of this project's impact on climate change and that process's impact on Montanans is negligent. Accelerating the pace of climate change is a reasonably foreseeable outcome of the state's proposed action, a cumulative outcome that will impact Montanans and diminish their constitutionally guaranteed right to a clean and healthful environment.

3. The applicant should be denied the 32J permit requested because, although the EA fails to consider potential accidents and the negative impacts to Montana's multi-billion dollar tourism industry, the negative impacts to the existing livelihoods of Montanans are beyond the scope of what can be mitigated by the applicant.

Thanks for your consideration.
Regards,
J.
Jason Wiener, Alderman, Ward One
1238 Jackson St.
Missoula, MT 59802
(406) 542-3232

2. See response to Common Comment P.

3. See response to Common Comments H1, H2, H3, M, and G.

May 14, 2010

Tom Martin
Montana Department of Transportation
Environmental Services Bureau
P.O. Box 201001
Helena, MT 59620-1001.

Dear Mr. Martin;

Sent via email, please acknowledge that you received these comments.

Thank you for this opportunity to comment on the Kearl Module Transport Project. Please accept these comments from me on behalf of the Alliance for the Wild Rockies and Native Ecosystems Council on the proposal by Imperial Oil/Exxon Mobil to run 200 super-sized trucks through parts of western Montana to the Canadian oil fields. We believe that an Environmental Impact Statement (EIS) must be completed for this project examining the full impact of this project in Montana and Idaho.

The Alliance for the Wild Rockies, Montana Ecosystem Defense Council and Native Ecosystems Council (collectively "Alliance") submit the following comments to guide the development of the environmental analysis for the proposal. The MT Department of Transportation must complete a full environmental impact statement (EIS) for this Project because the scope of the Project will likely have a significant individual and cumulative impact on the environment. Because federal money will be used for this project since Montana receives Federal Highway money, we believe the National Environmental Policy Act applies. Alliance has reviewed the statutory and regulatory requirements governing the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA), as well as the relevant case law, and compiled a check-list of issues that must be included in the EIS for the Project in order for the DOT's analysis to comply with the law. Following the list of necessary elements, Alliance has also included a general narrative discussion on possible impacts of the Project, with accompanying citations to the relevant scientific literature. These references should be disclosed and discussed in the EIS for the Project. 1

I. NECESSARY ELEMENTS FOR PROJECT EIS:

A. Solicit and disclose comments from the Montana Department of Fish, Wildlife, and Parks regarding the impact of the Project on fish and wildlife habitat; 2

B. Solicit and disclose comments from the Montana Department of Environmental Quality regarding the impact of the Project on water quality; 3

ALLIANCE FOR THE WILD ROCKIES, MICHAEL GARRITY; NATIVE ECOSYSTEMS, SARA JOHNSON; MONTANA ECOSYSTEM DEFENSE COUNCIL, STEVE KELLY

1. See responses to Common Comments A and B.

2. See Section 4.5 of the Decision Document,

3. Comments were solicited from MDEQ when the EA was distributed on April 13. See Table 2 of the Decision Document.

C. Disclose the biological assessment for the candidate, threatened, or endangered species with potential and/or actual habitat in the Project area;

D. Disclose the biological evaluation for the sensitive and management indicator species with potential and/or actual habitat in the Project area;

E. Disclose the results of the field surveys for threatened, endangered, sensitive, and rare plants in each of the project area; (4)

F. Disclose the level of current noxious weed infestations in the Project area and the cause of those infestations;

G. Disclose the impact of the Project on noxious weed infestations and native plant communities;

H. Disclose the expected amount of detrimental soil disturbance in each unit after ground disturbance and prior to any proposed mitigation/remediation;

I. Disclose the expected amount of detrimental soil disturbance in each unit after proposed mitigation/remediation; (5)

J. Disclose the analytical data that supports proposed soil mitigation/remediation measures;

K. Disclose the timeline for implementation; (6)

L. Disclose the funding source for mitigation/remediation proposed; (7)

M. Disclose the impact of climate change on the efficacy of the proposed project;

N. Disclose the impact of the proposed project on the carbon storage potential of the area; (8)

O. Disclose the baseline condition, and expected sedimentation during and after activities, for all streams in the area;

The Clean Water Act requires that federal agencies or state agencies which receive federal money comply with its provisions. The agency must protect water quality and comply with state water quality standards. Marble Mountain Audubon Soc. v. Rice, 914 F.2d 179, 182 (9th Cir. 1990); Oregon Natural Resources Council v. U.S. Forest Service, 834 F.2d 842, 848 (9th Cir. 1987); Northwest Indian Cemetery Protective Ass'n v. Peterson, 794 F.2d 688, 697 (9th Cir. 1987); 33 U.S.C. 1323(a) ("Each department, agency, or instrumentality of the executive [branch] . . . shall be subject to, and comply with, all Federal, State, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of water pollution"). (9)

4. See response to Common Comment I. Biological Assessments and Biological Evaluations are requirements for certain federal agency NEPA documents.

5. All construction activities occur in areas of previous soil disturbance. See responses to Common Comments I and O.

6. See Section 2.2.1.8 of the EA.

7. See response to Common Comment L.

8. See response to Common Comment P. Carbon storage potential of the area is outside the scope of the MEPA analysis.

9. See response to Common Comment O.

9 Section 303(d) of the CWA (33 USC §1313(d)) requires that states list water quality limited segments of bodies of water within its jurisdiction. The listed segments are not meeting state water quality standards or failing to meet designated uses due to identified reasons. The states are required to develop Total Maximum Daily Loads (TMDL) for these waters (33 USC Sec 1313 (d) (1) (c)). TMDLs are designed to address all sources of pollution limiting the water quality of the public waters and should include point and non-point sources of pollution, such as sediment generated from logging activities. In the absence of a TMDL federal agencies have a duty to avoid further degradation of WQLS stream segments. The Highway 69 project could violate this duty and thereby violates the CWA if the project puts more sediment into the Boulder River a WQLS or 303(d) listed stream.

Federal anti-degradation regulations issued under the Clean Water Act require full maintenance and protection of existing uses from both point and non-point sources of pollution. (40 C.F.R. 131.12).

See previous page

10 This project will adversely modify critical habitat for bull trout and lynx. Please conference with the U.S. Fish and Wildlife Service. Please formally consult with U.S. Fish Wildlife Service on the impact on grizzly bears, lynx and bull trout.

10. See response to Common Comment I.

WEEDS

11 Please address the ecological, social and ascetic impact of current noxious weed infestations within the project area. Include an analysis of the impact of the actions proposed by this project on the long and short term spread of current and new noxious weed infestations. What treatment methods will be used to address growing noxious weed problems? What noxious weeds are currently and historically found within the project area? Please include a map of current noxious weed infestations which includes knapweed, Saint Johnswort, cheat grass, bull thistle, Canada thistle, hawkweed, hound's-tongue, oxeye daisy and all other Category 1, Category 2 and Category 3 weeds classified as noxious in the MONTANA COUNTY NOXIOUS WEED LIST. State-listed Category 2 noxious weed species yellow and orange hawkweeds are recently established (within the last 5 to 10 years) in Montana and are rapidly expanding in established areas. They can invade undisturbed areas where native plant communities are intact. These species can persist in shaded conditions and often grow underneath shrubs making eradication very difficult. Their stoloniferous (growing at the surface or below ground) habit can create dense mats that can persist and spread to densities of 3500 plants per square mile (Thomas and Dale 1975). Are yellow and orange hawkweeds present within the project area?

Please address the cumulative, direct and indirect effects of the proposed project on weed introduction, spread and persistence that include how weed infestations have been and will be influenced by road construction.

11. Mitigation measures will be applied to limit weeds (see Section 3.13 in the EA).

Noxious weeds are not eradicated with single herbicide treatments. A onetime application may kill an individual plant but dormant seeds in the ground can still sprout after herbicide treatment. Thus, herbicides must be used on consistent, repetitive schedules to be effective.

What commitment to a long-term, consistent strategy of application is being proposed for each weed infested area within the proposed action area? What long term monitoring of weed populations is proposed?

Rare Plants

12 The ESA requires that the conservation of endangered and threatened species of plants as well as animals. Local native vegetation has evolved with and is adapted to the climate, soils, and natural processes such as fire, insect and disease infestations. Any management or lack of management that causes these natural processes to be altered may have impacts on native vegetation, including threatened and sensitive plants. Herbicide application – intended to eradicate invasive plants – also results in a loss of native plant diversity because herbicides kill native plants as well as invasive plants.

What threatened, endangered, rare and sensitive plant species and habitat are located within the proposed project area? What standards will be used to protect threatened, rare, sensitive and culturally important plant species and their habitats from the management actions proposed in this project? Describe the potential direct and indirect effect of the proposed management actions on rare plants and their habitat.

Thank you for your time. Please put us on your mailing list for this project.

Sincerely,
/s/
And on behalf of:

Michael Garrity
Alliance for the Wild Rockies
P.O. Box 505
Helena, Montana 59624
406-459-5936

Sara Johnson
Native Ecosystems Council
P.O. Box 125
Willow Creek, MT 59760

And for
Steve Kelly
Montana Ecosystem Defense Council
P.O. Box 4641
Bozeman, MT 59772

12. All construction activities occur in areas of previous soil disturbance, which is not habitat for any of the listed plants.

To whom it may concern,

1 I urge you to use diligent care in considering the request by Imperial Oil to transport enormous equipment over 350 miles of two-lane highways, to implement tar sands exploitation. The environmental and public health impacts have not been adequately addressed in the Environmental Impact Assessment. Aside from the substantial risk of highway accidents that would be highly destructive, the disruption of precious lands like the Lochsa River corridor, and of

2 people's lives who live and work along those highways, would be huge. Most importantly, the development of the tar sands would contribute immensely to global warming over the crucial years to come. The state of Montana, the U.S., and the planet simply cannot afford this contribution to climate change.

Thank you for your attention to my concerns.
Janet R. Allison

ALLISON, JANET R.

1. See response to Common Comment H1, H2, and J.

2. See response to Common Comment P.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 o Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 o Require real alternatives to be considered;

3 o Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 o Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

Steven Allison-Bunnell
418 Woodford Street
Missoula, MT 49801

ALLISON-BRUNELL, STEVEN

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

This note is from Tom Alsaker--11600 Mullan Road--Missoula Mt. 59808
I wish to state my strong support regarding the Kearl Module project in Montana. I have attended several meetings in the Missoula area and believe a well organized minority is using any and all tactics at their disposal to disrupt the development of the Canadian Oil Sands Project. I know those opposed to the project are recruiting comment and "coaching" as I have received e-mails requesting help in their effort. I have looked at the highways 12, 93, 200, and I-90 as to
1 safety, emergency vehicles, environmental accusations, tourist issues, and highway infrastructure concerns. I have the fullest confidence that the Montana Dept. of Transportation will adequately oversee the project and the companies responsible for getting the job done will do so as planned. --------- I urge that the Dept.Of Transportation grant the request as quickly as possible.

Sincerely,
Tom Alsaker

ALSAKER, TOM

1. Comment noted.

As a lifelong Montana native, a hunter, fisherman, outdoorsman, hiker, kayaker, and businessman, I think this project is a disaster. There is nothing good about it for anybody but the Port of Lewiston and Imperial Oil. All the cost-benefits calculated here are window-dressing, and omit the effect on the people using the corridor and the actual long-term effects on the quality and beauty of the travel using the highway. Alberta can make its own decisions about how it should use its resources, and I don't have anything to say about that - but I do not believe in us ruining an incredible, unique wild and scenic corridor, and mucking up our other highways in order to help them do their thing. My biggest concern is the Lochsa/Lolo/ Highway 12 corridor, which is obviously going to become a massively expanded, major trucking conduit for these rigs and everything else that follows. This is the worst possible place for these rigs and this traffic. It will ruin one of the most beautiful highways I've ever driven anywhere in the US,
1 and deeply compromise the use of all the recreation resources that so many of us enjoy. It will totally ruin the highway as a tourist route, and for all the people who travel it for business and pleasure. I fail to see why one use up in Canada should trump everything else of importance to us here. I also fail to see the logic for why a wild and scenic corridor should be ground zero for the ultimate in high impact commercial travel. The reason the corridor is useful to them is that it has not been developed, and a major reason it has not been developed is that it is designated wild and scenic. So its use in this way is a direct contradiction. We have few enough places like the Lochsa and Highway 12 corridor left, we should not sacrifice one of the best.
Doug Ammons
Missoula, MT

AMMONS, DOUG

1. See response to Common Comment J.

Dear Sirs:

1 **I already wrote in about the plan, but I forgot to add that I would greatly appreciate an extension of the comment period to at least 90 days beyond what is currently set. I was on the Idaho site and your site a month ago, and did not see the project listed, and so could not comment. Perhaps I'm blind and stupid, and missed it or was in the wrong web page, but I surely would appreciate the extra time. The extension would allow us to read things more closely and offer better comments.**

Thank you,
Doug Ammons
douga@dougammons.com
415 Keith Ave.
Missoula, MT 59801
No affiliation, although I am a member of American Whitewater. I've lived in Montana for 53 years.

AMMONS, DOUG

1. See response to Common Comment F1.

As an engineer, I understand the need to transport large equipment on occasion. However,

1 when I learned about the route along several ID and MT rivers I must comment that alternative routes must be considered with less risk to Montana's important streams. I believe that inadequate consideration to routing and a rush through the EA process has occurred. While there may be some short term gain for Montana with the proposal, the long term impacts suggest little benefit to the state or even the US. The development of tar sands in Canada,

2 marginal at best, should not be promoted by MDT. I would respectfully ask for further consideration of environmental impacts and look at alternative routes away from surface waters.

Thank you
Scott Anderson
Helena, MT

ANDERSON, SCOTT

1. See response to Common Comment D1 and Common Comment D2.
2. See responses to Common Comments E1 and O.

I am for the transportation of the Canadian Oil Equipment through Missoula and Montana.

1 Please do not let a few radical people effect your decision.

We would not have highways, Interstate Highways, or transcontinental railroads today if we listened to the fringe element. They are just louder nowdays.

ANONYMOUS

1. Comment noted.

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1 I don't believe that environmental impacts of making the alterations along the proposed route in Montana can be justified given that Montanans will receive very little benefit from the project. Surely a Canadian route can be found for a Canadian project.

ANONYMOUS

1. Comment noted.

Dear MT Department of Transportation:
I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;
2 • Require real alternatives to be considered;
3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;
4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

Thank you, Jennifer Anthony
Jennifer Anthony, PE, SE - Fearless Engineers PLLC
201 South Fourth Street West #2 Missoula, MT 59801
fearlessengineers@msn.com (406) 721-7833
licensed AZ, CA, CO, ID, OR, MT, NM, SD, UT, WA & WY

ANTHONY, JENNIFER

Form Letter 1

1. See response to Common Comment C2.
2. See response to Common Comment D1 and response to Common Comment D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

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1 **Christine at the Missoula Public Library states that as of this date the MLP has not received a copy of the Kearl EA. This off course limits the public's ability to make comments, I'm trying to reach the University library, but as yet have not been able to get any response from anyone there who has information on whether they would have it.**

I request extension of the Comments period so the public has a decent chance for input.

Darrel Armstrong
537 E. Pine, #3
Missoula, MT
59802
406 992 2174
or this email address

ARMSTRONG, DARREL

1. FedEx recorded the delivery of the EA to the Missoula Public Library on April 13 at 10:23 am. A follow-up call to the library indicated that the document was received and recorded on April 13 and placed in the public reading room.

Cultural Resources Comments for the Kearl Module Transportation Project Environmental Assessment

1 "The responsible federal agency first must determine whether an undertaking could affect (directly or indirectly) historic properties, which by definition include prehistoric as well as historic resources. The agency must identify the appropriate SHPO, or for lands within the exterior boundaries of a reservation, the Tribal Historic Preservation Office, (if so established), to consult with during the process. The agency must also identify other interested parties with which to consult including other agencies, the public, and Indian Tribes (whether or not the project occurs on tribal lands). Both the SHPO and appropriate THPO can provide initial information on known historic properties, the probability of unidentified historic properties, tribal contacts, and

ARMSTRONG, DARREL

1. MDT is not a federal agency. The EA did review the historic properties in the areas of disturbance and evaluated the impacts (see Section 3.3 of the EA) and worked with SHPO and appropriate THPO (see section 4.1.1.2 and Section 4.1.2 of the EA)

other critical information at this stage."

Montana Historic Preservation Services Directory 9

I. THE LAW: THE LEGAL FRAMEWORK FOR HISTORIC PRESERVATION, (p 12)

"Significant archaeological resources affected by a project should be protected and preserved. If such resources must be disturbed, mitigation measures should be undertaken."(p. 11)

The Kearl Module EA as it presently exists does rightly address these concerns, but in my opinion does so inadequately. The scope of the project being one of a major movement of extra heavy equipment in hundreds perhaps eventually thousands of loads, if Imperial Oil & Exxon/Mobil take the option of re-use of the corridor's establishment after the initial physical
2 alterations are already in place, on our state and federal highways impacting not only hundreds of miles of the state's environment, parks, Scenic waterways, water quality, local communities, our economy…on both statewide and local levels, a variety of animal and plant endangered species, current emergency services, and driving conditions, goes well beyond in complexity in all those areas what a simple Environmental Assessment was ever intended to do, a full EIS is necessary, and demands greater consideration historic preservation and archaeological work if cultural resources are to be adequately addressed. Federal land managers have obligations under the National Historic Preservation Act to safeguard known historic and prehistoric sites as well as those not yet discovered underground. In addition to direct impacts, indirect, secondary, and cumulative impacts must be evaluated, and if not avoided then mitigated.

MDOT has legal obligations under both federal and state law to ensure this is properly done in both the letter and spirit of the law to protect those cultural resources and the public interest. It does not seem this is happening with appropriate rigor and the Kearl Module Environmental Assessment as it presently exists for a project of this magnitude leaves much in doubt. This situation will need to be addressed eventually if the proposed action proceeds mostly likely at the expense of the Montana taxpayer or in degradation of our overall physical and heritage environmental quality. As someone with both training in cultural heritage management and considerable on the ground experience in the survey, recording of archaeological sites, there are
3 several things in the Cultural Resources section of the EA that bother me, or not in the EA that should be. I will review them here to give MDOT a chance to correct them, but intend also to contact the Advisory Council on Historic Preservation (ACHP) for their opinion, as anyone has the right to do so….just as the NHPA accords anyone to file suit in federal court to ensure its compliance. These are important provisions for the public good in the present political atmosphere. In a public document like this, while our Governor is pushing rapid, perhaps sometimes reckless, energy development and our Congressman seeks to find ways to exempt Montana from the Federal Antiquities Act, it is all the more important that ordinary citizens as

2. See responses to Common Comments K and B.

=

3. MDT has evaluated the effects on historical and cultural resources and concludes there will be no adverse impacts (see Section 3.3 of the EA).

well as resource professionals can get the necessary information to have an informed judgment on whether our common resources are in fact being protected.

Kearl Module Section 3.2 defines cumulative impacts very reasonably, following Montana Code, before giving a list of past transportation projects, then states:

4 "Since most, if not all, of construction work identified below would not occur at night when the majority of the module transportation would occur at night, there would be little to no cumulative impact." This is a curious mixture of archaeological good sense and wishful thinking. All ground breaking activities at least MUST occur during daylight to avoid exposure of prehistoric remains by mauling them unnecessarily with heavy equipment. To due otherwise usually means destroying a site or component of one in order to find it. In the case of primary impacts, such as digging trenches to accommodate moved utility lines and trenches and especially the numerous and frequent pull out construction or widening. The latter requires actual visual survey of the land with shovel testing before any equipment is used, and if cultural deposits are found of course trained and permitted professional excavation as well as the necessary reporting of the finds to the State Historic Preservation Office. Monitoring of all groundbreaking by heavy equipment is also archaeological good practice, (as the Blackfeet THPO has indeed requested and I think the applicants have already agreed) where ever it is feasible and in the case of this project it certainly is, and if even after previous shovel testing has taken place cultural materials are found, work should stop immediately until they are properly recorded, removed and reported. While

5 monitoring is not always required in the western states due to relieve budgets on smaller projects, it should be the practice here. The major linear slice of the project and particularly the pull outs amounts to many acres of actual ground disturbance, and at the any million dollar scale of the project certainly adds insignificantly to costs. Trained archaeologists familiar with Montana diagnostic material, and in the case of on or near tribal lands or areas previously known to be regularly used by the tribes, monitors familiar with native cultural traditional practices and culture, should be used.

The above methodology *in toto* should be routine for cultural resource work, but in practice often is not, If it is what is intended it should be specified in the EA, and is not.

The document suffers needlessly from either under reporting of necessary detail or excessive editing. Any educated member of the public should be able to read what is intended at this level of detail, not just resource professionals, since we certainly are in no position to judge how well the work has been carried out until after the resource has been destroyed. This is the essence of cumulative impact. I much prefer the 'No Action' alternative.

6 Section 3.3 gives a long list of known site types that fall along the route. In the cases of particularly the forts, lithic scatters, historic dumping grounds, culturally scarred trees, buffalo jumps and uninhabited historic buildings, and all other sites not currently protected by

4. The quote is referring to all cumulative effects, not just historical or archaeological effects. Turnout construction would occur during the daytime. Most utility work will also occur during the daytime. However some utility work along Highway 93 between Lolo and I-90 will be conducted at night. These areas were already disturbed and no archaeological material likely still exists there. Ground disturbing activities associated with traffic structures will be done during the daytime. If historic or cultural materials are discovered during ground disturbing activities, construction will cease immediately and a qualified archaeologist or historian will be consulted to evaluate the significance of the artifacts. As appropriate, SHPO, THPO, and MDT will be consulted.

5. MEPA does not mandate a pedestrian archaeological survey, shovel testing or monitoring of construction areas. Pedestrian survey and site evaluation for National Register of Historic Places eligibility is required under Section 106 of the National Historic Preservation Act of 1966, As Amended. The KMTP is not considered a federal undertaking so Section 106 has not been triggered. However, a USFS approved archaeologist will monitor construction activities along the 10 Mile Plow route on USFS land.

See response below.

observation, I strongly recommend placement of pullout as far as possible from the resource, and when useful fencing. Sites of this type can loose all diagnostic artifacts very quickly due to the actions of illegal collectors and the pullouts will improve access for such pothunters, and for vandalism generally. Regrettably such mitigation is appropriate as unauthorized collection and site defacement rank with careless unmonitored construction activities as prime causes of site obliteration. To state as 3.3.2.1 does that on all eighty legal sections containing 140 known and potentially addition unknowns near construction activity of this project will be unaffected unaffected by the Kearl Project since they are stretches the truth archaeologically, Secondary impacts and cumulative degradation are bound to occur. This is especially true in that re-survey often adds additional sites or cultural features, and rigor and methods in archaeological surveying evolve. Simple record searches may suffice for small ventures, but this project has too major an overall impact the assumption that since they are 100 feet away "These types of sites would not be disturbed because they are outside the area of any potential disturbance, and the turnout work would not change the historical setting." defies the experience of cultural resource professionals. 6

It invites long term looting and defacement of these sites, a walk of one hundred feet is hardly taxing for a vandal conveniently parked at your turnouts, when they are otherwise unoccupied. If I were to such a statement on even an archaeological site form and ignoring such glaring 'potential impact' threat when I work for the Forest Service, I likely would be sent packing, and it certainly is very out of place in an actual Environmental Assessment, as it goes in the face of reasonable archaeological practice and the Montana Antiquities Act intent, substituting language that simply 'sounds good' for actual cultural resource compliance. 7

This is particularly true on lands owned by the federal government, like the whole of Interstate 90 and Federal Highways 12, 93, 89, and 287 all of which are in the route and the crossing into Canada presumably involves Interstate 15 as well. This necessitates real compliance with the Federal Highways Act (with) provisions designed to protect heritage resources, and in passing close to sites on federal land (Lolo and Helena National Forest lands 3.3.1 and BLM and possibly BIA administered land) as I'm sure some of these sites are necessitates up to date review by the responsible federal agencies and departments. The EA document vaguely claims such contacts are being made, but gives the reader no information about what is decided, or what, if any, concerns are being addressed. An EIS would insure adequate compliance to both NHWA 4 (f) and NHPA and other federal legislation. It is of course up to the MDOT and Montana SHPO to enforce the Montana Antiquities Act, and all others relevant state statutes like the burials laws. If human remains of some apparent antiquity are found, the local coroner as required by law alone might be enough for narrow reading of the law, but silmultanious calls to the State Forensic lab or University of Montana forensic archaeologists, AND the nearby tribes would likely be appropriate, so that both NAGPRA provisions for Native claims might be dealt with and a proper scientific investigation conducted to determine, if such human remains were in fact Native 8

6. Section 3.3.2.1 Turnout Construction and Road Modifications addresses the impacts from the turnout work on historical resources, indicating that work on existing turnout will not affect historical resources and that sites within 100 feet of ground disturbing activities were evaluated individually. Turnout work occurs in areas of previous disturbance.

7. The EA does not disclose information on which turnouts are located within 100 feet of a known site. A 100 foot buffer is commonly used to protect cultural resources from construction activities. Long-term looting and defacement is not anticipated.

8. Ground disturbing activities would occur in areas that have previous disturbance. There are no federal funds involved in the project.

People, possible tribal affiliation, burial data collection, and so on. The later requires both physical and archaeological expertise…and since much ethnic determination these days relies on genetic evaluation it might be best if the coroner took responsibility of securing the site, but didn't actually touch them at all. Proper methods of dealing with burials over fifty years old usually fall far beyond the training of county coroners, while more recent ones may involve a prosecutable crime or missing person, but require very different evidential procedures.

9 I understand the Nez Perce generally oppose the Project and may be hard to work with as a result, which as it affects another state is outside this EA perview, which wouldn't necessarily be the case with a full EIS, but the Flathead tribes and Blackfeet Nation, along with their historic tribal allies, who often shared the land with them should be kept fully informed, and the Hellgate Canyon area being an area which the groups frequently came into deadly conflict may still contain burials that could be effected if work is required to modify the Interstate. I'm left a little confused that the DOT or applicants contacted the University of Montana for site records, but neglected to give the University of Montana a copy of the EA as the University is of course one of the places, where the people of Montana have the greatest level of expertise on environmental, social, economic, and cultural impacts. It almost appears, especially with the scarcity of hardcopies of the document in Missoula that MDOT and the applicants were trying to frustrate those they felt might want to comment on the EA in the best educated and most populous area the project passes through.

9. No ground disturbing activities would occur in Hellgate Canyon and the interstate would not be modified there. The EA was available on the internet and several people from the University of Montana commented on it.

10 If the previous damages to sites 24TT260, 24PW380, 24LC1191, and even 24TT556 are indeed as great as given in the report were determined by only a file search, it is likely that the measures suggested are adequate, but the sites should still be visited on the ground by professional archaeologists to see if further protection is necessary, if this has not already been done and with the understanding that if surface artifacts do still in fact exist they should be surface collected scientifically as soon as possible rather than left for unauthorized removal, and the sites should be test excavated (shovel test or formal test units), if they haven't already had this treatment to determine if there are subsurface components at the discretion of the archaeologists. While the change of plans on 24MO282 (lithic scatter) by the utility probably is adequate, fencing should be considered. The boring should be moved if possible farther from historic site 24LC235, and determination that 24LC235 and 24 LC1210 will be unaffected even though additional work is being done next to them and they are from the description in easily trafficked areas, it would be to their greater long term good if they, too were fenced off outside of their known surface peripheries.

10. The review of the impacts on cultural sites determined there would be no additional effects on these sites, therefore, there was no need to revisit them. Additional protection is not necessary.

The avoidance of sites 24 LC1089 and 24LC1211 entirely is good, but the National Historic Landmark Lolo Trail/Nez Perce Trail is a very valuable major site, but due to the missing portions a challenge to all who try to protect it. The National Historic Landmark status should mean review by NPS might be a good idea for those portions not actually on the Forests, and Fort Fizzle area impacts should be thoroughly examined as well as the Travellers' Rest. Missoula County Historic Preservation Officer Philip Maechling should be consulted on how to do the Bonner tre thinning if he feels it is a good thinning to do at all, if he hasn't already been consulted, it lies in his landscape area of expertise as well as in his territory. Philip also works in conjunction with the City of Missoula's Historic Preservation Commission; if they haven't already been included in the process they should be consulted. The Historical Preservation Commission is approved by the National Park Service community preservation program and a recognized part of the NHPA process. Missoula has formulated its own historic preservation ordinances, and some may be applicable here. In addition to immediate impacts to all these areas, long term cumulative effects due to increased foot traffic, and increased vehicle access long after the proposed end of the project should always be considered as should the prospect that of Imperial-Exxon/Mobil or others re-applying for a future use of the same corridor and continuing impact to sites and historic districts long into the future. Our street system can not accommodate hundreds or thousands of heavy equipment. Life costing accidents and serious delays of emergency services, especially around the hospital at Fort Missoula are inevitable. Fort Missoula is a very mixed case of crossed private, state, and private ownership and is a historic district of several aspects beyond being a military fort and prison, eg it served as a POW/ Japanese-American Internment Camp during WWII. It deserves an EA all it's own…and unknown and underground cultural resources from the different periods may well extend as far as Reserve Street.

11

12

For any number of reasons both professional and as a general citizen, I hope for the never accepted EA option of No Action, or that at least a full EIS to help control the damage is done. Imperial Oil and Exxon/Mobil do emphatically NOT have good safety records generally and the fact that this project feeds the exploitation of the oil sands development in Alberta, where notoriously lax enforcement of environmental and safety laws is predominant in the rush to produce profits for oil companies despite the fact that increased oil dependency is the last thing we need is very relevant to Montana's understanding of the larger situation. Many Chippewa Cree people have already died from the water pollution generated by tar sands exploitation as have several pipeline welders and emergency workers in the Dakotas from unsuitable thin wall pipelines pushed by the industry to keep the costs low. Protest groups have mobilized as far away as Ireland and London to the mad pace and greed that drive this inappropriate black gold rush, while Montanans generally are still ignorant of the context of the project, even though one track of the pipeline is being developed in eastern Montana creating unacceptable risks for Montana

13

11. MEPA does not mandate consultation with Certified Local Governments but Philip Maechling and the Missoula County Historic Preservation Office may comment on the EA. No "tree thinning" will occur. See corrections and clarifications in Section 4.5 of the Decision Document regarding consultation with National Trail Coordinators. See response to Specific Comment D and Common Comment N.

12. See response to Common Comment H3. There would be no effects on Fort Missoula from the construction work or the module hauling. No KMTP activities would occur on the Fort Missoula grounds.

13. See responses to Common Comments B, E1, H1, H2, and H3.

pipe workers and a potential for loss of their lives as well as the potential for an ecological disaster in the eastern part of the state that could dwarf the ongoing BP drilling catastrophe in the gulf and the infamous Exxon Valdez destruction of Arctic coast and waters in Alaska. We are expected to believe the monster trucks moving through western Montana will abide by all applicable environmental, cultural and safety laws even while these same companies have not done so elsewhere.

14 We are told our economy will benefit to the tune of a few million dollars, a tiny amount compared to our state budget, even though the if successful the oil companies expect hundreds of billions of profit off the oil…but tar sands technology and the instability of oil prices are undependable and could just as easily go bust, doing much damage to western plains business and the US as a whole as well as Canada.

We can only hope that the bulk of the workers employed for this project the out of area specially trained truck drivers, who won't contribute much to our economy, are US citizens, who can read Montana road signs and understand the Highway Patrol as they drive down our passes in deep winter. If they are from South Korea like the equipment or part of the Chinese work gangs that actually do much of the work in Alberta's oil sands, this may not be the case. Has the Montana DMV been consulted on driver requirements?

That, too, belongs in a proper EIS.

Sincerely,

Darrel Armstrong
[citizen of Missoula & Montana
former employee of around 11 national forests & parks (usually Cultural Resource Management)
...and former professional representative (archaeologist) with the City of Missoula Historic Preservation Commission]
537 East Pine, #3
Missoula, MT 59802
(406) 992 2174

14. See response to Common Comment Q.

I do not believe you have accounted for all the costs associated with this project. There
1 was a very good letter to the editor May 6, 2010 in the Missoulian outlining some of the things you missed. In addition what about all the costs residents of Montana will incur from waiting for these loads especially when one slides off the ice road and it takes hours or days to remove it from the river. I addition KMTP should not be "reimbursing" MDT for snow plowing sanding etc. They should be reimbursing and paying extra.
2 KMTP should also be paying all the volunteer fire departments along this route for the services they will provide for the accidents that this project will cause. Finally I have read that each load will cost the KMTP about $1600 in permits and fees. That is not nearly enough. It should be costing them about $20,000 per load. If we the tax payers of
3 Montana are going to have to deal with the delays and effects caused by such a project we should be compensated for it. Otherwise let the KMTP move their equipment along some other route or better yet hire people to build it in place. If Exxon wants to out source all the good jobs associated with the tar sands project at least we should be charging them all the true costs for moving this equipment through our state. Otherwise we are just a door mat for Exxon.

Matt Arno
PO Box 956
Potomac, MT 59823
(406) 244-5858

ARNO, MATT

1. See response to Common Comment G , H1, H2 and L.
2. See response to Common Comment L.
3. There is no indication that the oversized loads would cause additional accidents. MDT has not seen an increase in accidents related to other oversized loads permitted in the past.

I am writing to say that I oppose the routing of ExxonMobile's oversized equipment on Highway 12 from the Port of Lewiston up to Canada.

I grew up in Lewiston, Idaho. I've long known that Highway 12 is winding and dangerous. This huge oversized equipment does not belong on these roads. I am opposed to the widening of these roads for this purpose, as this is a Wild and Scenic River area.

ExxonMobil was allowed to do its own environmental analysis. They only did a cursory analysis of other routes.

1 ExxonMobil is having the equipment made in S. Korea instead of Canada to save money, and then we carry the impacts of that decision. Why are we (America) letting Exxon Mobile jeopardize our National Wild and Scenic River corridor so they can save money – money we the taxpayers will most likely be subsidizing? (Idaho is seeking $11 million from the feds to upgrade the Port of Lewiston to make this project and future ones like it possible.

Thank you for your attention,

Jean Arnold

ARNOLD, JEAN

1. See response to Common Comment J.

April 17, 2010
To whom it may concern,

Thank you for allowing me to comment on Exxon's tragic proposal.

Please include an alternative in your EA where Exxon dismantles their equipment in Lewiston Idaho so that it can be hauled on a truck that will negotiate HWY 12 with no road work required. A company that made 45 billion dollars in proifit in 2008 the can surely afford to dismantle their equipment. This will also privide many more than 4 jobs in Lewiston. 1

Exxon's objectives will be met and the scenic highway in Montana will not be touched.

Montana is too great to trash for corporate profit.

If Exxon refuses to dismantle their equipment, and insists on rebuilding the road east from Lolo pass, please do not approve Exxon's proposal. 2

Sincerely,
Dick Artley
415 NE 2nd
Grangeville, Idaho 83530
dart_55@q.com

ARTLEY, DICK

1. See response to Common Comment D3.
2. Comment noted.

My name is Darin Austin Residing at 816 Kern st. Missoula MT 59801; As a citizen of Missoula, Montana, I have several concerns. First: The limited time period of public comment and the short lead time to the implementation of the project. 1

Second: The long term impacts of creating a permanent "High and Wide Load Corridor" through national Scenic and Historic River areas. 2

Third: The potential for disruption of civil life and city state and public and private property. and Fourth: Wildlife impacts. 3

4

My First comment is that it seems like a very narrow window to comment and the project slated to begin in fall of 2010 presents it like a forgone conclusion. I feel there should be more education of the public and greater participation of the citizens of Montana. 5

Second: Once this corridor is constructed with turnouts, road widening, MOVING OF UTILITIES; it seems to me that it will establish a permenant corridor that will infact encourage a high 6

AUSTIN, DARIN

1. See response to Common Comment F1.
2. See response to Common Comment K.
3. See response to Common Comment G.
4. See response to Common Comment I.
5. See response to Common Comment F1.
6. See response to Common Comment K.

volume of over over loads for the next 50 years. I do not feel this issue has been addressed.

7 Third issue: out of state and or country hauling companies have no ties to the local area and I would almost promise that there will be broken curbs, driveways, mailboxes and other structures that cannot be forseen.

8 Finally the Fourth issue: Wildlife has already been forced to use the night time as one of the only safe times to travel and will be stessed by over dimensional loads moving through their habitat. Please extend the comment and public education period so that the citizens ca make an informed decision. I would like to state for the record that I am opposed to this project and believe that creating a over dimensional route going through the Locksa and the Blackfoot River corridors and through the Rocky Mountain Front is a BAD idea. Thank you.

7. See response to Common Comment G.

8. See response to Common Comment I.

DON BACHMAN

3910 Sourdough Road
Bozeman, Montana 59715
avalpro@theglobal.net

BACHMAN, DON

April 27, 2010 VIA EMAIL:
mdtcommentskearl@mdt.gov

Dwane Kaily, P.E.
Chief Engineer, MDT
PO Box 201001
Helena, MT 59620-1001

Re: Kearl Module Transport Project EA

Dear Mr. Kailey:

The following are my comments on the above referenced Environmental Assessment:

The EA does not thoroughly explore alternative routes.

The EA accepts the proponent's dismissal of the Canadian port of Prince Rupert due to bridge height restrictions on the Yellowhead highway 35 miles east of the port. It's been a long time since I've traveled that route, but it seems that the potential of constructing a new bridge detour

1 (temporary or permanent) should be displayed for consideration. The alternative of the Kitimat aluminum smelter off-load port to the south, which accesses the Yellowhead Highway (CA 16) east of the subject bridge via BC 37, should also be examined.

1. Imperial Oil did consider this route, however, there are four truss bridges where no detours are available.

2 The alternative of CA 1 from the Port of Vancouver should explored by passing the Hope overpass constraint with a detour so as to access the Crowsnest Highway, which accesses industrial sites such as the Trail Smelter and coal mines in the vicinity of Sparwood – thus accommodating oversize loads in the past (though I don't know those haul load dimensions). This highway continues east into Alberta and I don't believe there are insurmountable height/width constraints on through to Fort McLeod and the already planned route to Fort McMurray.

2. The Hope overpass is the first of numerous restrictions that create impediments to using a route through Canada, as explained in the EA on page 14. See response to Common Comment D1

3 The last alternative to be examined in the EA documentation, is to utilize the Port of New Orleans to barge the loads north to St. Paul vicinity and on to Fort McMurray through mostly, the Canadian highway system. While this alternative may seem infeasible and unreasonable, the global nature of this project is of a scale which would indicate the potential for this delivery route.

3. See response to Common Comment D.

4 **The purpose and need of this project is not sufficiently in the public interest to warrant issuing this permit:**

The development of Canadian Oil/Tar Sands petroleum resources is not in the interest of the US and could not be permitted under Federal and State laws and regulations. Thus, enabling a project which causes harm and compromises environmental and societal standards that are well established in the United States should not be considered by the State of Montana.

4. See response to Common Comment E1.

(s) Don Bachman

Thank you for the opportunity to comment on this project.

I am deeply concerned about the environmental impact this project will have on our region for a variety of reasons.

BADENOCH, GEOFF

1 1. The improvements required to allow these behemoths to travel from the border to the Sweetgrass area are huge in number and will benefit the equipment haulers almost exclusively. In other words, our state will accept the blight of these improvement for many years to accommodate this specific traffic.

1. Comment noted.

2 2. The use of the turnouts will go until the end of the specific project. At that point, the turnouts will simply sit there and deteriorate over time. Will they be reclaimed or left there? When, due to lack of on-going maintenance, one or more of the turnouts undergoes a structural failure, who will pay to fix it or remediate the damage done?

2. See response to Common Comment L.

3 3. On the other hand, if the establishment of this route becomes something that is then used in perpetuity by other haulers, Montanans ought to know. There ought to be some way of financing the maintenance of the turnouts if they are to continue to be used and it should not come at the expense of Montana taxpayers.

3. See response to Common Comment L.

4. These rigs will be very frustrating to confront in traffic. On coming traffic may not be able to go around them and be forced to pull off to let them pass. Coming up behind one will likewise be a frustrating experience. Drivers will have an incentive to pass or act otherwise unsafely to minimize the conflict. 5 miles per hour. Seriously???

4. See response to Common Comment G.

5. What happens if one of these rigs gets a flat tire between pullouts? Or has a mechanical breakdown? No ordinary tow truck could move it. At that point, the blockage to the highway would become an ongoing problem for all motorists.

5. See response to Common Comment G.

6. What happens if one of these rigs runs off the road and gets dumped in one of the rivers? How does it get out? If it happens in the Blackfoot, huge sections of fishing and rafting and other recreation might be affected.

6. See response to Common Comment H2.

7. I am not convinced that Montana winters, especially in the passes, have been seriously factored in to the planning of this enterprise.

7. See the MTP.

In short, I am highly skeptical of this whole enterprise. It would be preferable to not off-shore the construction work to Korea and build the drilling rigs in Canada. There are better alternatives than driving them through Montana.

Geoff Badenoch
336 South Fifth Street East
Missoula, MT 59801
406-728-7321

Dear Sir, Ma'am,

I would like to voice my opinion on the matter before MDT concerning the transportation of materials through Montana. I would like to voice my support for allowing these transports through the state.

BADGLEY JR., MICHAEL

1. At a time when oil demand is high and the production of oil brings many jobs, I feel it is vital that such projects be undertaken. I do not agree with some who feel this will harm our scenic Montana. Oh the contrary it will bring much needed money and jobs into the state at a time of high unemployment.

1. Commented noted.

Thank you for hearing my opinion,

Michael F. Badgley Jr
82 Ulm S Frontage Rd
Ulm, Montana
59485
406-866-2065

Dear Ms. Or Mr.,

1 I am writing to respectfully request that the Montana Dept. of Transportation require a full EIS before we issue a permit to transport permit for the massive mining equipment en route to Canada.

2 As a native Montanan and a frequent user of our roads and highways, I foresee huge safety concerns and potential road wear issues with these transports.

I also have deep concerns about the ultimate use for this equipment, which is destined to help extract tar sands in Canada.

It seems that we are only responsible for our limited exposure to policy issues, and our livelihoods have little to do with "someone else's problems". The miners aren't making the decision to utilize the destructive tar sands, they are just collecting a paycheck doing hard work.

3 The executives of Imperial Oil aren't out there creating a problem, they are just providing energy serving shareholders. And Montana? We're just letting these huge vehicles haul 200 convoys of oversize equipment. If you look at it this way, no one is responsible; there's no such thing as an important cross-sector issue. We all just merrily go about our own business until the redundancies that Mother Nature provided ultimately give way. That way, we can tell our kids and grandkids: it's not our fault.

4 Please force Imperial Oil to go through the EIS permitting process. Force them to justify this link in the fossil-fuel supply chain.

Thank you.
Claire Baiz
1103 4th Avenue North
Great Falls MT 59401

BAIZ, CLAIRE

1. See response to Common Comment B.
2. See responses to Common Comments H1, H2, H3, and L.
3. See response to Common Comment E1.
4. See response to Common Comment B.

Vicki Baker, Bynum, MT

1 I am in favor of the project. Anything that we can do to add to our economy in this state is a benefit. These people will be renting hotel rooms, buying fuel, gas and food. At this point even a little bit will help.

BAKER, VICKI

1. Comment noted.

I absolutely oppose the plan to transport oil extraction equipment over Highway 12. This highway, especially between Lewiston and Lolo, is unique in the lower 48. I am not aware of any other stretch of highway where one can drive so far through such incredibly beautiful country with so little development. Besides disrupting travel for tens of thousands of people, the plan will require extensive highway modification and tree removal. Roads like this have become virtual museum pieces. If Exxon and the Canadian government are so intent on developing the Alberta oil fields, let the Canucks provide the roads and let Exxon pay to rebuild the overpasses they will have to tear down. Better yet, ship the stuff around the horn and haul it north through Texas!

1

Rob Balch
520 Hartman
Missoula, MT
59802

BALCH, ROBERT

1. See responses to Common Comments E2 and J.

Name: Bill Ballinger
Address Line 1: 177 Briarwood
City: Helena
State/Province: MT
Postal Code: 59601
Phone Number: 406-461-9008

We need to slow up and properly assess the LONG TERM impacts of allowing Oil Companies to use Montana Highways, specifically along the Blackfoot River, as their commercial main tranportation routes for oil.

1

BALLINGER, BILL

1. Comment noted.

I would like to comment on the transport of the Canadian Modules. I support this program folks find all kinds of reasons to oppose everything that comes along.They fight at every turn when folks are just trying to conduct buisness.This project would not only benifit folks in the long term but thses trucks and lead cars all have to buy fuel and lodging in Mt. that helps local folks.Most folks might take notice if they took time to look at the big piture. They should take time and effort to address real problems like cell phone usage in the vehicle.

1

John Barker
291 S. Tudor St.
Victor, Mt. 59875

I drive every day to Missoula I see far more scary things on the road than nodules.

BARKER, JOHN

1. Comment noted.

Rick Bass

2800 Maurice Ave.
Missoula, MT 59801

<mailto:bass@lclink.com>bass@lclink.com

May 4, 2010

Tom Martin
Montana Department of Transportation
P. O. Box 201001
Helena, MT 59620-1001
Dear MDOT:

1 It is my belief that your agency is being negligent in hurrying the permitting process for the proposed Kearl Transportation Module Project. I m strongly opposed to this foolish development that will create a major industrial transportation corridor through Montana's (and the nation's) scenic byways, ruining Montana's tourist industry.

2 We have already seen what foolish state decisions in Arizona and Alaska (on national matters) can due to those states' economies. The only thing more ludicrous than the idea is of transporting such machinery along the Lewis and Clark National Scenic Byway is the idea of trying to keep such transport on the lovely, lonely winding roads of Highway 89 north of Choteau. Don't be penny wise and pound foolish. And again, in attempting to hurry this process through in a mere 30-day window, you are being negligent, rather than seeking to examine with the full caution and care and breadth of comment an issue of this magnitude deserves.

Sincerely,
Rick Bass

BASS, RICK

1. See response to Common Comments K and M.

2. See responses to Common Comments F1 and J.

Rick Bass

2800 Maurice Ave.
Missoula, MT 59801

<mailto:bass@lclink.com>bass@lclink.com

May 13, 2010

BASS, RICK

Ladies and Gentlemen:

I have more questions about the Kearl proposed unit, which seeks to destroy the character and quality of the state of Montana, and make a laughingstock of the office of the governor, with its claim that only 200 loads will be transported once the infrastructure is completed. The governor states it’s a one-time transport even as he states his desire for Montana to become an energy corridor. This is not honest politics and casts a shadow on every subsequent utterance or

"study," whether conducted by Imperial Oil or, in the future, the state.

I have some more questions:

1 How will this affect the wildlife corridor from the Rocky Mountain Front to the grasslands?

Who will assume the full legal costs involved with this decision? Will the clean-up of Lolo Pass, the Blackfoot, the Clark Fork, the Dearborn, and other watersheds that will be affected by this transport, be passed on to the state of Montana if the project were to proceed?

1. See response to Common Comment I and Common Comment O.

2 What will be the impact In dollars on the tourism industry in Montana?

Is the state of Montana for $68 million or for any price?--willing to circumvent the will of the people and take away a state the future will never know?

2. See response to Common Comment M.

3 What, if anything yet, has been Imperial's, or that of any subsidiary within Imperial, political contributions to elected officials involved in any way with this proposed corridor, and what means and process of transparency exist to watch for and monitor such contributions in the future?

3. Montana's Office of Political Practices maintains information on contributions to elected officials.

Sincerely,
Rick Bass

---

1 Why did MDOT and Imperial decide on only a 30 day comment period for such a major national (and transboundary/international) issue?

Sincerely,
Rick Bass
2800 Maurice Ave
Missoula, MT 59801

BASS, RICK

1. See response to Common Comment F1.

---

1 I must object in the most strenuous terms to the Kearl Module Transport Project (KMTP). We don't need to have these heavy trucks traveling through Montana destroying roads and endangering the lives, health, and welfare of Montanans just to support the development of one of the most environmentally destructive means of producing oil in a foreign country. Please consider ALL of the environmental impacts of this project, not just the impacts in Montana, but ALL of the destructive cumulative environmental impacts of the entire projects. And keep these huge trucks off our roads!

BATEMAN, GUY

1. See responses to Common Comments L, G, and E1.

We have always been alarmed about the Kearl Module Transportation Project, and after reading Steve Seninger's critic of the economic analysis used in MDT's environmental assessment process, we are strongly opposed! Surely we citizens deserve a comprehensive review that **thoroughly** outlines the social, economic and environmental impacts. As we witness the
1 devastating oil spill in the Gulf Coast, we are well aware that projects associated with the oil industry, fueled by tremendous amounts of money, are often fraught with unforeseen consequences, accidents, and damage to the environment. We are very suspicious.
Thank you.
Donald and Rebecca Bauder
9236 MT Hwy 35
Bigfork, MT 59911
406 837-2142

BAUDER, DONALD AND REBECCA

1. See the responses to Common Comments M, H1, H2, and H3.

Hi, my name is Lindsay and I want to thank MDT for providing this opportunity for public
1 comment. As someone concerned about the significant impacts of this project on sensitive riparian areas, on road and bridge infrastructure, on our recreation and tourism industries, and on the communities along the proposed route, I call on MDT to conduct a full EIS on this project - anything less is unacceptable. The current EA is woefully
2 inadequate: we must take all economic costs into consideration, and the current list of alternatives is artificially constrained. In addition, in light of the short period during which
3 the public has had a chance to participate, I hope you will extend the comment period to 90 days to allow for full and effective public participation.
Thank you,
Lindsay Becker
836 S 4th Street W
Missoula, MT 59801
(406)214-9462

BECKER, LINDSAY

1. See response to Common Comment B.
2. See response to Common Comments D1, D2, D3, and M.
3. See response to Common Comment F1.

Dear Sirs/Ms:
In light of the environmental impacts, especially climate change issues, we see no reason for the State of Montana to grant a transportation permit to Exxon Oil's subsidiary to haul 200 loads of tar sands drilling equipment. This
1 enormous equipment presents a clear danger on Montana's two-lane highways; citizens do not deserve this risk for the economic benefit of a private enterprise that has already damaged the environment and taken twenty years to begin to make reparation for its destruction in Alaska.

BECKER, MIKE AND STEPHANIE

1. See response to Common Comment G, H1, H2, H3, M and P

We urge the DOT to consider the risk and deny the permit. Thank you for your attention.

Sincerely,

Mike and Stephanie Becker
P.O. Box 268
Harrison, MT 59735

1 Please do not allow the big rigs to plug Montana`s roads.
Bill Beede
Townsend Mt.

BEEDE, BILL

1. Comment noted.

Comment Regarding the Kearl Module Transport Project (KMTP)

BELANGIE-NYE, JEAN

Although I made a public statement at the Missoula hearing on April 29, 2010 in Missoula, I feel it is imperative that I clarify my statements and add a new comment.

1 1. Emergency medical access must be preserved between Lolo Canyon and Missoula as well as in the Blackfoot River Corridor. Both canyon areas have only intermittent cell phone access, so when there is a medical emergency folks have a tendency to head for the nearest hospital. Sometimes, they call in. Sometimes, they do not. The corridor between Lolo and Missoula can easily be mitigated by turning the south bound lane into a two-way road during the period that the modules are being transported. What are the guarantees that medical emergencies being transported in private vehicles will have access around the modules on Highway 12 and on Highway 200?

1. See response to Common Comment H3.

2 2. Downdrafts are a certain reality in Lolo Canyon. They cannot be predicted although the conditions that surround them can. If a downdraft can take down millions of board feet of timber in a matter of minutes, I can imagine what it can do to one of the rigs.

2. Comment noted.

3 In addition to the downdrafts, Lolo Canyon can also have high unpredictable winds. What type of mitigation is planned for such occurrences? At the hearing, it was stated that high winds could cause a crash or failure on the transport module, yet Imperial Oil spokespersons felt that there was no need for emergency equipment to be in place for such an accident. *Never* is not an acceptable word to use when discussing human endeavors, especially when discussing possible mechanical failures.

3. See responses to Common Comments H1, H2, and H3. Module transportation would not occur during inclement weather.

3. From September through May, icy roads and icy spots are another common occurrence on Highway 12 and Highway 200. Will there be emergency clean-up equipment available?

4. See response to Common Comment O.

4 4. I am also concerned about the pullouts on Highway 12 and on Highway 200. How many have to be widened? How will this impact Lolo Creek? The Blackfoot?

5. It has been brought to my attention that the traffic control light at Glacier and Highway 93 in Lolo is to be replaced because it has to be in sync with the new traffic control light that is being installed at Tyler and Highway 93. It has also been pointed out that the lights will swivel away from the center line to allow for the passage of the Kearl Module. I know that the Tyler traffic control light has been listed for replacement for several years. However, the Glacier traffic control light has never been mentioned. Therefore, are we the taxpayers of Montana being ask to replace the Glacier traffic control light when in reality it is being replaced so the Kearl Transport Module can proceed through the corridor? Is the price of the Glacier traffic control light included in the Kearl budget?

5. See response to Common Comment L.

In addition, is the traffic control light at Highway 93 and 12 being replaced or adapted and is that light included in the Kearl budget and not the Federal or Montana highway budgets?

6. All traffic structure modifications would be done at Imperial Oil's expense.

Finally, why was an EIS not conducted?

7. See response to Common Comment B.

Submitted by, Jean Belangie-Nye, 321 O'Connell Drive, Lolo, Montana 59847

BENNETT, GORDON

As a lifelong Montanan I do not wish to join the victims of Louisiana, Alabama, Mississippi and Florida in the envionmental destruction inflicted upon them by "big oil" in its insatiable appetite for unlimited profits regardles of the unnecessary risk to the life of the planet. The Alberta Tar Sands project exemplifies this risk and will make no contribution whatever to the economy or general welfare of Montana. On the contrary, it will not only do substantial damage to our natural resources but it will probably impose huge damage on the rest of the world. Our beloved state should not be aiding or abetting this ill-conceived project by allowing the Valdez catastrophe folks to clutter up this state with useless highway construction that we will have to live with long after they gorge themselves with billions gained in part by our generosity. Let them wreck B. C., Alberta and the rest of the world if they must but not Montana. Do your duty. Protect us as best you can. Gordon Bennett. 1202 Stuart Helena

1. Comment noted.

Comment or Question:

My name is Erik Berry, I grew up in Missoula and currently go to the University of Montana studying Business and Environmental Studies. My education has shown me that ignorance was bliss, but after my eyes have been opened to the environmental destruction taking place around the globe- I am hopeful to know that people still care.

1 The devastation that tar sand mining produces is no secret- and neither is the profitability of Exxon. In 2007 Exxon's profits were over 40 billion dollars. In 2008 Exxon's profits were over 45 billion dollars. And in 2009 Exxon's profits were over 19 billion dollars. That comes to over 115 billion dollars in profits in the last three years. As Montana farmers were going out of business because they couldn't afford to put gas in their trucks, Exxon was thinking of ways to make even more money off of them. Many of my fellow students were unable to travel home for Thanksgiving and Christmas to see their families because they had to choose between buying gas or buying food- all while Exxon was investing millions in the Canadian tar sand mining operations. People in Montana and Canada want clean, efficient, and reliable energy- people do not what to see the rainbow and cutthroat trout die off, the water-table to drop or their favorite hunting spot to be devoured by tar sands. Why should the citizens of Montana bend over backwards so Exxon can cause even more devastation and make even more money by extracting 4 million barrels from the Canadian landscape? What will we get out of it? Will Exxon share their 115 billion dollars with the people of Montana or Canada? Can we trust Exxon to clean up their mess after they have made their money and left? I challenge anyone, including Exxon, to give good reason for use to enable this disgustingly monstrous extraction parade through our city and state. Thank You.

BERRY, ERIK

1. See response to Common Comment E1.

To Whom it May Concern,

Please do NOT issue a permit for oversize and heavy equipment to use Montana highways as a transport route to Alberta.

1 Apart from the environmental impacts of the tar sand project this equipment would serve - forest removal, increased particulates, decreased water quality, and greenhouse gas emissions - the equipment transport will disrupt communities, require otherwise unnecessary modifications of our roads and utility infrastructures, and will damage roadways.

2 Furthermore, once such a route is established, it will likely become a preferred route for all kinds of stuff we don't necessarily want being moved through Montana. If we don't say no to the first such use, it will be difficult to justify denying future requests.

BIRCK, KIM

1. See response to Common Comment E1, G, and L.

2. See response to Common Comment K.

Please consider all the impacts, and reject the permit application from Imperial Oil.

Thank you,
Kim Birck
9280 Keegan Trail
Missoula, MT 59808
kbirck@aol.com

BISHOP, JOAN AND DON

1 To Tom Martin, Please prepare a full environmental impact statement before you issue a permit to transport so much large equipment across Montana. Thank you. Joan & Don Bishop, Helena Mt.

1. See response to Common Comment B.

BJORKLUND, HAROLD

To Whom It May Concern:

1 NO big rigs should be allowed to travel from Korea, down the Columbia, through Idaho's beautiful mountainous valleys, over Lolo Pass, down Lolo Creek Road (Hwy 12) and into Canada's tar sands. We watched the "dry run" of the first big rig and the parade of highway vehicles, flag men, power company personnel, etc. was astounding and so unnecessary. Not to mention the trees that were chopped down last fall awaiting this unnecessary spectacle. And for a measly several million in the state coffers. Brian Schweitzer should be ashamed at claiming this charade will provide thousands of jobs - perhaps in Korea, but not here.

1. Any previous loads transported on the route were not associated with the KMTP. No trees have been removed or will be removed in Montana for the KMTP.

FIND ANOTHER ROUTE - NOT ONE DAMAGING TO OUR MONTANA ENVIRONMENT.

2 And when will the next company want to use the same route for the same purpose? Stop it now!!!! WE DON'T NEED IT.

2. See response to Common Comment K.

Signed,

The Bjorklund's
14245 Lolo Creek Road
Lolo, Montana 59847

Montana Department of Transportation,

1 I support an extension of the public comment period on the Kearl Module Transportation Project.
I have concerns about the impact of this massive equipment on our roadways and bridges. Can our infrastructure withstand these loads? Are the companies involved going to pay to fix our infrastructure if they damage it?
I think our public officials making this decision should know that they will be held accountable if this thing turns out to be a bad deal for Montanans.

Thank you,
Graham Black
741 Taylor St.
Missoula 59802

BLACK, GRAHAM

1. See responses to Common Comments F1 and L.

I think this is outrageous to think that this is a good idea. If this goes through there is a high potential for enviromental damage, I would like to know who is hiring and paying for the

1 engineer to inspect the roads I think that an outside source like a 3rd party should be finding and paying for the inspection. Futhermore the enviromental impact statements are very incomplete and biased. I am strongly against this and think that the whole situation has been overlooked and tried to be kept quiet.

BLACK, JAMES

1. See responses to Common Comments M and L.

---

1 Please stop this nonsense of the Kearl Module Transport Project.
Let them take the units by barge to Canada and across Canadian highways.
After all it is Canada and Canada Exxon making all the money off the oil sands.
Why should we assist in their profiteering and the exploitation of the world's environment?

2 Let their citizens be inconvenienced by the disruption in traffic and the potential hazards and the repairs to the highway system.

3 Why should Montana be left with the aftermath of fixing the roads that will be severely impacted after the weight of 100 or more loads?

Absolutely ridiculous idea which should be put out to pasture immediately.

Robert Blanchet
Executive Vice President-Senior Credit Officer
First Montana Bank
201 N. Higgins Ave.
Missoula, MT 59802
406-829-2675

BLANCHET, ROBERT

1. See response to Common Comment D1.
2. See response to Common Comment G.
3. See response to Common Comment L.

Dear MDT folks,

1 Please do a full Environmental Impact Statement on the permit to move Alberta tar sands equipment through Montana.

2 When I first read about tar sands petroleum development, it made my hair stand on end. It is destruction on a scale that is hard to imagine. It will impact Montana by generating pollution, warming our climate, and destroying habitat used by our migrating birds.

3 We should not disrupt our traffic in order to facilitate all this damage. Please do a full EIS that examines the cumulative impacts, so we can make a decision that takes into account the full repercussions.

Sincerely,
D. Blank
Box 953
Whitefish, MT 59937

BLANK, D

1. See response to Common Comment B.
2. See response to Common Comment E1.
3. See responses to Common Comments G and B.

Name: Erica Bloom
Address Line 1: 515 E. Pine St. #3
City: Missoula
State/Province: MT
Postal Code: 59802
Email Address: bloom1erica@yahoo.com

Comment or Question:

Hi, my name is Erica Bloom and thanks to MDT for providing this opportunity for public comment. As

1 someone concerned about the significant impacts of this project on sensitive riparian areas, on road and bridge infrastructure, on our recreation and tourism industries, and on the communities along the proposed route, I call on MDT to conduct a full EIS on this project - anything less is unacceptable. The current EA is

2 woefully inadequate: we must take all economic costs into consideration, and the current list of alternatives is artificially constrained. In addition, in light of the short period during which the public has had a chance to

3 participate, I hope you will extend the comment period to 90 days to allow for full and effective public participation.

BLOOM, ERICA

1. See response to Common Comment B.
2. See response to Common Comment M, D1, D2, and D3.
3. See response to Common Comment F1.

MASSIVE MINING EQUIPMENT TO BE MOVED THROUGH MONTANA TO ALBERTA TAR SANDS

1 My comments on the proposed project: I am greatly concerned by the environmental impacts of this project, especially the cumulative, long-term impacts. Just how bad does it have to get before we start to "just say no" to the big oil companies???

Jenifer Blumberg

38892 Morris Rd.
Charlo, MT 59824

BLUMBERG, JENIFER

1. See Table 1of the EA, Conclusion and Summary of Effects.

In regard to permit movement of Kearl Co Oil sands equipment over Montana highways.

I want to register my opposition to letting convoys of Kearns equipment use Montana highway.

1 This equipent is so grossly oversized that it will undoubtly lead to damage to our roadways in additional to severe disruption of traffic in our state. The roads are for residents and tourists to use and other Montana ecomonic interests, not some massage Canadian Boondoggle. In addition

2 the MDT should prepare a full environmental impact study on the transport of this equipment, effects not only on Montana, but also on the rest of our environment.

Sincerely
David P Boggs, MD

BOGGS, DAVID

1. See response to Common Comment G and Common Comment L.
2. See response to Common Comment B.

Dear MT Department of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 • Require real alternatives to be considered;

3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

I fear this route will be both dangerous for traveler and bad for our state's tourism industry. This high and wide traffic will promote bad experiences for tourist visiting our lovely state. This billion dollar corporation needs to find an alternative to getting their equipment to the drilling location.

Lindsey Bona,
(406) 258-4219

BONA, LINDSEY

Form Letter 1

1. See response to Common Comment C2.
2. See response to Common Comment D1 and response to Common Comment D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

Bonner Milltown Community Council
Box 655
Milltown MT 59851
11 May 2010

Dwayne Kailey
Montana Department of Transportation
PO Box 201001
Helena MT 59620-1001

Dear Mr. Kailey

1 The Bonner Milltown Community Council respectfully requests an extension of the public comment period for the Kearl Oil Sands process module transportation project now being planned for Highway 12 and Highway 200 in Western Montana. We request that MDT provide more information about the project, including an evaluation of possible alternative routes and a
2 comprehensive comparison of costs and benefits to the Montana communities along the proposed route. Of particular concern to us is the possibility of accidents with the module transportation
3 vehicles, particularly likely during winter. Because of the very large size of the modules, we expect there would be great difficulty in dealing with accidents. We would appreciate the opportunity of knowing about the feasibility of contingency plans for normal and emergency vehicular use of the highways in the event of an accident during module transportation. We are
4 similarly concerned about impacts to our local economy and way of life that might be caused by disruption to recreational and tourist services focused on the Blackfoot River. We would like to know more not only about impacts of the currently planned project but also long term impacts
5 should the route become a permanent “high and wide” industrial transportation corridor from the Port of Lewiston.

Sincerely,
Chuck Erickson, President

BONNER MILLTOWN COMMUNITY COUNCIL, CHARLES ERICKSON

1. See response to Common Comment F1.
2. See the response to Common Comment D1.
3. See the response to Common Comment H3.
4. See response to Common Comment M.
5. See response to Common Comment K.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;
2 • Require real alternatives to be considered;

BOOKHOUT, YAICHA

1. See response to Common Comment C2.
2. See response to Common Comment D1.

- Thoroughly examine the impacts to the wildlife, endangered/threatened species and critical habitat in detail; (3)
- Re-examine the impacts to our water resources; (4)
- Extend the comment period to 60-days, ExxonMobil got two years to submit a plan Montana deserves more time to weigh the benefits and costs; (5)
- Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry; (6)
- Come up with an extensive emergency response plan if the trucks need to be removed from the road due to a crash, rollover, tip, lose module, etc.; (7)
- Include the public in the process more it is important to include us since it will impact us;
- Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts (8)

Thank you,
Yaicha Bookhout

726 Stephens Ave Apt A
Missoula MT 59801
952 836 9461

3. See response to Common Comment I.
4. See responses to Common Comments I and O.
5. See response to Common Comment F1.
6. See response to Common Comment M.
7. See responses to Common Comments H1 and H2.
8. See response to Common Comment A.

Please consider the devastating cumulative environmental impacts of tar sands development – especially its contribution of global warming. Please don't issue the permits to transport the massive equipment across Montana. (1)

Thank you,
Donna S. Bowie

Donna S. Bowie
Certified Public Accountant
352-377-2900
352-377-5740 Fax

BOWIE, DONNA

1. See responses to Common Comments E1 and P.

Hello,

My comments AGAINST allowing heavy hauling along Highway 12 (Lochsa River “Wild and Scenic” corridor):

First – what part of the phrase “Wild and Scenic” do you not understand?

Why is it even “possible” for you to consider altering a beautiful tourist highway for a short-term use?

1 The best "jobs creation" that will come of this is:

1) Unnecessary road "improvements" on an already "just improved" beautiful road.

This highway has very many and regular pull-offs all along it’s length – it doesn’t need more!

I am sure the widening and straightening will mean “shaving off” tight corners and cutting trees quite a bit back.

This will effectively ruin the character of this WILD AND SCENIC highway.

2) Incidental "fill-in" jobs, like flag-people and peripheral escort vehicles.

3) You know they will have to have their own support trucks for Gasoline and repairs.

The local restaurants will ultimately lose many more meals and hotel visits because of lots of tourists avoiding this highway.

2 Why are people so quick to jump up and down about anything that promises "Dollars", without looking long-term at the overall costs against short-term benefits.

Remember - this isn't some huge contract worth billions that is going to employ hundreds or thousands of Montanans for years to come...

It is a temporary shot of paltry dollars that comes at a cost of other significant tourist dollars and alters a road that is revered around the country as a "perfect" road as it is right now.

The way I look at it, they've made a decision to scrap their original plan of going thru the Midwest in order to save a few bucks by turning a wild and scenic highway into a temporary heavy industrial road...

It is simply not necessary.

Sincerely,
Greg Boyd
311 Knowles St
Missoula, MT 59801
406/327-9925

BOYD, GREG

1. See response to Common Comment J.

2. See response to Common Comment M.

BRADLEY, CLIFFORD

Clifford Bradley
510 East Kent Ave.
Missoula MT 59801

Comments re: Kearl Module Transport Project

My comments regarding the Environmental Assessment for the Kearl Module Transport Project are in three areas.

1. The 32J permit should be denied. An environmental assessment for issuing an oversize load permit and associated permits for turnouts etc. is not the appropriate venue for an action of this scale and potential impact. The process for issuing permits for oversize loads and minor road modifications do not anticipate loads of this size or a project of this magnitude.

1 The permanent road modifications, turnouts, logistical support, modifications to the port of Lewiston Idaho and indeed statements by the Director of the Montana Department of Transportation all clearly indicate the intent to create a permanent corridor for loads of this type. A decision of this magnitude cannot be reduced to consideration of specific permits and oversize loads in Montana.

2. At a minimum this action requires a comprehensive Environmental Impact Statement of regional scope. Potential economic and environmental impacts and need for mitigation go far beyond the effects of the loads on roads and need for new turnouts in Montana. This project results in permanent modifications to federal highways, and creates a permanent "high wide corridor" with regional impacts. Hundreds of loads of unprecedented size and weight will cross

2 state boundaries, US Forest Service land and tribal lands. Road modifications and potential accidents will affect major river systems in Idaho and Montana; rivers with pristine water quality, wildlife habitat, high value tourism and recreation, and which supply irrigation and municipal water. The EA is totally inadequate in considering the potential economic, social and environmental impact of an accident with one of these loads.

The Montana Department of Transportation does not have the breadth of staff expertise, nor

3 regulatory authority to assess or mitigate the impacts of this project; the review process needs to be led by a Federal agency with the formal participation of multiple federal, tribal, state and local agencies in evaluating regional impacts impacts and mitigation.

1. See response to Common Comment K.

2. See responses to Common Comments B, H1, H2, H3, O, I, and M.

3. See response to Common Comment A.

4	3. <u>The consideration of a bond is totally inadequate</u>. If this project is approved Imperial Oil needs to post a bond of sufficient value to mitigate impacts of an accident or other event that might affect rivers, towns, human health and loss of income. The formulas used to assess bonds based on potential wear to pavement and bridges etc. do not begin to calculate potential damage from this action. The company should be required to post a bond of at least $10 billion. Imperial/Exxon has the political and economic power to make it very difficult, time consuming and expensive for the State of Montana or people affected by this action to ever effectively recover mitigation for adverse impacts. In setting a bond (and indeed in even approving this project), the MT Department of Transportation should review and consider the record of Imperial/Exxon corporation in dealing with environmental and economic impacts resulting from their operations. The citizens of Alaska affected by the Exxon Valdez disaster decades ago have still not received full compensation due to Exxon's delays, legal actions and outright disregard for legal judgments.	4. See response to Common Comment L.
5	This action is a key element in development of the tar sands in Alberta, one of the most environmentally destructive projects of any kind on the planet with global impacts to the climate. It is absurd to consider this action as a simply issuing oversize load and minor road modification permits in Montana. We need to stop destroying the planet one permit at a time. Thank you for your consideration Clifford Bradley Missoula Montana	5. See responses to Common Comments E1 and P.
	Voicemail comment received by me today from Glenda Bradshaw	**BRADSHAW, GLENDA**
1	I am calling to voice my concern about the Kearl Module Transport Project. Primarily I'm very concerned about the Blackfoot River corridor and the effects that the transport project would have on environmental and economic concerns within the recreation industry within that corridor. It's also one of my favorite places to go and float and I just don't see how that is going to be possible with all that traffic. I think the kind of road enlargement that would be required for this project would be of great concern also. I think there is the same problem that exists in the Lochsa and Lolo Pass, but I am primarily concerned with the Blackfoot. Glenda Bradshaw Helena, Montana	1. See response to Common Comment O, M, G and J.
		BRANDAUER, JULIA
1	Please, do not do this. Please do not let it happen. You know what I am talking about. -Julia	1. Comment noted.

Here are my questions:

So, how much oil is up there? And, how far from the river are they proposing to drill? Would many / any new roads have to be built? What would the ROI look like when we factor in highway maintenance/ repairs and the construction of new roads, if indeed new roads are even necessary?

I'm certainly not persuaded that Montana drivers will be unable to pass only when safe if the trucks run. And if they don't, it will be their fault, not the trucks' fault. I have a different perspective, perhaps, after living and driving in a very dangerous driving country. If something like this will bring jobs and the drilling ... See Moreis done carefully and responsibly, my first reponse is that it *may* be a good idea. Our nation's economy is so dangerously weak and I support job growth. 1

In terms of quantity, I'm mixed. Nat'l security wise, it makes sense to drill our own oil and not support Wahabbi (sp) terrorists. But, if the quantity in question is so small as to have no substantial impact on the national supply, I'd rather see the N Fork left alone.
Last and most importantly, leave teeth in regulatory framework. If there is damage done environmentally, beyond what is to be expected from the basics of the project itself; in other words, if negligence or malice contribute to environmental damage, make damned sure the perpetrators operate within a framework that makes them PAY UP. 2

Regards,

John Brandt
Secure Systems Analyst
Colorado Springs, CO 80919
(I'm a Montana native)

BRANDT, JOHN

1. Comment noted.

2. See response to Common Comment L.

I think an extended comment period is necessary, at minimum, and I strongly urge that a full EIS be done. The EA does not fully address concerns about impacts on wildlife and streams, emergency plans, and road maintenance and traffic. The financial benefit to Montana does not outweigh the potential harm of this project. 1

Cynthia J. Braun, 1321 Jackson, Missoula (concerned citizen)

BRAUN, CYNTHIA

1. See responses to Common Comments F1, B, I, H1, H2, H3, G, L and M.

My name is Lee Bridges, I'm from East Missoula, MT and I am a concerned citizen.

1 I support the Missoula City Council Resolution, proposed by Jason Wiener. Please extend the public comment period for at least another 30 days. I've only recently learned of all this and have spoken to many other concerned citizens who would like to get involved in the public comment process, after they (and myself) can do further research on the matter.

2 I feel the 32J permit should be denied based on the fact this is a company trying to railroad the public into thinking this is a benefit to our State, without having an appropriate (major Millions $$$$) bond in place, nor the appropriate impact studies.

I don't feel enough consideration has been given to the "human error"

3 factor. You're talking about these gigantic loads being transported over pristine scenic roadways and watersheds in the middle of the night. What about driver/operator drowsiness? Accidents Can and DO happen, and it doesn't appear to me, in reviewing the public hearings, that Imperial Oil has much of a plan in place to deal with a worst case scenario. You are talking Mountain Passes, in the winter time with blizzard conditions, icy road surfaces, and limited visibility. In addition, there are wildfire possibilities throughout the summer months, again, limiting visibility and rescue workers, Hot Shot crews, etc.

4 By the looks of these giant loads, have you actually driven the route proposed and considered the ramifications? Are you planning on going through these corridors and ripping out chunks of trees these rigs will be damaging? How are you going to get a crane that is big enough to handle this type of a load, should it leave the road surface, in a likely probable area like our

5 narrow waterway sections? What kind of traffic delay are you setting up the public to have to deal with should a likely catastrophe like this happen? Would a crane of that size even be available, and over what kind of time period??

6 And our bridges....are you really believing that these 600,000# loads won't effect bridges up the Blackfoot? Highway 93? Highway 12?

I urge you to use some "COMMON SENSE" and seek further studies of the impact these loads are going to have on our State, from all aspects, not just for the benefit of Imperial Oil. They already have other routes in place, why sacrifice our pristine State roadways to the abuse these loads will place on roadways, watersheds, tourist areas, people's schedules, and the Public and Environment, in general.

That you would allow such an atrocity as this to take place, is unbelievable to me. I urge you to hold our State in higher regard and insist upon further, more intensive Environmental

BRIDGES, LEE

1. See response for Common Comment F1.
2. See response to Common Comment L.
3. See response to Common Comment H2.
4. See response to Common Comment H2.
5. See response to Common Comment L.
6. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs.

Assessments. You can always get your facts together and make the right decision....but once you jump into something like this to appease a Corporation's schedule, it's too late to turn back. Since when have you ever withdrawn a permit?? Do the right thing and take the appropriate amount of time to really assess what's going on here. I know Imperial Oil has painted a nice picture for you to look at, but consider all the facts and learn to think outside the box. Think of the ramifications to our State. Once the damage is done, it is never UN-done. It's that way forever. Don't go there, please. THINK about this! Listen to the Citizens of the State of Montana! 7

Sincerely,

Lee Bridges
203 Clyde St.
East Missoula, MT 59802

7. See response to Common Comment B.

BROCCI, JAN

I am writing in opposition to the plan to allow Exxon to move huge oil/mining equipment through our state using their current transportation plan. I am very concerned about the environmental impacts as well as the longterm effect on taxpayers to repair and maintain roads. They are obviously trying to create a more cost effective route for themselves with no regard for its impacts on Montana's citizens, wildlife, wild river corridors, etc. 1

1. See response to Common Comment M.

I say we say no and send them back to their safer and less impactful route they have used in the past. I no way do I want to see the Lochsa, Lolo, Blackfoot route become an industrial corridor. Please slow down this process and require an actual environmental assessment done by a company that has no ties to the oil or mining companies. 2

2. See response to Common Comment B.

Thank you,

Jan k Brocci
2109 42nd St
Missoula, MT 59803

I'm writing to STRONGLY OPPOSE the use of Montana highways, or any US highways, to move mining equipment to Canada. This will be a highly disruptive and destructive project for Montanan's who live anywhere near the planned corridor. The construction of turnouts, the widening of turns, the incredible number and length of delays and the number of days for this project lead me to think that it was unconscionable for state officials to even consider cooperating with this plan. I simply do not have any faith that the environmental impact of this project and the disruption to the lives of the citizens of Montana was approached with any more than wishful thinking that it will all work out OK. Finally, I strongly oppose cooperating with a project who's end goal is one of the most environmentally destructive forms of resource extraction. What in the world were the people who entertained the idea of approving this project thinking. It certainly was a pipe dream to think that it would not infuriate all who have to deal with the destruction and inconvenience in order to support another country's irresponsible mining efforts.

Sincerely,
David Brown
631 Crestline Dr.
Missoula, MT 59803
406 543-3261

BROWN, DAVID

1. See responses to Common Comments G, I, and O.
2. See response to Common Comment E1.

To Jim Lynch, MDT et.al.,

This is in regards to the Kearl Module Tranport Project EA.

1 The present and the future of Montana's value as a place to live, recreate for it's citizens and for future generations of Montanans and visitors is a great concern to me. I love our wilderness. I love our waterways. I also realize that to access our recreational areas it usually takes some kind of motorized vehichle to gain access. This usually means the use of fossil fuels.

2 I am not against limited use of vehicles and gasoline. What I am against, rather what concerns me, is the impact of huge vehicles that would be using our highways. Specifically I am referring to the kind of rigs proposed by the KMTP EA that would use our highways. If these rigs were the size of typical 18 wheelers I probably would not be too concerned. They use our roads, they degrade a little faster but probably not too noticeably. However these humongous rigs, almost the length of a football field, are bound to degrade our highways. And who is to pay for the cost of the repair of these roads? The Taxpayer who resides here?

BROWN, ED

1. Comment noted
2. See response to Common Comment L.

3 Assuming the roads degrades there will be runoff in to our creeks, rivers and other waterways. We have just had one superfund cleanup in Bonner. Why take a chance on another environmental disaster?

4 In addition the "amenities" i.e. road widening to accommodate these gargantuan machines will change the scenic and pristine highways along Lolo Creek and the Blackfoot river. The company proposing this work said in the public questioning held at meadow school that there would be Zero effect on our waterways. The way they would construct the roads, or reconstruct, would not harm our streams with accidental runoffs. They have no contingency plan in case of accidental spillage, runoffs, human error or acts of God. Why does this strike me as strange? Would you or anyone go out for an ride in your car without a spare tire? Why do car manufacturers include a spare or mini tire with a new car? I believe that answer is obvious: just in case the unexpected occurs. You or I may have blow out, a bad tread, a nail, go over a sharp rock or a whole host of other possibilities. Why should we expect anything less from Imperial Oil, Exxon, any company,

5 entity or any business? Every business or individual should procede with a "what if" contingency. Imperial Oil is not doing this. Nor is Exxon.

There is an obvious enviromental disaster that is happening in the Gulf of Mexico right now because BP did not take proper precautions. Lost in the environmental mess is that 11 men, that's 11 human beings are missing and assumed dead. How much a human life worth? to the person, their families, friends and our community at large?

6 But let's get back to Montana. 30 days of public comment for a ricketty Environmental Assessment is not long enough. We are talking about Montana infra structure, waterways, wildlife, aesthetics, and more. We need at least 90 days to have an environmental assessment on the impact of the transportation of the machinery and road construction which will change the landscape of our waterways and roads physically but could alter permanently in ways we can not imagine in the moment or in the future. We need to include more parties in this EA. We probably

7 need a full EIS. But before we get to that point I implore you to extend the EA 90 days. It is only right for Montanans who live here and for the people who come to visit or travel through our great state.

Respectfully,
Ed Brown
Edward Brown
108 Passage CT
Missoula, MT 59803
Phone: 406-542-3148 Fax: 978-418-0737
edbrown@bigsky.net

3. See response to Common Comment O.

4. See response to Common Comments J and O.

5. See responses to Common Comments I, O, H1 and H2.

6. See response to Common Comment F1.

7. See response to Common Comment B.

To: Tom Martin, Montana Department of Transportation

Dear Mr. Martin,

My first reaction upon hearing this proposal was "not Highway 12!" I have always loved this stretch of road and think it does not deserve the treatments being proposed.

I am aware of the fact that MDT is the responsible authorizing agency and that they recommended an environmental assessment be drawn up. At first glance, the public should at
1 least have more time to consider the proposal and make comments to the EA. I hope that the comment period is extended.

If indeed this proposal is approved, I would love to see Exxon / Imperial Oil held responsible for, at the very least, a clear breakdown of the supposed gains to the Montana
2 economy, a comprehensive contingency plan for accidental load turnover or load loss, and a binding agreementas to the future maintenance of roads, turnouts and bridges damaged by this overuse.

3 A more comprehensive and inclusive EIS needs to be written in order to capture all the losses and gains of a project of this magnitude. Thank you for your consideration of my points.

Sincerely,
Erin Brown

BROWN, ERIN

1. See response to Common Comment F1.
2. See response to Common Comments M, H3, and L.
3. See response to Common Comment B.

To Department of Transportation:

The more I learn about the proposal to haul mining equipment to Alberta the worse it gets. There are two major reasons this proposal should be turned down:

1 1. The economic analysis in the environmental assessment does not address all costs to Montanans. These costs will be substantial both in terms of road costs and loss of economic opportunities in Montana. I believe the environmental damage caused by the road work along he Blackfoot will be substantial and long term. The Blackfoot is a special place and needs to be kept that way for present and future generations to enjoy.

2 2. The mining of tar sands is going to be an enormous environmental tragedy in the Canadian boreal forest. Producing oil from tar sands will in itself produce huge quantities of greenhouse gases. It will disrupt extensive areas of the boreal forest ecosystem with loss of critical habitat for many species, some of which are already in serious decline.

3 I urge you to do a thorough evaluation of the total costs and benefits of this proposal. I believe it definitely should be turned down.

Jim Brown
1504 Woods Gulch Rd
Missoula, MT 59802

BROWN, JIM

1. See responses to Common Comments M and O.
2. See response to Common Comment E1.
3. See response to Common Comment L and Common Comment M.

I want to express my strong objections to the proposed use of our highways in Western Montana to ship equipment intended for the Alberta Tar Sands Development project.

As I see it, there is very little, if any benefit to the State of Montana to allow this to take place. It will surely cause safety concerns, time delays for regular traffic and accelerated "wear & tear" on the affected roadways.

Even more importantly, in my opinion, support of any sort for such an environmentally disastrous process is completely irresponsible.

1 It seems as though time after time short term monetary gain takes precedence over long term responsibility.

Let's do the right thing here and "Draw a line in the sand!". There probably is little that can be done to stop the development but maybe we can at least not be a part of it.

In case it matters, I do not fit the stereotype of a political activist. I am just a citizen who is offended by all the ramifications of wrongdoings such as this.

Jim Brown
503 South Willson Ave
Bozeman, MT 59715

BROWN, JIM

1. See responses to Common Comments G, H1, H2, H3, L, and E1.

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1 From all that I have read lately, this need an extension of time for comment on the EA.

It needs further review.

Raymond D. Brown

BROWN, RAYMOND

1. See response to Common Comment F1 and B.

MDT,

As a tax-payer, a native-Montanan, and your employer, I demand that the MDT DOES NOT issue these permits for the Kearl mining equipment transportation corridor. This project does not make sense for anyone except Imperial Oil/Exxon.

The EA is completely lacking in thoroughness. Here are my demands and comments on the EA:

1 * You need to extend the public comment period beyond May 14th. 30 days was completely insufficient for real public involvement, and the fact is, we will be impacted by this project for years to come. We deserve more time to raise our voices.

2 * As federal dollars will eventually be used on this project, we need to make this a NEPA assessment and move onto an EIS.

BROWN, ZACK

1. See response to Common Comment F1.

2. See response to Common Comment B.

3 * The EA's assessment of impacts on the Lolo Creek watershed are completely insufficient. Building all of these turn-outs will absolutely have more than "little to no impact" on this creek. Tax payers will have to continue to foot the bill for stream restoration, when sedimentation is worsened.

3. See response to Common Comment O.

4 * The EA does not even take into account negative economic impacts--industries like natural tourism and outdoor recreation will be negatively impacted. The EA needs to explore these issues.

4. See response to Common Comment M.

5 * The MDT and the EA need to recognize that this project will open the floodgates for more high-and-wide transportation projects, in effect creating a permanent corridor.

5. See response to Common Comment K.

6 * The long-term impacts of road wear-and-tear are not addressed. Roads will be worn down more quickly, and down the road, tax payers will be left holding the bag.

6. See response to Common Comment L.

7 * The EA does not address any kind of emergency recovery plan in the likely event that one of these trucks goes into the Lochsa or Lolo Creek. The EA needs to include such a plan

7. See response to Common Comment H2.

MDT: You are employed by the people of Montana. You need to have our best interest in mind. This proposed corridor will only be of benefit to Imperial Oil. Remember, YOU ARE WORKING FOR MONTANA-NOT EXXON/MOBIL.

8 We need to make this project a federal one--we need an EIS.

8. See response to Common Comment A and Common Comment B.

Respectfully,
Zach Brown
406.579.5697

BROWNBRIDGE, TP

Project Commenting On: big rig transport along the Lochsa

Project State Highway No.: 12

Comment or Question:

1 Please review ths plan and find an alternative route as this is bad precitent to set in a wild and senic corridor.I do not want my tax dollars wasted on a project that benefits a foreign manufacturer and an out of state energy developer .This should be at a net zero cost at minimum to the tax payers.I can not see how this won`t negatively impact tourism and tourist dollars to the state.Thanks for listening.

TP Brownbridge
Granite Co.,MT

1. See response to Common Comment D1, J, L, and M.

Hello,

I would like to submit my comment opposing any widening or expansion of route 12 through northern Idaho. A highway next to a wild and scenic river is no place for wide loads destined for Canadian oil fields. If you have ever driven this route you know that anything larger than a large van is way too big for this road! The amount of diesel fuel that is currently spilled through accidents by big rigs yearly is completely unacceptable. 1

It should be obvious to anyone with even basic and cursory knowledge of Salmon, Steelhead, Bull trout and Pacific Lamprey that any additional degradation of this special place will directly affect these struggling fish populations. This would be tragic and cannot be allowed to happen.

Thanks for accepting my comments,

Chris Brozell
Dillon, MT

BROZELL, CHRIS

1. See response to Common Comment E2.

ELLEN BUCHANAN 431 W. ALDER STREET MISSOULA, MT 59802

April 29, 2010

Dwayne Kailey
Tom Martin
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001
RE: Kearl Module Transportation Project

Dear Mr. Kailey & Mr. Martin:

Please enter these comments into the public record for purposes of the public input process for the Environmental Assessment for the above referenced project. Let me begin by stating that I am very concerned that the MDT would permit this project to take place in Montana with such a cursory review which limits the assessment of environmental impacts to an EA rather than subjecting this to a full Environmental Impact Statement. I also fail to understand how, since this is a multi-state project which takes place on highways supported by federal funding, the requirements of NEPA are satisfied when the project is segmented and Montana is reviewed solely under MEPA. 1 2 Another major concern is that the KMTP project has been reviewed only with respect to this hauling project with the premise that it will be 12 month project. There is every

BUCHANAN, ELLEN

1. See response to Common Comment B.
2. See response to Common Comment A.

3 indication that, if this is approved, it will result in a permanent High/Wide industrial corridor through Idaho and Montana. The Port of Lewiston is banking on that as is evidenced by their anticipation that "if one oil company is successful with this alternate transportation route, many other companies will follow their lead". Even MDT's Director Lynch acknowledged this in testimony before the Legislature's Revenue and Transportation Oversight Committee last year when he stated that the goal was to create permanent high/wide corridors through Montana which would have considerable potential for impact. MDT has stated that the approvals for this project and the EA are only for the purpose of this project and that any subsequent haul projects would have to go through the same permitting and environmental review process. That may be true, but once these highways have been modified for the KMTP project, the door is wide open for all comers. The modifications will have been made and consideration for subsequent permits would be limited to issues such as weight limits and traffic delays, making the permitting process little more than a formality. At a minimum, any environmental review for this project must take the possibility for permanence of this route into consideration.

3. See response to Common Comment K.

4 This project has the potential to adversely impact some of our most scenic highways and rivers in our state, not to mention the potential harm to wildlife and aquatic life. I

4. See responses to Common Comments I and J.

5 understand that the excessively large loads will be distributed over numerous axles In an effort to minimize damage to road surfaces; however, it is hard to accept that many of these roadways, particularly Highway 200 along the Blackfoot River, were constructed to become a temporary, much less permanent, industrial haul corridor. The nature of these roadways is not conducive to accommodating loads of this length or width, regardless of the number of new turnouts that are constructed. It is difficult to visualize how turnouts and parking areas can be expanded and newly constructed, particularly along river banks, without significant environmental degradation. The EA simply pays lip

5. See responses to Common Comments O and L.

6 service to the construction concerns and assumes that building these new facilities will address numerous issues without truly assessing the impacts of the construction along these scenic and fragile corridors. Due to the nature of this route, we will end up with one or more of these rigs in one of our rivers or creeks and the damage to the roadways, banks, native vegetation and aquatic life will be significant, if only because of the sheer mass of equipment. There is also no consideration of impact to endangered species in the assessment. These routes are along Lolo Creek and the Blackfoot River, both significant spawning grounds for the endangered bull trout which will be adversely impacted by expansion of existing turnouts along the banks and the repercussions of accidents caused by this activity. There is nothing in the EA that

6. See responses to Common Comments H2 and O.

7 speaks to mitigation of the impacts of construction or accidents. It is not sufficient or credible to simply state that accidents will not occur, particularly in the Rocky Mountains during winter months and in areas where dense fog is not an anomaly.

7. See the response to General Comment H.

8 Tourism is a major industry for Montana, particularly the western part of the state. The impacts to this driver of our economy have not been addressed as is evidenced in Table 1, Summary of Effects and Section 6, Economic and Community Impacts. The EA only assesses the impact of one time and short term money being spent in the state. There has to be consideration of the impacts of construction and hauling on our tourist industry, even if impacts to our citizens are not taken into consideration. Millions of dollars are spent here each year by people coming into Montana to fish, backpack, hike, hunt and just sight see. This review does not address the impacts of construction delays, accident delays, inconvenience created by the large rigs and impaired access to rivers and trails. The impact to Montana's outfitters could be significant, but the EA does not address that or any of these economic impacts.

8. See responses to Common Comments G and M. Project not expected to impact access to rivers and trails along route.

9 The EA does not address the potential impacts on delivery of emergency services. When one looks at the proposed route, there are instances where the presence of one of these haulers could delay emergency vehicles for long enough to cause serious damage or fatalities due to the inability to get to the scene of an incident or transport a patient to medical services. If this review is confined just to Missoula, access from the Bitterroot Valley and from the Seely/Swan and Blackfoot Valleys are extremely vulnerable. This impact requires consideration and any plan must address how these impacts would be mitigated.

9. See the response to General Comment H3.

10 In the consideration of alternatives to the creation of this industrial haul route through Idaho and Montana, all alternatives that were examined were deemed to not be feasible. This determination was not based on physical barriers, but economic considerations. In other words, Montana is being asked to bear the burden of accommodating the transport of these oversized modules to save Imperial Oil money. While economics is a consideration in evaluating the feasibility of alternate routes, it is certainly not the only consideration. If this is an acceptable standard, the evaluation must place a value on

10. See the response to Common Comment D1.

11 the degradation of scenic roadways and waterways as well as the impacts on wildlife and aquatic life that will most certainly occur, regardless of the conclusions drawn by Tetra Tech on behalf of Imperial Oil.

11. See the responses to Common Comments J and I.

12 The most consistent methodology used throughout the EA is the pattern of simply making a determination of no impact; therefore, no mitigation is required. This is so prevalent in the document that it is curious that MDT has determined that the assessment is adequate to present to the public for comment. This approach is

12. See Section 3.13 where mitigation to minimize impacts is listed for all project activities.

completely contrary to the purpose of the environmental review process, whether under the auspices of the State or the Federal government. MDT should reject this EA as inadequate and require that the project be reevaluated properly or simply make a finding that a full Environmental Impact Statement is required.

13 A 30 day comment period for a project of this magnitude is absolutely not acceptable. The Kearl Oil Sands Project is expected to be active through 2060 and if this does become an accepted Industrial High/Wide Haul Corridor, it could be used for many

14 years beyond 2060. MDT has known about this project for several years, but the period for public review and discussion is being severely limited. In many ways, it feels like Montana and Idaho are being treated like third world countries that will welcome a few new dollars into the economy and simply allow our real legacy be forever changed without appropriate public knowledge, discussion or input. The State of Montana owes its citizens far more respect than is being displayed with this project.

15 I urge the Montana Department of Transportation to require that a full Environmental Impact Statement for the Kearl Module Transportation Project be completed prior to any action being taken. The EIS must include a real evaluation of alternatives, unlike the treatment in the current EA, and must address the true environmental, economic and community impacts of a permanent Industrial High/Wide Haul Corridor.

Sincerely,
Ellen Buchanan
406-531-9297

13. See responses to Common Comments B and F1.

14. See response to Common Comment K.

15. See response to Common Comment B.

Braden Burkholder
Citizen
801 Aster Ave
Bozeman, MT 59718

BURKHOLDER, BRADEN

Dwane Kailey
Montana Department of Transportation
2960 Prospect Avenue
P.O. Box 201001
Helena, MT 59620-1001

May 5, 2010

Dear Dwane:

I request that you consider the following comments on the Environmental Assessment (EA) for the Kearl Module Transport Project:

Although I have a few concerns regarding this project and the impact it will have on the natural resources and communities of western Montana, the most pressing is the finding that utility relocation along the travel corridor will not have a negative impact on wildlife, particularly on bird species. There are impacts of this action (specifically, raising 360 above ground utility crossings) that are potentially significant and should be mitigated. Permanently raising these utility crossings present an additional hazard to all bird species,[1] not just raptors, and needs to be addressed within the scope of this project.

1 The dimensions of the largest module on a trailer are not listed in the EA. Supplementary documents (MT Transportation Plan and Appendices) lead me to the conclusion that the maximum height will be around 30 feet. From this figure I can only estimate that overhead utilities will be raised as much as 15 feet in some locations, if not more, depending on line clearance specifications provided by individual utilities. Regardless of whether or not this increase in height would result in more bird power line strikes and mortality (it is quite possible that it would[2]), mitigation measures should be applied to decrease the likelihood that bird mortalities would become more common at these crossings.

2 The EA states that utility relocation, specifically overhead utility structures, will "be constructed in compliance with raptor safe guidelines" (APLIC 1996). First, I hope the contractors intend to use the most current guidelines, APLIC (2006).[3] Second, while these recommendations include important modifications to power pole structures to decrease bird mortality, it does not cover techniques to reduce line strikes. These methods include the application of bird flight diverters or fireflies and have proven effective in reducing bird strikes.[4,5,6] Utilities are starting to deploy diverters regularly to comply with state and federal migratory bird laws, as well as increasing system reliability.[7] The use of diverters of any sort on elevated spans of utility line would be an important first step toward mitigating the impact of the higher overhead lines. Without these mitigation measures, I cannot support the proposed action.

3 Along these same lines, I find it interesting that the US Fish and Wildlife Service was consulted, but Tetra Tech did not consult any representatives of Montana Fish, Wildlife and Parks (MFWP), the agency responsible for managing the vast majority of wildlife species in Montana. Had Tetra Tech consulted with anyone in MFWP, these concerns would (most likely) have be brought up and addressed earlier.

4 Beyond this primary concern, I have other concerns about the impact of this project on local communities and the level of environmental review used in this process. Although the statement is surprisingly absent from the Environmental Assessment posted on the MDT website, the MDT and partnering private corporations seem to imply they have conducted the appropriate level of review for this project and that an Environmental Impact Statement (EIS) is unnecessary. I believe this statement is required, per MEPA Model Rule V (3)(j)[8]: "If an EIS is not required, the

1. The utility crossing that would be raised are already overhead wires, raising them by 5 to 15 feet will not increase the risk to birds because the only portion of the utility crossing that will be affected are the sections from one pole to the other crossing the highways, not the entire line length. Additionally, approximately 200 crossing will be removed and place underground. Table 9 shows the maximum dimensions of the module configurations.

2. See response to Specific Comment A.

3. The EA erroneously left out a discussion of the consultation with Montana FWP that occurred. The details have been included in Section 4.6 of the FONSI.

4. See response to Common Comment B.

EA must describe the reasons the EA is an appropriate level of analysis." Without the statement that an EIS is not warranted and reasons for such a conclusion, this EA document appears to be incomplete and void.

Furthermore, I find it disingenuous for leadership in Montana to claim that this project will not create a permanent oversized load travel corridor through western Montana. While it may not create an *official* "high/wide" travel corridor through Montana, it does create a *de facto* one. I would argue that by allowing for permanent modifications to be made for this temporary high/wide corridor, the MDT has thus set a precedent for quickly approving extensive shipments of high/wide loads through Montana along this route (since no future construction would be required). This is essentially "a decision in principle about such future actions," which is the basis for the finding of significant impact under MEPA Model Rule IV (1)(f)[8]. Thus, while I accept that impacts to the natural environment (excluding the exception regarding utility relocation detailed above) have been appropriately mitigated in this plan for the short duration of this project, the cumulative impacts of a *de facto* travel corridor through Montana to the human environment over the next few decades are significant and warrant the completion of an EIS.

5

In summary, I do not support the proposed action as it stands. Additional mitigation measures need to be employed to reduce bird power line strikes on raised overhead lines. An EA level of review is inadequate and an EIS is warranted.

Thank you for the opportunity to comment.

Sincerely,

Braden Burkholder

5. See response to Common Comment K.

Public comment taken over the telephone on May 14, 2010 (9:10 am) from:

Dorothy Bush
2623 Muirfield Court
Missoula, MT 59808
Comment

BUSH, DOROTHY

1) Concerned with long term impacts on roads and especially bridges. I read in paper weight of module is distributed but weight too much for bridges. Who will pay for lawyers to defend any impacts on infrastructure?

2) Main owner (Imperial Oil)-What is their liability? Are they trying to limit liability behind Imperial Oil and not Exxon?

1

3) Size of pieces being moved-made because of cost effectiveness. Could have been built in

1. See response to Common Comment L.

smaller pieces. Could have been assembled in Canada. Cost effective for them, damn for the states. Worth $68 million, they will pay $21 million with modifications. Where is the $68 million coming from? 2

4) Disintegration of roads on hot days-damage will occur, are you planning to do more in requiring any compensation? 3

5) Environmental, tourism, and disruption of human lives will occur from project. 4

6) One additional objection from reading the Missoulian article today, petition is looked at as one comment, not fair. 5

2. See response to Common Comment D1. The $68 million is from all the construction, permitting, and module transportation support that would be done by Montana residents.
3. See response to Common Comment L.
4. See response to Common Comment M.
5. A representative sample of the text included in the NRDC e-mails is included in the response to comments section (Appendix D of the Decision Document) along with an appropriate response. There is no need to repeat the comment and response. A list of the names of the people who submitted the comment is also included in Table D-1.

BUSHNELL, BOB

Imperial Oil/Exxon Mobil, those small companies!!

They want to run 200 super-sized loads through western Montana! You, Mr. Lynch, are responsible for our highways.

Once those 200 huge rigs have finished destroying the various roads, we Montanans are left to spend the money to repair the roads. Each rig will be about 170 tons, or 340,000 pounds. By Federal standards, the maximum truck weight is 80,000 pounds. In other words, each trip will exceed the standard by more than FOUR times. And these companies want to make that trip, not once, but 200 times. 1

I suggest that IO/EM put up a billion-dollar bond, that's $1,000,000,000. The money is to be released, minus the money required to repair the highways, one year after the repairs are completed.

Bob Bushnell
Olga Lincoln
Polson, MT 59860

1. See response to Common Comment L

Charles D. Buskirk
1115 W. Third St.
Anaconda, MT 59711
(406) 560-3751

May 14, 2010

Dwayne Kailey
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

Dear Mr. Kailey:

I am writing to express my deep concerns about the proposal for a "High and Wide" Transportation Corridor in western Montana.

1 According to a July 2009 presentation by MDT Director Jim Lynch to the MT Legislature's Revenue and Transportation Oversight Committee, ExxonMobil's goal is to create "***permanent*** High/Wide corridors through Montana," which, he said, would have "considerable potential for impact." I am confused, therefore, that the Environmental Assessment (EA) for the project portrays it as only a one (1) year project with 200 vehicles, and no environmental impact.

2 Typically, environmental documents must address the full impact a project may have over its lifetime. The EA does not address ExxonMobil's goal of creating a permanent industrial corridor next to a Wild and Scenic River and the place where "A River Runs Through It". Some of the many impacts that must be considered include:

- 3 The Alberta Oil Sands project is expected to last through 2060 – entailing the movement of this large equipment for many years over the proposed route. The long term effects of this volume/size of traffic must be evaluated.
- 4 Wildlife impacts and fatalities created by traffic snarls.
- 5 Water quality impacts if the inevitable accident happens that creates a damming effect on the rivers, or if hazardous materials released.
- 6 Impacts on the blue-ribbon trout waters from the above "accidents" and those potential impacts on tourism and our Montana way of life.
- Impacts on fishing and rafting guides and outfitters that rely on access to the rivers.
- 7 Noise and lighting impacts.
- Impacts associated with the construction activities on turnouts, utility lines, etc.

8 I urge the Montana Department of Transportation (MDT) to require a full Environmental Impact Statement (EIS) on the creation of at least the Montana portions of this industrial corridor. The EIS should at a minimum:

- 9 Conduct a programmatic review for the establishment of a permanent industrial corridor;
- Require real alternatives to be considered;
- Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;
- Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts.

Thank you for this opportunity to provide comments on this important issue.

Sincerely,

Doug Buskirk

Charles "Doug" Buskirk

BUSKIRK, CHARLES

1. See response to Common Comment K.
2. See response to Common Comment C2.
3. See response to Common Comment K.
4. See response to Common Comment I.
5. See response to Common Comment H2.
6. See response to Common Comment M.
7. Impacts on noise and lights (see Section 3.0) and turnout and utility crossings are addressed throughout the EA.
8. See response to Common Comment B.
9. See response to Common Comments C2, M, and A.

Dear Sir/Madam

1 This E Mail is being sent to express my opposition to the movement of the massive mine equipment through Montana to Alberta. I understand the proposal will move the equipment 350 miles from Lolo Pass to the Canadian border north of Shelby. This will cause a major disruption of traffic on the route indicated and will involve damage to the surrounding landscape. Much of this will occur during the busy tourist season and will cost merchants a major loss of business, which will also mean a loss of state revenue. I don't think the offset of money generated by the construction work will benefit the state. Remember the merchants are here all the time, not just the brief period the construction workers will be here.

2 I also have an objection to the irreversible damage to the enviornment and health impact it will have on humans, that tar sands mining causes. Even though the mining project is in Canada, we need to be stewards of the land and environment in the world. I understand is much more invasive than conventional mining.

3 I would encourage you to insist that a full environmental impact statement will be provided before a decision is made and that we will not allow the movement of the equipment will be denied.

Thank you for allowing me to comment.

Sincerely,

Gerald F Butcher
3429 8th Ave. North
Great Falls, Montana 59401

BUTCHER, JERRY

1. See responses to Common Comments G, J, and M.
2. See response to Common Comment E1.
3. See response to Common Comment B.

May 12, 2010

To: Montana Dept. of Transportation

Re: Tar Sands Truck Route

This letter is in regards to the proposed truck route for Kearl Module high/wide/heavy transport plan from Lewiston, Idaho to Alberta through Western Montana and Missoula on Highways 12, 93, I-90, 200, and 287.

1 The Bike/Walk Alliance for Missoula concurs with the Missoula City Council's Resolution Number 7528. Resolution 7528 requests a full Environmental Impact Statement be conducted under the Montana Environmental Policy Act and the National

2 Environmental Policy Act. Failure to complete a fully programmatic NEPA analysis would not fully describe the environmental impacts this proposed operation will have on

BWAM BOARD OF DIRECTORS

1. See response to Common Comment B.
2. See response to Common Comment A.

Missoula and Western Montana.

3 The Bike/Walk Alliance for Missoula asks for your support in conducting a comprehensively scoped and full Environmental Impact Statement to provide for a lucid examination of the proposed truck route.

Sincerely,

BWAM Board of directors:
Jim Sayer, Bob Wachtel, Bob Reider, Jean Belange-Nye, Ginny Sullivan, Ethel MacDonald, John Couch, and Marta Meengs

3. See response to Common Comment B.

Greetings,

Everything I have read and heard about the tar sands issue and the travel corridor for the equipment distresses me deeply. On the one hand, it seems inconceiveable to me this is even being considered; on the other, many say it's a done deal and we can squawk all we want but it's happening.

1 Please reassure me that calm, intelligent minds are looking to the impacts both now and into the future, and will make the right choices. At the very least, a full EIS is in order here.

This is huge, and irreversible. It's not just a Montana issue, but Montanans must step up and do what's right, which is to say NO to a permit.

Thank you,
Kerrie Byrne
PO Box 4471
Whitefish, MT 59937

BYRNE, KERRIE

1. See response to Common Comment B.

Cathleen Caballero, Polson, MT. Concerned citizen and farmer. Given the enormity of the modules, the complexity of the travel plan, the sensitivity of the natural surroundings of the highway to be used, especially along Lolo Creek and the Blackfoot River, this EA appears glib and superficial. Accidents with unforeseen and tragic consequences happen contrary to all the good intentions of energy companies and regulatory agencies, as the ongoing disaster in the Gulf Coast attests. Please slow this plan down and offer alternative travel routes. I also have a related but tangential question: why are these modules being brought from half way around the world (South Korea) when manufacturing centers exist so much closer to the target area of northern Alberta? Thank you.

1

CABALLERO, CATHY

1. See responses to Common Comments O, H1, H2, H3, D1, D2, and D3.

Dear Mt.gov,

1 Although I look forward to a COMPLETE and THOROUGH analysis of the proposed "upgrade" of Montana's scenic river roads, at this time I am NOT supportive of addiional construction or alterations which would allow larger trucks access and affect adversely the status quo. I favor leaving unchanged the roads near the Lochsa and Blackfoot Rivers which currently appear more conducive to tourist and recreation industries, which we should encourage, and not diminish or degrade. Please carefully consider alternatives along existing highways.

Sincerely,

Edward Callaghan

CALLAGHAN, EDWARD

1. See responses to Common Comments D1, J, and M.

To whom it may concern:

I urge you, MDT, to consider all the impacts of moving high and wide heavy equipment through Idaho and Montana on route to the Kearl Oil Sands Project.

1 I ask that a full EIS be prepared rather than an EA and to consider the cumulative impacts, including the projects contribution to global warming. Besides the damage tar sands mining does to the environment and it's extreme contribution to global warming, there is the logistics of hauling this equipment on the proposed route. I understand that Imperial Co. would want to use this route since it is shorter on land than the current route and the route has no low overpasses. However, it seems that the narrow windy roads along pristine river courses do not

2 lend themselves to easy transport of heavy equipment of such length, width, and height. What happens if one of these trucks wrecks along the Clearwater, Lochsa, or Blackfoot Rivers? Have

3 you considered the impact to summer tourist travel along this route and winter driving conditions along this route? It seems to me that the existing route through the middle of our country, on flat land, is far safer than this proposed shortcut. I don't believe we should have to live with this inconvenience and risk any impact to our natural environment just to add to the profits of big oil companies. Exxon/Mobile consistently reports record profits even as the

4 economy slides into recession and the gulf oil spill continues to grow. Let big oil pay more to transport their equipment on the existing route and deny their permit. It will have no noticeable impact on their profits while we will notice a huge impact on our roads for 1.5 years.

Sincerely,
John F. Caratti

CARATTI, JOHN

1. See responses to Common Comments B and P.
2. See response to Common Comment H2.
3. See the MTP and response to Common Comment M.
4. See responses to Common Comments D1 and D2.

Montana Department of Transportation:

I am opposed to transporting massive equipment through Montana to Alberta, Canada for the purpose of mining tar sands for the following reasons.

1 First of all, we need to reduce greenhouse gases, not markedly increase them.

Second, these convoys of trucks and equipment will severely disrupt travel, recreation, and tourism, so important to Montana. Third, the construction of frequent turnouts and the passage of these huge loads will negatively impact roads and water quality in pristine rivers and
2 streams.

And Fourth, the people of Montana to not want a permanent industrial route where there is now a scenic route used primarily by tourists and sports people. Please prepare a full
3 environmental impact statement, not just an environmental assessment.

Sincerely,
Catharine Carey
Missoula, MT

CAREY, CATHERINE

1. See response to Common Comment P.
2. See responses to Common Comments G, M, O, J, M and K.
3. See response to Common Comment B.

I am totally against this idea of transporting equipment destined for Canada to mine the tar sands for oil. The route chosen by industry is improper and will be a huge impact on folks using the Locksa highway as well as the Blackfoot corridor in Montana and the highways along the
1 Rocky Mountain Front. I am a 68-year-old Montana and have resided here for 63 of those years. Please, please do not approve of this route through our wonderful state. The company needs to look at some other alternative.

Thank you.
Clinton E. Carlson, Florence, MT. 59833

CARLSON, CLINTON E.

1. Comment noted.

---

1 I object. Will Imperial Oil and Exxon Mobil actually pay for any impact i.e. road re-construction or environmental impact for moving such monstrosities through such sensitive areas, not to mention the traffic issues. Please think about it.

Mary Carparelli
Helena, MT 59602

CARPARELLI, MARY

1. See responses to Common Comment L and G.

To the Montana Department of Transportation - My name is Dru Carr. I am a 21-year resident of Missoula, MT. My address is 619 Howell, Missoula, MT, 59802. I thank you for this opportunity to comment via email on the Kearl Module Transport Project (KMTP). I request that comments be taken into the record as part of the the KMTP Environmental Assessment process, as required by the Montana Environmental Policy Act (MEPA).

I am strongly opposed to the KMTP as it currently stands, based on the Environmental Assessment, provided by Tetra Tech. I believe and request that the project decision be postponed until a full Environmental Impact Statement is carried out on this project. I believe
1 that the EA does not fulfill the basic requirements by MEPA for : (1)the Need for the Project; (2)the economic impact to the state of Montana; (3)the public safety mitigation of the project; and (4)the environmental impacts of the project. Until such an Environmental Impact Statement is completed, I ask that the KMTP project be denied.

(1)The Need for the Project is inadequate --

The EA's "Need for Project" reads: "The proposed project is needed to transport specialized equipment through Montana to Alberta, Canada." First, this statement is not true. It has been shown that a transportation route for large vehicles already exists, and has been used, by other oil companies in Canada, without the use of Montana's highways. The fact that
2 Imperial Oil looked at, and rejected, the route through western Canada because of additional costs is not enough to satisfy the need ot transport their equipment through Montana. Montana residents are not beholden to the economic necessities of Imperial Oil, or their stockholders. The argument that Imperial Oil makes that the savings in cost for transporting through Montana are passed onto the oil consumer has not been proven to be true.

Second, this project's "specialized equipment" to be transported will be used on tar sands oil extraction in Alberta, Canada. There is no "need" that will benefit the state of Montana, except for the short-term employment benefits from the construction of the needed infrastructure, and possibly (but by no means guaranteed) drivers of the vehicles. For this reason, the "need" is not satisfied, and therefore should be further explained in an EIS. The project does not have nearly enough economic impact, and in the long term, may in fact be an
3 economic liability for the state (more on this in the "economic impact" section of these comments.A full environmental impact statement needs to be completed in order to better establish the "need" for this project.

(2)The "Economic and Community Impacts" are insufficient in the EA, and should undergo a full EIS process. The EA concludes that there will be a "Total Economic Activity" of $67.8 Million

CARR, DRU

1. See response to Common Comment B.

2. See response to Common Comment D1 and Common Comment D2.

3. See response to Common Comment B.

generated by this project to the state of Montana, from both direct and indirect (economic "multiplier") effects. The EA goes to great lengths to extoll the economic virtues of the project to the state of Montana.

4 However, what the EA completely fails to include in the economic impact assessment is the long-term need for maintenance and repair of the proposed modifications and turnouts. It is impossible to actualized the economic impact of this project without first including the economic liabilities to Montana for the on-going need to maintain this very short-term need. Without this maintenance estimate included in the analysis, the economic impact assessment is completely inadequate. The people of Montana deserve to know what it will cost to maintain this infrastructure in the foreseeable future.

4. See response to Common Comment L.

5 (3)The EA completely fails to mitigate for the unlikely, but possible, event of a vehicle turnover. I have witnessed firsthand a logging truck overturned on Highway 12, and I cannot imagine what the impact of one of these large vehicles turning over on this stretch of highway would be. Imperial Oil has admitted, in public, that there is not adequate plan for dealing with such an event. There must be an EIS that fully covers what will happen in the event of a vehicle turnover. Without this, the environmental and economic impacts are completely unmitigated, and could result in long-term, unforessen impacts to the state of Montana.

5. See responses to Common Comments H1 and H2.

6 (4)The most revealing, and inadequate, section of the EA is the "Environmental Impacts" section. In the section called "Water Resources" (in the "Environmental Impact" section) concludes in 3.9.2.6 that: "The proposed project is not expected to affect water quality or water resources, streams, wetlands, or water bodies". The asssessment seems to be based on a series of what the EA calls "field reviews" of these resources, along with maps and aerials of the proposed modification sites. This assessment does not pass any kind of scientific muster, and must be subject to a full EIS. the mitigation proposed, in case of a "spill", is to have "spill response" kits available to teh transport crew. This has proven to be a baseless "mitigation", because Imperial Oil has already admitted that they do not have the necessary equipment avialable in Montana to upright an overturned vehicle. In addition, the impacts of the construction of the infrastructure on water resources is so completely sparse in the EA, and requires a full EIS. The EA done by Tetra Tech does not come close to addressing the possible impacts to water resources. It is by far the weakest part of this document, and must be addressed adequately in an EIS.

6. See response to Common Comment H1, I, O, and B.

Finally, I would like to address the impact of this project to Montana's quality of life. This is a personal comment, and most likely will not be admitted into the decision process in a meaningful way by the DOT, but it bears comment anyway.

7 The route proposed by Imperial Oil goes through some of Montana's most treasured scenic byways. I have spent a lot of time and money travelling Highway 12, Highway 200, Highway 287, and Highway 89, and my time on these highways have all been spent there because they are some of the most scenic in the state, but also access some of the most treasured opportunities for recreation that this state has to offer. I am immensely concerned that this project will have a huge impact on the aesthetic and environmental qualities of these highways that make them so unique to the state. I am concerned that they will impact not only the visual aspects, but also simply what makes Montana what it is. These kind of intangibles are so difficult to grasp, and even more difficult to put on paper, but they are deeply felt by me, and I hope in some way can be introduced into this document in some kind of meaningful way.

Thank you for the opporutunity to comment on this project.

Sincerely,
Dru Carr
High Plains Films
(406)546-4447

7. See response to Common Comment J.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;
2 • Require real alternatives to be considered;
3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;
4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

CASSEL, AMY

Form Letter 1

1. See response to Common Comment C2.
2. See response to Common Comment D1 and response to Common Comment D2.
3. See response to Common Comment M.
4. See responses to Common Comment A

It's my understanding that this proposed corridor is the least expensive route between South Korea and the Tar Sands, but I find that difficult to believe. I'm curious if the feasibility report for this corridor vs. other routes is available to the public. It's also my understanding that this corridor was to proceed without public comment. That's very, very suspicious if true. I don't know if you have ever been down the Lochsa road, but where and how you plan to get such massive truck loads through is difficult to imagine - it's narrow as heck already. Also, if you have official information regarding this project posted on your website, could you please email me the link.
As it stands right now, I'm very much opposed to the idea.
Amy Cassel
Missoula, MT

5. Although a series of routes were investigated, no feasibility study was produced. See response to Common Comment S. Your understanding that the project would proceed without public comment is inaccurate. A website will be developed, but is not available yet.

Dear MT DOC

Please complete a full environmental impact statement of the Kearle Transport project. It is unconscionable to have these trucks on our rural Montana highways.

David Cates
141 Kensington Ave.
Missoula, MT 59801
406-721-3682

CATES, DAVID

1. See response to Common Comment B.

Mr. Martin:
I oppose the planned transport of massive mining equipment on Montana roads for Canadian mining activity. These oversized monsters would be a major safety factor to people driving here in our state. As a cyclist, I appreciate this risk even more.
Sincerely,
Wayne Chamberlin, M.D

CHAMBERLIN, WAYNE

1. See response to Common Comment G.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

- Conduct a programmatic review for the establishment of this permanent industrial corridor;
- Require real alternatives to be considered;

CHONTOS, EILEEN

Form Letter 1

1. See response to Common Comment C2.
2. See response to Common Comment D1 and

3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

I don't see how having this Corridor will benefit the people or the state of Montana, not to mention our tourism industry! We should be promoting clean industry for the benefit of all of us!

Eileen Chontos

Chontos Design
101 E. Broadway, #403
Missoula, MT 59802
406-549-6518

chontos@montana.com

response to Common Comment D2.

3. See response to Common Comment M.

4. See responses to Common Comment A.

CLARK FORK COALITION

May 13, 2010

Dwayne Kailey
Tom Martin
Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001
mdtcommentskearl@mt.gov

VIA ELECTRONIC MAIL AND FIRST CLASS MAIL

Re: Public Comment on Kearl Module Transportation Project Environmental Assessment

Dear Mr. Kailey and Mr. Martin:

The Clark Fork Coalition ("CFC") appreciates the opportunity to provide comments to the Montana Department of Transportation (the "Department") on the draft Kearl Module Transportation Project Environmental Assessment ("KMTP EA") dated April 2010. As set forth below, we have many concerns with the KMTP EA, including first and foremost the failure of the Department to coordinate with federal entities to require a comprehensive review of this project under the National Environmental Policy Act (NEPA). In addition, CFC believes the KMTP EA is inadequate on several other fronts because it fails to: (a) undertake a programmatic environmental review of the creation of a permanent industrial high and wide corridor in Montana; (b) consider feasible alternatives to the proposed action; (c) employ the best available science in analyzing the potential impacts on water resources; (d) adequately analyze the potential impacts to threatened and endangered fish and wildlife species; and (e) conduct an adequate analysis of economic and community impacts.

1 This project is clearly integral to implementing what the project sponsor, Imperial Oil ("Imperial"), refers to as its "global execution strategies" to provide inexpensive oil for all of North America. However, despite statements to contrary, the Department and Imperial have just recently insisted on characterizing this project as a one time fairly routine transportation project that in no way establishes a precedent or a permanent high and wide corridor along the proposed route. It is no secret, though, that once the proposed highway and utility modifications are in place as a result of this project, other entities will be utilizing this route for high and wide shipments for the indefinite future. So we are perplexed that the Department has allowed Imperial to narrowly focus its environmental review to this current estimation of a 200-module shipment from the fall of 2010 to the fall of 2011 when clearly this project will lay the foundation for an unprecedented transportation corridor along narrow two lane roads through the heart of Montana's largest urbanized area. Because the KMTP EA does not even consider the direct, indirect or cumulative impacts that will result from the future use of this corridor, it is impossible for the public or the Department to make an informed decision on this project.

2 We request that the Department initiate public scoping under NEPA and engage the citizens and elected officials of Montana in a meaningful environmental review of this project under a joint programmatic Environmental Impact Statement ("EIS"). Only then will the Department be in a position to make a well-informed decision on whether and under what circumstances to proceed with this project in a way that minimizes the environmental impact and maximizes the economic benefit to the State of Montana.

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I. The Public Comment Period Should Be Extended.

3 As a preliminary comment, CFC requests that the public comment period deadline be extended for at least 60 days. The Department did not choose to engage the public in an early formal scoping process to define the scope of the environmental review

CLARK FORK COALITION – BARBARA HALL

1. See response to Common Comment K.
2. The KMTP proposal is a permitting action, not an agency-initiated action. See responses to Common Comments A, B, and C2.
3. See response to Common Comment F1.

of this project. The KMTP EA was made available to the public on April 8, 2010 and the public comment period expires on May 14, 2010. A central tenet of MEPA is the opportunity for public participation so that the responsible agency can make an informed decision. *See, A Guide to the Montana Environmental Policy Act*, Legislative Environmental Policy Office (2009 rev). Public participation in the deliberations of government agencies is also a fundamental right enumerated in Montana's Constitution. Article II, section 9. Public involvement should therefore be an integral component of the environmental review for this project, not an afterthought.

The approximately 30 day comment period is insufficient for CFC to prepare and submit meaningful comments on the 327 pages of information (185 page EA and the 142-page associated Montana Transportation Plan). Further, CFC has submitted a Freedom of Information Act (FOIA) request to the United States Fish and Wildlife Service (USFWS) for information regarding USFWS consultation on this project and is attempting to gather information from other federal agencies with oversight of this project. We expect that the information we receive will influence our comments on the KMTP EA. Because it is likely that we will not receive the information before the current May 14, 2010 public comment period deadline, we respectfully request a 60-day extension of the comment period.

4 Further, it has come to our attention that the email link to send public comments is not working and comments are being "bounced back" to their senders. This technical glitch has the potential to deter the submission of comments. The comment period must be extended to account for these technical deficiencies.

The level of public discourse and questions surrounding this project and the KMTP EA since it was made available to the public last month, clearly underscore the need for the public to thoroughly consider the information in order to make informed comments. As set forth in the Department's rules implementing MEPA, "[t]he level of analysis in an EA will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. The agency is responsible for adjusting public review to match these factors." Admin. R. Mont. 18.2.240. Because the Department chose not to initiate a formal public scoping process to define the scope of the KMTP EA early in the environmental review process, it would be reasonable, arguably required under MEPA, and well within the Department's discretion to extend the comment period to allow the public a meaningful opportunity to participate.

II. The Department Must Require Environmental Review under NEPA.

5 Upon a very cursory review of the KMTP EA, the project appears to contemplate a limited state action. However, when considering the purpose and need of this project in conjunction with breadth of activities contemplated in developing this transportation corridor to facilitate Canadian tar sands development, it is clear the KMTP project constitutes a major federal action significantly affecting the quality of the human environment. 42 U.S.C. § 4332. The KMTP EA states that the project will need *at least* a Special Use Permit from the U.S. Forest Service ("USFS"), as well as an NPDES permit from the U.S. Environmental Protection Agency ("EPA"). *KMTP EA*, p. 3. Additionally, the EA states that permits under section 404 of the Clean Water Act, 33 U.S.C. 1251 *et seq.*, from the U.S. Army Corps of Engineers will likely be required. *KMTP EA*, p. 62. The federal agencies issuing these permits will need to engage in consultation with, and receive concurrence letters from, USFWS regarding possible impacts to species listed as threatened or endangered under the Endangered Species Act ("ESA"), as well as to Bald and Golden Eagle Protection Act listed species.

6 While the KMTP EA describes the project as simply a state project, a non-federal project is considered a "federal action" if it cannot "begin or continue without prior approval of a federal agency." *Maryland Conservation Council v. Gilchrist*, 808 F.2d 1039 (4th Cir. 1986) (citing *Biderman v. Morton*, 497 F.2d 1141, 1147 (2nd Cir. 1974)). The Kearl Module Transportation Project cannot move forward without the required EPA and USFS Permits. In addition, Imperial will need to determine whether any section 404 permits are needed from the U.S. Army Corps of Engineers, which must be issued before the project can begin.

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4. See response to Common Comment F2.

5. See response to Common Comment A.

6. See response to Common Comment A. There are no impacts to waters of the United States. A Clean Water Act Section 404 permit is not required for the proposed KMTP project.

Federal courts have addressed this issue on numerous occasions. For example, in *Maryland Conservation Council v. Gilchrist*, the Fourth Circuit considered a highway project funded solely by state highway funds that required a number of federal permits before the project could begin. The Court found that "because of the inevitability of the need for at least one federal approval, we think that the construction of the highway will constitute a major federal action." 808 F.2d at 1042. The Court ruled that the state highway department could not simply construct the portions of the project not needing federal permits, and then apply for the permits, stating "[n]onfederal actors may not be permitted to evade NEPA by completing a project without an EIS and then presenting the responsible federal agency with a fait accompli." *Id.* By finalizing this proposal and beginning construction without the required federal permits, the Department is engaging in exactly the type of activity the *Gilchirst* court was prohibiting. As such, the Department should engage the federal agencies now, and conduct a comprehensive NEPA review for this project.

7 The required federal permits alone are enough to trigger a comprehensive environmental review under NEPA. However, there are additional elements of the project that further strengthen the need for NEPA review. This project is clearly tied to numerous actions involving the Port of Lewiston, Idaho where multiple federal actions are required for this project to move forward. *KMTP EA*, p. 1. The expansion of the Port of Lewiston and concomitant highway construction, both funded by the Federal Highway Department; along with the need to dredge the Port to maintain adequate depth for container ships to dock, conducted by the U.S. Army Corps of Engineers, all require significant federal involvement.

8 Because the KMTP is connected to a series of other projects involving federal review and approval, the entire project should be reviewed in a single EIS. Following a number of legal battles over this very issue, the Council on Environmental Quality ("CEQ") issued regulations interpreting NEPA that required "connected actions" to be considered together in a single EIS. 40 C.F.R. § 1508.25(a)(1). "Connected actions" are defined as actions that "cannot or will not proceed unless other actions are taken previously or simultaneously [or] are independent parts of a larger action and depend on the larger action for their justification." *Id.* The KMTP and the Port projects are connected actions that require a single EIS. 23 C.F.R. § 771.111(f). Federal Highway Administration regulations support this position. Expansion of the turnouts and modification to utility lines under the KMTP have no "independent utility," within the meaning of the regulations, beyond that which is connected to the Port of Lewiston projects, and therefore the NEPA review for both projects should be conducted together. *Id.*

9 There are practical reasons for considering all the environmental effects of this project in one document. A number of serious direct, indirect and cumulative impacts associated with this project, and the related or connected projects, will not be considered without a holistic review of the potential effects. For example, creating a transportation corridor from the Port of Lewiston through Montana will require constant maintenance dredging of the Port. In recent years, as shipping to the Port has decreased, a number of stakeholders have advocated that the Port be abandoned and the Lower Granite dam, used to maintain reservoir levels required for access to the Port, be removed to improve fish passage and habitat for ESA-listed salmonids. *See e.g. Stuck in the Mud*, Save Our Wild Salmon, <http://www.wildsalmon.org/index.php?option=com_content&view= article&id= 114&Itemid=65> (last accessed May 10, 2010). If the Port is to see increased traffic due to the establishment of this corridor, then the effects on these ESA-listed fish species must be considered.

10 Another example is that a transportation corridor of this type and in this area will have adverse environmental impacts associated with increased use by heavy vehicles. For instance, heavy vehicles using the corridor to transport large loads will increase the amount of brake dust on the roadways. Recent studies have found that brake dust is toxic to a number of important fish species, such as ESA-listed salmonids and bull trout. *See e.g. Governor Signs Bills to Protect Citizen Health and Environment*, Washington Dept. of Ecology <http://www.ecy.wa.gov/news/2010news/2010-049.html> (last accessed May 10, 2010) (stating: "Copper in vehicle brake pad dust is toxic to aquatic life, including salmon").

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7. See response to Common Comment A.

8. The only portion of the project identified that needs federal approval is the minor amendment to an existing special use permit for the 10-mile plow area on the Lolo National Forest. That activity is helpful, but is not required to conduct the project and therefore is not a connected action. Missoula Electric Coop and the Forest Service have stated they planned to have this line buried before the KMTP was initiated.

9. See response to Common Comment E2.

10. MDT does not believe that the transport of 200 modules over the course of a year is a significant increase in traffic.

11 Yet another example is that the limited scope of the KMTP EA fails to address cumulative impacts of this and related projects. Increasing motorized traffic and paved surfaces, along with the increased need to salt and maintain the roads to accommodate the transportation corridor all have environmental effects that need to be considered in light of other foreseeable federal and non-federal actions with similar potential for adverse effects. 40 C.F.R. § 1508.7.

12 Transporting this equipment to Alberta through the United States crosses three state lines and two international boundaries. Facilitating the movement of equipment requires the involvement of a number of state and federal government agencies, multiple county and city governments, and the Nez Perce and Blackfeet nations. The transportation of this equipment facilitates tar sands oil production, which generates almost triple the global warming pollution as conventional oil production because of the massive amounts of energy needed to extract, upgrade, and refine the oil. In Montana, many of the identified harms of global warming are being felt. Ignoring the ultimate destination and utility of this equipment is counter to the sprit of NEPA which charges federal agencies to "recognize the worldwide and long-range character of environmental problems" in order to prevent a "decline in the quality of mankind's world environment." 42 USC § 4332(F). Therefore, all aspects of this project, from the entry of ships into U.S. territorial waters, to the use of equipment in Alberta's tar sands mines, should be considered in the environmental review of this project under NEPA.

13 III. The Department Must Require a Programmatic Environmental Review of the Impacts of the Proposed Action.

Notwithstanding the above arguments that the Department must require an environmental review for this project under NEPA, if the Department were to continue to only apply MEPA to this project, CFC believes that at the very least, a programmatic environmental review must be conducted through an EIS. Programmatic environmental reviews under MEPA are appropriate "whenever the agency is contemplating a series of agency-initiated actions, programs, or policies which in part or in total may constitute a major state action significantly affecting the human environment," and "whenever a series of actions under the jurisdiction of the agency warrant such an analysis as determined by the agency, or whenever prepared as a joint effort with a federal agency requiring a programmatic review." Admin. R. Mont. 18.2.251.

14 As stated in the KMTP EA, the purpose of the project is "for Imperial Oil to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads through Montana to the Canadian border and return trailers through Montana to the Idaho border." *KMTP EA*, p. 1. The issuance of "[f]uture 32-J permit loads using any portion of the proposed route similar to this project" was listed in the KMTP EA as a "Present and Reasonably Foreseeable" activity that should be considered in the cumulative impacts analysis for the project. *KMTP EA*, p. 16. In addition, the KMTP EA states, "the Department believes it is reasonably foreseeable that additional oversized loads would want to use the route . . ." *KMTP EA*, p. 24.

15 MEPA and its implementing regulations require the agency to examine the direct, secondary and cumulative impacts of a proposal. Cumulative impact analysis includes a review of all state and non-state activities that have occurred, are occurring, or may occur that have impacted or may impact the same resources as the proposed action.

16 Unfortunately, the potential cumulative impacts from permitting future high and wide loads were not even addressed in the KMTP EA, presumably because of the assertion that "[t]hese types of loads would be governed under the same applicable regulations and laws as the proposed KMTP." *KMTP* EA, p. 16. Once the road and utility modifications are in place, however, it is doubtful that the Department will elevate the environmental review for the issuance of 32-J permits for similar high and wide loads to even the cursory environmental assessment that has been required of Imperial for this project. Some of the potential cumulative impacts that were not considered include the premature deterioration of highway infrastructure such as bridges and road surfaces due to repeated use of the facilities to move loads in excess of the design specifications of the facilities, and increased administrative expenditures to amend

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11. MDT does not anticipate additional salt usage on the roadway as a result of the KMTP project. There will be additional paving as a result of the new or modified turnouts. However, the impact of the additional surface area is negligible in terms of additional runoff. Best management practices will be conducted as necessary. Therefore, MDT concludes the KMTP project would not contribute to water quality impacts.
12. See the responses to Common Comments A and P.
13. See responses to Common Comments B and C2.
14. See response to Common Comment K.
15. The cumulative effects were analyzed based on activities as defined in 75-1-200(3), MCA. Those activities are described in Section 3.2.of the EA.
16. See response to Common Comment K and L.

maintenance, oversight, and snow removal schedules to accommodate each future use of the corridor. The cumulative impacts analysis therefore falls short of what is required under MEPA.

17 Until recently, the Department did not hesitate in calling this project what it is: the creation of a permanent high and wide corridor through western Montana. Less than one year ago, in July 2009, Director Lynch painted a more accurate picture of the project for state legislators on the Revenue and Transportation Interim Committee. (Information from July 1, 2009 committee meeting accessed at http://leg.mt.gov/css/Committees/ interim/ 2009_2010/ Revenue_and_Transportation/Meeting_Documents/ meetings.asp#july09 (last access May 12, 2010).) Director Lynch explained at that meeting, that this project will be "setting the stage for high/wide corridor in Montana for things we haven't even imagined yet." (Rev. and Transportation Committee Meeting, July 1, 2009 at minute 30:00.) Throughout the presentation, Mr. Lynch emphasized his many concerns with the proposal including the fact that due to the nature of the route, there are no alternatives to this corridor for travelers to avoid these big rigs, the size of the turnouts, and the potential for a "significant impact to the state." Clearly, the Department is aware that the purpose of this project and its impacts extend far beyond the Imperial proposal considered in the KMTP EA.

18 The Department has recently taken the position that what it knows about the project now is different than what it knew a year ago, namely that a permanent corridor is not even being contemplated. An exercise in semantics, however, is insufficient to obviate the requirement under MEPA that a programmatic EIS must be prepared to adequately assess this project as a whole. Further, despite public statements to the contrary, the Department is not restricted to information submitted by Imperial in its determination of the scope, purpose and need, alternatives and environmental impacts of this project. The Department's consideration of the project is not limited to what appears in the four corners of the application. It cannot turn a blind eye to the fact that this corridor, if developed to accommodate oversize load transport between the Port of Lewiston and Alberta, will be used by other entities for the same purpose. This conclusion is supported by public statements (easily obtained using a simple Google search) from various entities associated with this project.[1]

Through a programmatic environmental review process, the Department would be better able to consider the cumulative environmental impacts of the long-term use of this corridor for high and wide shipments. While a programmatic environmental review is being developed, the Department is prohibited from taking actions that would "prejudice the ultimate decision on the program if it tends to determine subsequent development or foreclose reasonable alternatives." Admin. R. Mont. 18.2.251(6).

Approval of this project, without development of a programmatic environmental review document, would set the course for subsequent use and development of this corridor and foreclose consideration of reasonable alternatives in the absence of consideration of the cumulative environmental impacts of this project.

[1] See, e.g., the following excerpts from various public websites. "We have some new opportunities now with oversize cargo from three different areas – The Port of Lewiston could be called on to move heavy cargo to the oil sands area in Alberta Canada the second largest oil reserve in the world right now. Also Wind turbines built overseas destined for the mid-west, and also coal equipment destined for Wyoming. A lot of this equipment is manufactured in China or South Korea. Because of the trucking laws it's almost impossible to get these trucked across Washington so they're looking at the Port as a way to get this cargo to the interior of the mid-west. This cuts a significant mileage off the movement of cargo. The Port has talked to Shell, Exxon and Conoco and several large oil companies about moving this equipment though here." Port of Lewiston at Crossroads, May 23, 2009 (http://idahofarmbureau.blogspot.com/2009/05/port-of-lewiston-at-crossroads.html); "Utilizing this route as a viable alternative has only been recently 'discovered' by logistics companies representing companies who have oversize equipment destined for the interiors of Canada and the U.S. Midwest." (http://www.portoflewiston.com/SColumbia.html); "Last summer the port played a key role in the shipment of large pressure vessel to Fort McMurray in the Alberta oil sands via the Columbia/Snake River system. Korean equipment manufacturers had been looking for an efficient route to get their machinery to Canada. They found that they could bring the equipment to the Port of Vancouver, U.S., then up river to Lewiston (435 miles) and lastly by land through Montana and up to Alberta. The route cuts 5,300 nautical miles plus 1,400 road miles off the traditional route." (http://www.washingtonports.org/member_resources/publications/Letters/march09.htm).

17. The comments by Director Lynch were not made in the context of any proposal, programmatic or otherwise, and therefore are not an appropriate basis to expand the scope of the EA. To do so would be speculation about future activities that have not yet been proposed by MDT or any other state agency.

18. See response to Common Comment C2.

IV. The KMTP EA Fails to Include Required MEPA Alternatives.

The proposed action is described in detail in Section 2.1 of the KMTP EA. A "no action" alternative is addressed in one paragraph, and each of four alternatives is summarily addressed in the four paragraphs of Section 2.3 of the KMTP EA. The rejected alternatives include four Canadian routes and one U.S. Interstate route. The KMTP EA describes impassable barriers encountered along each of these routes, but while 9 pages of the KMTP EA are dedicated to a detailed description of extensive construction measures necessary to make the proposed new Montana route passable, there is no discussion of whether construction could be undertaken to bypass the supposed barriers on any of the alternative routes described.

Under NEPA, agencies are required to analyze a "reasonable range of alternatives," which is evaluated in light of the purpose and need for the agency action. *See, Native Ecosystems Council v. U.S. Forest Service*, 428 F.3d 1233, 1246-47 (9th Cir. 2005). Alternatives should be identified that would "avoid or minimize" the adverse environmental effects of the proposed action. 40 C.F.R. § 1500.2(e). MEPA alternatives analyses are reviewed under the same standards that federal courts apply to NEPA analyses. *See, Montana Wilderness Assoc. v. Bd. of Natural Res. and Conservation*, 200 Mont. 11, 24 648 P.2d 734, 741-42 (1982).

19 Pursuant to MEPA, the Department is required to prepare a "description and analysis of reasonable alternatives to a proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternative would be implemented." Admin. R. Mont. 18.2.239(3)(f). The Department is constrained to consider alternatives that would "appreciably accomplish the same objectives or results as the proposed action" and these alternatives must be "realistic and technologically available." Admin. R. Mont. 18.2.239(3)(f).

From the summary treatment of the alternatives discussed in the KMTP EA, it is impossible to determine whether any of these constitute a "realistic or technologically available" alternative. Each of the alternatives was dismissed due to impassable barriers without an associated discussion of the estimated cost to surmount the barriers. If there had been some comparative discussion of the cost of implementing construction measures to bypass restrictions on any of these alternate routes, it might be possible to compare alternatives as required by MEPA.

Further, the KMTP EA did not even consider the most obvious alternative that would meet the stated purpose and need of the project to ship equipment through Montana. The document fails to mention that high and wide loads are regularly shipped from the Port of Houston, Texas, through Billings, Montana to Alberta. The existence of this so-called "traditional route" was not even acknowledged in the KMTP EA.

V. The KMTP EA Fails to Employ the Best Available Science in Analyzing Impacts to Water Resources.

Underlying the entirety of the environmental impacts section of the KMTP EA (Section 3.0) is the premise that because "all of the proposed activities (construction and transportation) on highways in Montana would occur within the existing right-of-ways;" there will be no environmental impact. We fail to see the scientific basis or logic in this assertion, especially when considering the potential impact of this project on water resources adjacent to the proposed corridor.

20 Regarding water resources, the KMTP EA states, "no additional effect on water is expected from turnouts and road modifications than is already occurring from the highways and adjacent land uses." *KMTP EA*, p. 40. It is clear, however, that turnout construction will add additional paved area closer to streams than the current condition. The presented rationale of maintaining a 100-foot buffer from turnout construction to the stream will likely not prevent waterways from increased sedimentation, particularly where slopes are steep and/or vegetative cover is lacking.

19. MDT has not identified significant adverse impacts from the KMTP project. See responses to Common Comments D1 and D2.

20. See responses to Common Comment O and I.

Best Management Practices ("BMPs") listed in Appendix D of the KMTP EA inadequately address prevention of potential sedimentation impacts. The Ninth Circuit has found that reliance on Best Management Practices without more project-specific analysis to be faulty under NEPA. *See*, *Blue Mountains Biodiversity Project v. Blackwood*, 161 F.3d 1208, 1214 (9th Cir. 1998) (holding reliance on BMPs was not a "hard look" where the USFS did not account for the different soil conditions between previous sites on which BMPs were successful in preventing erosion and the sites at issue.) Simply stating that impacts to water resources will not occur and that BMP's will be used does not satisfy the "hard look" requirement.

Other specific comments include:

21 • There is no analysis in the KMTP EA of the potential impacts to water resources from the increased need for sanding and/or de-icing that will likely be required in winter months, especially on turnouts.

22 • The modification of drainage patterns on the roadways and adjacent lands has the potential to result in increased sedimentation or pollution to streams adjacent to construction activities. *KMTP EA*, p. 40. The KMTP EA states, "[c]onstruction of several turnouts will modify drainage from the road or adjacent lands; however, existing drainage patterns will be maintained or improved if necessary." *Id.* This statement is unclear and further information should be provided to adequately determine whether a potential to impact to water resources will occur that may require both state and federal permitting.

23 • In Table 25, the miles covered within the floodplains should be listed, not just the number of crossings. The KMTP EA states "[f]loodplains would not be affected by turnout construction or road modification because none of these activities are located in floodplains." *KMTP EA*, p. 40. This statement should be substantiated with a map of proposed turnouts and floodplain boundaries. Given that floodplain maps are notoriously inaccurate, these plans should be reviewed by each county's floodplain administrator, and additional survey work performed where necessary.

24 • The KMTP EA addresses spill response to routine fuel/hydraulic fluid/antifreeze leaks. *KMTP EA*, p. 42. However it does not adequately address contingencies for the possibility of a large-magnitude event, such as a truck sliding or overturning near or into a waterway. More analysis is required to determine how much fuel/hydraulic fluid/antifreeze could be spilled, and a specific contingency plan for this event should be developed.

25 • The assessment in the KMTP EA of potential effects to wetlands does not meet the requirements of the Clean Water Act or the requirements of the Executive or U.S. Department of Transportation Order for Protection of Wetlands. No functional assessment of wetlands has been done. A broad statement is made that site locations "will be adjusted or mitigation applied to avoid impacts on wetlands if necessary." *KMTP EA*, p. 39. This assessment is completely insufficient and does not meet the requirements of the FHWA Technical Advisory, the Protection of Wetlands Executive Order or the Clean Water Act. Full survey and delineation of wetlands, including functional assessment needs to be completed. Then an analysis of direct and indirect impacts to wetlands needs to be conducted.

VI. The KMTP EA Fails to Sufficiently Address the Potential Impact of the Project on ESA-Listed Species.

There are several ESA-listed species and designated critical habitat in the proposed corridor. Of particular concern are potential impacts to bull trout, a threatened species under the ESA, bull trout critical habitat, and grizzly bears, a threatened species under the ESA. The KMTP EA states that "this project does not include any federal funds, therefore consultation with the USFWS is not required." *KMTP EA*, p. 44. This statement is inaccurate. Section 7(a)(2) of the Endangered Species Act requires federal agencies to ensure that actions they fund, authorize, or carry out are not likely to jeopardize the continued existence of the species or destroy or

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21. No additional sanding and/or de-icing is needed, including on turnouts.
22. All turnouts will have sediment control and be monitored per the SWPPP. Agencies with jurisdiction have been consulted regarding the KMTP and have not identified any significant adverse impacts.
23. Section 3.9 of the EA discusses the method of determining floodplain impacts.
24. See responses to Common Comments H1 and H2.
25. See response to Common Comment I.

adversely modify critical habitat. Although it is unclear from the KMTP EA exactly what federal permits will be required for this project and for what activities, it appears that at the very least a permit from the U.S. Army Corps of Engineers will be required under section 404 of the Clean Water Act as well as one or more Special Use Permits from the U.S. Forest Service and an NPDES permit from the U.S. Environmental Protection Agency.

26 The issuance of these permits is a federal nexus that requires consultation with the USFWS under Section 7 of the ESA. Even though the KMTP EA acknowledges that informal consultation was had with USFWS regarding grizzly bears (*KMTP EA*, p. 62), there is no discussion of bull trout consultation. Further, the KMTP EA states that this project "may affect but not likely to adversely affect" grizzly bears. To adequately determine whether the mitigation measures set forth in Appendix E of the KMTP EA will prevent impact to grizzly bears, it is necessary to review USFWS concurrence letters and/or biological opinions that have been prepared for this project, which so far have not been made available to the public.

VII. The KMTP EA Fails to Accurately Analyze the Economic and Community Impacts of the Proposed Project.

The economic impacts analysis provided in Section 3.6 of the KMTP EA is insufficient on many fronts. *See*, *Economic analysis of big rigs misses hidden cost,* Steve Seninger, Ph.D., Guest Column, *Missoulian* (May 6, 2010). The analysis is clearly lacking in any substantive discussion on any potential for economic loss that could result from the project. Specifically we have the following comments on Section 3.6:

27
- The population discussion downplays the fact that the City of Missoula and surrounding communities make up the largest urban area in the State of Montana.
- There is no calculation of the time-value of vehicles being forced to wait during turnout construction and road modification, which will occur during daylight hours.
- Any impact on Ravalli County is omitted from potential economic impacts of the project. Non-commercial and commercial users based in Ravalli County use portions of the route on a daily basis during both daylight and night time hours.
- There is no accounting for costs of road and bridge deterioration that would result from this project.
- Given there is no requirement for Imperial to employ Montana workers, the discussion regarding job creation and income subject to Montana state income tax is questionable, and unable to be substantiated.
- There is no analysis of the potential financial hit to Montana's tourist industry from this project and future transportation projects along this route.
- There is no accounting of the costs of potential accidents that may occur during or related to the project.
- There is no accurate accounting of taxpayer resources that have already been expended on this project and that are expected to be spent in the future surrounding the Department's analysis of the project which has been ongoing for at least two years and which will continue well into the foreseeable future.

Thank you for considering our comments. For all of the reasons stated above, we urge the Department take a much closer look at this project and require a true and honest accounting of the associated environmental impacts.

Sincerely,

Barbara C Hall

26. The KMTP is not a federal project. That said, the effects on listed species and their critical habitat was evaluated and the determinations stated in the EA. Discussions were held with USFWS when the evaluation of effects was made. Because formal consultation was not required, the USFWS did not prepare concurrence letters or a biological opinion.

27. See responses to Common Comment M and Common Comment L.

Barbara C. Hall
Legal Director

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To Whom It should Concern,

It is well past time to consider the effect of today's actions on tomorrow's well-being.

The Kearl Module Transport Project is incredibly ill-advised.

Apart from the fact that burning fossil fuels will ravage the planet through climate change and apart from the fact that oil from Tar Sands is multiple times worse than conventionally drilled oil, the Transport Project will be devastating for DECADES to the environment of Montana and Idaho.

1 The MDT must take a much closer look at this project by requiring an Environmental Impact Statement on the creation of this industrial corridor in Montana. We also want to see coordination with the federal permitting entities involved in this project through the NEPA process. The EIS must:

2 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

3 • Require real alternatives to be considered;

4 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

5 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

6 • Identify the impact on Montana's disappearing glaciers caused by:
  - o GHG releases from the fuel use within the corridor for this project, each year
  - o GHG releases from the increased extraction of oil from Tar Sands, enabled by this project

Sincerely,
Dane Cobble

COBBLE, DANE

Form Letter 1

1. See response to Common Comment B and Common Comment A.
2. See response to Common Comment C2.
3. See response to Common Comment D1 and response to Common Comment D2.
4. See response to Common Comment M.
5. See responses to Common Comment A.
6. See response to Common Comment P.

Dear Montana Department of Transportation,

I am very concerned about the proposed high and wide corridor that will have negative impacts to our stunning rivers. First of all, if this machine is so big that roads need to be modified to move it, it shouldn't be moved. I am concerned about the impacts of this behemoth of a machine on our fragile riparian ecosystems. The mass alone seems enough to compromise the roads it will be traveling on, even if it is months after it is delivered. Even as an informed citizen and environmental studies student at the University of Montana, I was surprised by the short comment period given for such a huge proposal. A project of this size needs a comprehensive environmental impact statement, not just an EA. An analysis of the economic impacts of this proposal on our recreation and tourism industry needs to be fully considered. This horrible idea should be analyzed under the DEQ and NEPA due to the potential environmental impacts to our Wild and Scenic corridors and our communities. Thanks for your time.

Sincerely,

Patrick Colleran

1127 Jackson Street
Missoula, Mt 59802

COLLERAN, PATRICK

1. The turnouts are to accommodate the 10 minute rule, not the module trailers. See responses to Common Comments K and O.
2. See responses to Common Comments I and L.
3. See response to Common Comment B and M.
4. See response to Common Comment A.

Don't allow it.

Kevin Colussi
890 S Hoback
Helena,MT 59601

COLUSSI, KEVIN

1. Comment noted.



CAJA^3 Community Action for Justice in the Americas, Africa, Asia

P.O. Box 9274, Missoula, MT 59807-9274

May 13, 2010

Montana Department of Transportation

MDT Environmental services Bureau

PO Box 201001

Helena, MT 59620-1001

Comments re: the Kearl Module Transport Project (KMTP) EA Control Number: CN 68oo

Please accept our comments:

Climate change science and justice. It is unconsciousable for Montana to even indirectly contribute to such dirty technology when the impacts of climate change are clear. **Alternatives** need to be utilized and developed rather than ignored since life on the planet is threatened. Indigenous people— First Nations people of Fort Chipewyan in Alberta, Canada are already suffering from record rates of cancer and other ailments from pollution of the Athabasca River from the Alberta Tar Sands. The TAR Sands of Alberta are already causing such a huge negative impact on rivers, boreal forests, air, etc—irreparable harm to life on the planet, does not provide clean energy and uses more energy than produced. 1

- Our streams, wetlands and riparian zones will be subject to damage from such heavy road use (weight and size of vehicles) next to our rivers. 2
- Our recreational opportunities on the scenic rivers and byways are critical to our way of life. Any project with potential damages to these should not be allowed as it does not benefit Montanans as a whole. 3

We are also concerned at the impact of the additional roadwork on Lolo Creek, along highway

COMMUNITY ACTION FOR JUSTICE IN THE AMERICAS, AFRICA, ASIA

1. See responses to Common Comments E1 and P.
2. See responses to Common Comments I and O.
3. See responses to Common Comments M and N.

12. This creek has been listed by the State of Montana TMDL program for sediments. Additional turn-offs on this narrow road in a narrow valley will certainly contribute additional sediment to an already compromised stream channel. The result of excess sedimentation will be altered stream morphology, increased incisement and altered stream flows, which are already having detrimental impacts to stream banks and stream bank property, not to mention ecologic integrity. 4

4. See response to Common Comment O.

We ask that the 32-J permit be denied as it is inadequate. At the minimum please submit to a federal Environmental Impact Statement to take into full account all the damages that Tar Sands mining generates. Common sense dictates an EIS when such a request requires higher scrutiny. 5

5. See response to Common Comments A, B, and E1.

Thank you for your consideration.

P. Marques, R Jankowska-Bradley, C Bradley

CAJA[3] Leadership Team

submitted for team by R Jankowska-Bradley (rjankowska@montana.com)

The wildlife will in turn be impacted.

Dear MT Dept. of Transportation:

I am strongly opposed to the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. The potential risks to both our rivers and other travelers on those roads are unacceptable. It is clear that the impact on these proposed industrial route will increase over time as the development of the Alberta Oil Tar Sands expands to meet future demand. Please:

- Conduct a programmatic review for the establishment of this permanent industrial corridor; 1
- Require real alternatives to be considered; 2
- Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry; 3
- Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts 4

I appreciate you reviewing my comments.

Sincerely,

COONEY, JOHN

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

John Cooney
514 N. 9th Ave
Bozeman, MT 59715
406-580-7966

To Montana Department of Transportation,

1 I think that allowing the proposed Tar Sands equipment hauling program to proceed is a very bad idea. Who is to say what they will want to haul next, and for how long? This should have been handled in Canada. If the

2 loads are too large to drag over the Canadian Rockies, then they will have to be adjusted - their problem. This program will very negatively affect Glacier Park visitations not to mention the local rural traffic that will be inconvenienced for who knows how long. Just say NO!!

Ted Cooney

COONEY, TED

1. See response to Common Comment K.
2. The minimal disruption in traffic would not affect Glacier Park visitation. See response to Common Comment G.

I say NO to this project for various reasons. Here are just a few of them.

1 1. The "jobs" created by this project are most likely one-time only..the construction of the turnouts.

2 2. The negative impact on Montana's natural beauty, open spaces, wildlife, streams, etc.

3 3. The negative impact on Montana's tourism industry.

4 4. The real probability that this project will "open the door" to more "big rig" projects.

5 5. The real probability that Montana taxpayers will "foot the bill" through road maintenance taxes.

Please read the Guest Column in the Missoulian dated Thursday, May 6, 2010 written by Steve Seninger, an economist. His comments on the hidden costs associated with this project and its negative impact on the Montana economy make a lot of sense.

With the oil rig explosion and spill in the Gulf still fresh in everyone's minds, anything to do with oil is leaving a bad taste in one's mouth!

Jeanette Copeland
jeanette@bigsky.net

COPELAND, JEANETTE

1. Comment noted.
2. See response to Common Comment J.
3. See response to Common Comment M.
4. See response to Common Comment K.
5. See response to Common Comment L.

Dear MDT Staff,
I attended the Missoula public hearing for this proposed project on April 29th and asked Director Jim Lynch why an EIS was not prepared for such a large-scale unprecedented project such as this, especially considerng that 53 new hwy pull-outs over 300' long will be constructed along two of our most scenic and recreational use driven river corridors. The gist of his answer seemed to be that an EA was sufficient because MDT was not having to acquire any new right-of-way, i.e. the project could be contained within the existing hwy right-of-ways. However, whether the land belongs to MDT, USFS, DNRC, FWP, the tribes, or private property owners does not matter in regards to the environmental impacts, only social impacts. I am concerned that the EA lacks a

1 thorough reviwew of the environmental impacts, both to the corridors in MT and the larger issue of the additional impacts to MT from the added greenhouse gases released from the end use of these behemoth "modules." After reading and hearing more information about the project, I

2 believe the only way that it can properly be reviewed is by a complete EIS of the entire route from Idaho to the northern MT border, especially the whole Hwy 12 corridor since it is so narrow and close to the river.

3 The EIS should also address the likelyhood of this investment of 53 new pull-outs and buried utilities etc. will have on future requests for massive equipment to be shipped via this route. Because Hwy 12 & 200 are such important scenic corridors for recreation, there should be a more through analysis of how this project and future requests that are likely to occur will have on the recreational use and wildlife.

Sincerely,

Jacquelyn Corday

Missoula, MT

CORDAY, JACQUELYN

1. See response to Common Comment P.
2. See responses to Common Comments B and E2.
3. See response to Common Comment K.

The permits to allow Imperial Oil to utilize Montana's highways for loads of unprecedented size go far beyond simply allowing passage.

1 Granting the permits will mean large scale construction on public right of way. This requires a full EIS analysis before a single rock can be moved and any strip of asphalt is laid down. I believe the law is very clear on this matter, regardless of who is footing the bill.
Thank you,
Benjamin Courteau
Benjamin Paul Courteau
1105 College St
Stevensville, MT 59870
Benjamin.courteau@gmail.com
406-381-2308

COURTEAU, BENJAMIN

1. See response to Common Comment B.

1 Please be advised that I am against the plan to move heavy equipment through Montana and Missoula in particular to the Canadian oil fields.
Phil Cousineau

COUSINEAU, PHIL

1. Comment noted.

May, 14, 2010

Jerry Covault
7850 Stegner Dr
Missoula , Montana 59808

Montana Department of Transportation

Kearl Module Transport Project

Dear Official,

1 Allowing a highway transportation system capable of handling huge loads between the Lewiston seaport and Interstate 90 at Missoula and on to Canada will irreversibly change the landscape environment,, scenic character and health of the Lochsas River, Lolo Creek, the Bitterroot River and the Blackfoot River.

2 It will change the economy of the Missoula community, some will benefit others will not, but the economy will be irreversibly changed.

3 Finally such a project will irreversibly and adversely impact the social, cultural and environmental values that many thousands of western Montana residents hold. In fact, it will adversely affect the very reasons many of us choose to live here.

Irreversible decisions must only be made with the greatest and wisest amount of consideration. Few decisions have effects that effect all three elements of people living in a place, the environment, the economy and human values. This decision affects all three elements. The adverse impacts are too great to allow this to happen for the short term goals of half of $30-some millions of dollars coming to our state.

The decision must favor the people and the environment, decide to deny this proposal.

Sincerely,
Jerry Covault

COVAULT, JERRY

1. See responses to Common Comments J and O.
2. See response to Common Comment M.
3. Comment noted.

I am writing to comment on the Kearl Module Transportation Project Environmental Assessment. I find this Environmental Assessment insufficient and am opposed to this plan. I urge the Montana Department of Transportation to deny this proposal.

1 Furthermore, I request that the public comment period deadline be extended for at least 60 days. The 30-day comment period MDT set up for this proposal is not long enough and many Montanans are unaware that his plan is even in the works, It is difficult enough for citizens to stay informed or to research what such a proposal could mean to our state and to our environment. Anything less than a 90-days comment period is unacceptable. Our state Constitution states that the public has a right to participate in the deliberations of government agencies and the 30-day public comment period MDT has afforded us does not meet the spirit of that requirement. Please extend the comment period another 60 days.

2 I found the Kearl Module Transportation Project Environmental Assessment (KMTP EA) lacking in several critical areas. I believe a much more thorough Environmental Impact Assessment must be done.

3 First of all, the KMTP EA assess the impacts of this plan for only the first year. This will be a permanent industrial transportation corridor, yet this the EA makes no mention of that nor does it make any assessment of the effects of that permanency. The permanent industrial transportation corridor must be analyzed. Until that is done, neither the Montana Department of Transportation nor the citizens of Montana can possibly make an informed determination about the impact of this proposal.

4 Second, this proposal involves several states and two international borders as well as National Historical Landmarks and Designated Scenic Byways, and crosses wetlands, flood plains and habitats of endangered and threatened species. And yet the MDT KMTP EA focuses only on the narrow corridor through Montana without considering any cumulative effects across the broad region. The KMTP EA states that several federal permits will be needed, but has attempted to involve those federal agencies only in an informal way. It is obvious that a project that crosses such a broad region should require a federal analysis through the National Environmental Policy Act to fully analyzed its cumulative impacts.

5 Third, some of the environmental analysis is questionable. For example, there was no scientific assessment of wetlands done for the KMTP EA. It states that site locations "will be adjusted or mitigation applied to avoid impacts on wetlands if necessary." That is not an assessment and is totally inadequate in meeting the requirements of the Clean Water Act. It also does not meet the requirements of the U.S. Department of Transportation Order for Protection of Wetlands.

6 Assessment of impact to rivers and fish, especially the ESA threatened species bull trout, is also inadequate. While there is some assessment attempted in this area, analysis of increased brake dust wasn't considered, even though brake dust is known to be toxic to fish species. The increased runoff of salt and/or sand used to maintain safety on the roads wasn't fully accounted for nor was the impact resulting from the increased amount of paved surfaces.

COX, BECKY

1. See response to Common Comment F1.
2. See response to Common Comment B.
3. See responses to Common Comments C2 and K.
4. See response to Common Comment A.
5. See response to Common Comment I.
6. See responses to Common Comments I and O. MDT does not anticipate increased salt or sand usage on the roadway. MDT does not believe the transport of 200 modules over the course of a year significantly increases traffic.

Much of the determination that endangered or threatened species will not be affected by the construction and use of this industrial transportation corridor is based on two premises.

7 One, accidents will not happen or will be small and two, this route will be used for two loads a day for one year. The KMTP EA should have considered the possibility of a major accident such as a truck or load overturning into a river and evaluated specific plans to address the accident. It should also evaluate the cost to restore the area from any damage caused. Once established, this transportation corridor will be used for years to come and will see far more traffic than two loads a day for only one year. It is unrealistic to plan that no accidents will happen. It is also inadequate to evaluate what impacts this road will have on endangered or threatened species based on one year's use when it is known that this road will be used far beyond one year. Any conclusions presented in the EA are incomplete and adherence to these two premises render the analysis inadequate.

7. See response to Common Comments H2 and K.

8 Fourth, the KMTP EA does not assess the impacts to Montana communities along the route. Many Montanans have chosen to live here because of the character of their communities and that character will be forever changed by the industrialization of streets and road through their towns.

8. Communities would not be significantly impacted, as described in Section 3.5 and 3.6 of the EA.

9 Fifth, the KMTP EA does not assess the impacts to the economies of Montana communities along the route. There is mention in the EA that jobs will be created and income produced that will be subject to Montana state income tax, but it should be noted that there is no requirement to employ Montana workers, so at best this should be in included in the KMTP EA only as an a unsubstantiated theory. Tourism is a major economy in Montana and it depends on an appealing landscape, fresh waters, abundant wildlife and peace and tranquility. An industrialized transportation corridor with slow-moving, over-sized and noisy tractor trailers seemingly would threaten that concept. Many Montana communities are dependent on that concept. There is also

9. See responses to Common Comments Q and M.

10 the long-term financial burden to residents of Montana for the cost of deterioration to roads and bridges, as well as maintenance that the KMTP EA doesn't account for. These economic hardships must be analyze and account for, both during the construction phase and long-term.

10. See response to Common Comment L.

11 Sixth, this route follows a portion of the historical Lewis and Clark Trail and a large portion of the route is currently designated as a National Scenic Byway. The Lolo Trail and Lolo Pass are National Historic Landmarks. Industrializing the Lewis and Clark Trail, the Lolo Trail, Lolo Pass and a National Scenic Highway with a super-wide road carrying two-story high and 330,000 pound loads is incompatible with these designations. These irreplaceable assets for our state and are important to our sense of place.

11. See response to Common Comment N.

12 Seventh, it appears that Montana is being sacrificed so that Exxon can ship mining equipment to the tar sands industry in Canada. Why aren't Montanans being given more of a chance to weigh in on this plan? The deadline for comments must be extended.

12. See response to Common Comment F1.

13 Eight, this transportation corridor is being developed so that Exxon can move equipment to the tar sands in Canada. This industry generates three times the amount of global warming pollution as conventional fuel production. The KMTP EA should, but did not, analyze what additional impacts that increased pollution will have on Montana.

13. See response to Common Comment P.

14 Ninth, the MDT KMTP EA did not fully considered alternative. The section on alternatives was very short and provided very little analysis. It did mention costly roadblocks to the alternatives but did not address them or compare them to the costly construction of the proposed route. It also did not mention the already established route through the Port of Billings.

14. See response to Common Comment D1.

In conclusion, I am asking that the Montana Department of Transportation:

- Deny this proposal
- Consider the cumulative impacts across the region for more than one year
- Apply scientific methods to the analysis of impact on wetlands and waterways
- Seek a comprehensive federal analysis through the National Environmental Policy Act
- Fully analyze alternative routes
- Extend the public comment period another 60 days (see Montana Constitution (Article II, section 9).

Thank you for considering my comments.

Becky Cox

1509 Howell Street

Missoula, MT 59802

April 28,2010

CRETE, RON

To Whom This May Concern:

I have been a resident of Montana three times in my 62 years. I now live in Minnesota, yet I hold a deep personal sense of place in my heart and mind for the state where I lived, worked and raised my family. In my cumulative 24 years living in Montana I do not believe there was ever a project of the scope of the KMTP that would have been approved via a simple Environmental Assessment of the impacts of an undertaking of this scale or with the potential to harm the human environment.

1 First, I am concerned that Federal Highways are involved and affected by this project and yet I do not see where the Federal Highway Administration assumes any responsibility for decision making for the project. Where resources of national interest (rivers, wetlands, forests, aquatic species, such as bull trout, threatened grizzly bears, etc.,) may be affected by the scope (oversized equipment being moved over 300 miles) and duration (over a period of more than a year) of this project I believe Federal oversight is warranted and missing in this document. That this project involves Idaho and Montana overland, Idaho and Oregon and Washington via barge traffic on the Columbia and Snake Rivers as well as Canadian natural and cultural resources, I find it unacceptable that a simple EA with a 30 day comment period is being deemed adequate to address the human environment, no less the potential impacts to aquatic resources should an accident occur involving sensitive aquatic habitats such as Lolo Creek and Blackfoot River in Montana or other rivers of significant concern and resource values in Idaho.

2 Secondly, I abject to the Appendix D dismissal of any substantive protections to aquatic habitats or wildlife/fish resources given the possibility, no, the probability that some accident is likely to occur between Clearwater Junction in Idaho and Lolo, Montana especially in the winter months proposed. I object especially of approving this project, then holding the contractor accountable to damages if anything should happen to affect the fragile environments affected by this planned action. Is it not reasonable and customary for a significant bond to be held in trust in case such accidents occur? What is the bonding requirements for construction and transportation contractors for this project? Will they be adequate to cover fill in Lolo Creek or fishing out an overturned behemoth that has ended up in that significant and irreplaceable resource?

3 Thirdly, I do not see where the US Fish and Wildlife Service has provided comments on potential impacts to listed species in the entire reach of this project. Are there not potential impacts to salmon/steelhead in Idaho or bull trout in Montana? It is not clear from this assessment what impacts were realistically considered under best or worst case scenarios for both construction and transportation portions of this action.

4 Fourth. I have driven the road from Missoula, Montana to Lewiston, Idaho in both summer and winter conditions and after reading this assessment, well at least selected portions or this near EIS sized document I am left with the impression that building turnouts along the rivers on either side of Lolo Pass is a cake walk as is transporting these huge machines in winter without serious risk of human life or aquatic life should an accident occur. It takes hours of pure concentration to make that trip in a four wheel drive truck, yes it's a "white knuckler" as far as I'm concerned and I don't believe the residents of that area will find it easier or safer with this

1. See responses to Common Comments A and F1.
2. See responses to Common Comments E2 and O.
3. See responses to Common Comments I and O.
4. See response to Common Comment L.
5. The US Fish and Wildlife Service was consulted (see EA page 62).
6. See responses to Common Comments H1 and H2.

action in progress during one or more winters.

7 Fifth. A 30 day comment period for a document of this size and scope is inappropriate and you know it.

8 Lastly, come on! You cannot piece meal this project by writing separate EA's in each affected area of this project to reduce the environmental effects. A project of this scope involving four states and Canada requires the comment period and scoping of an EIS and that is what I suggest you find in your decision document for this EA.

Thank you for the opportunity to comment on this proposed project.

Ron Crete
26183 292nd St.
Callaway, MN 56521
218-375-3244
rondolyn@arvig.net

7. See response to Common Comment F1.

8. See response to Common Comment B.

CRETE, ZACH

Name: Zach Crete
Address Line 1: 5166 Avalon Lane
Address Line 2: na
City: Lolo
State/Province: MT
Postal Code: 59847
Email Address: zachcrete101010@gmail.com
Phone Number: 406-546-3113
Fax Number: 406-546-3113

To whom it may concern:
Montana's preamble to the constitution says " We the people of Montana, grateful to God for the quiet beauty of our state, the grandeur of its mountains, and the vastness of its rolling plains, and desiring to secure to ourselves and our posterity the blessings of liberty for this and future generations do ordain and establish this constitution" [emphasis added].

What this means is that Montanans feel a special bond to the place they live and raise their children and felt the need to make it emphatically known. I have a story about my Montana. I live in the town of Lolo. In the state of Montana, I work exclusively on the Lolo Creek watershed. I hunt, hike, bike, climb, ski, work, and play with my kids all in my back yard: The

Lolo Creek watershed. Two weeks ago, my five year old daughter Kira and I were collecting stoneflies on Lolo Creek when we were interrupted by a cow and calf moose 20 feet from us on a gravel bar, wow! Not two minutes later we listened to a ruffed grouse drumming on a log while watching a mayfly emerge on a rock. These things are the norm not the exception. These things and many others like it are at risk when big money struts into town claiming things they can't possibly know with a shallow simple environmental assessment.

1 First, how is it possible that an EIS has not been required when interstate money is being spent or will be spent if the project is approved. Shouldn't the Highway Administration be responding to this proposal? Shouldn't the Corp of Engineers for the travel on the Columbia River??

2 Second, there needs to be more information about the Clean Water Act and the provisions therein. The wetlands of Lolo Creek are diverse and not always apparent. The ephemeral nature of many watershed habitats makes it difficult to know what you are working with if you don't have a good survey through time.

3 Third, there will be long term maintenance costs for the newly constructed turnouts, that will in no way benefit Montana, that will be paid for by the taxpayers. The effects of additional snow removal and gravel on the road will continue to degrade the quality of the Lolo Creek watershed, and there is nothing said about this in the EA.

4 Fourth, the EA leaves a lot to be desired in the event of an accident. This is huge equipment and if it ends up in the creek, what's the plan??

5 Fifth, the money being spent is a joke. Most of it will go to a foreign truck company that fills up the gas tank at Exxon. There is very little economic gain for the state if any.

6 Finally, accidents aways happen and the cumulative effects to the Lolo Creek watershed, where the worst road conditions exist, has not been examined. An EIS is warranted with an application to an action of this scale. The NEPA process is the lawful route.

Zach Crete
5166 Avalon Lane
Lolo Montana, 59847
Aquatic Ecologist USFWS YDNWR
Graduate student University of Montana
Member Lolo Creek Watershed Group

1. See responses to Common Comments A and B.
2. See response to Common Comment I.
3. See response to Common Comment L.
4. See response to Common Comment H2.
5. See response to Common Comment M.
6. See responses to Common Comments A, B, H1, H2, and H3.

Name: Michael Cropper
Address Line 1: PO Box 1423
Address Line 2: Montana View Drive
City: Seeley Lake
State/Province: MT
Postal Code: 59868
Email Address: macropper@blackfoot.net
Phone Number: 406 677 5251

Comment or Question:
I am deeply troubled by the Mt Transportation Dept.,'s sanction of the transportation of the equipment for Imperial Oil's facility in Alberta through Montana. This is definitely not in the interests of Montanans and this action should be reconsidered and put to the people of Montana.

1 There is inherent danger of accidents to the traveling convoys which could be disasterous to the environment and cannot be avoided just by faith. Please do not do this, it is a serious mistake and all the money that we'll be told will come to Montana is not worth it. By accepting payment the State leaves all the onus for cleanup and repairs to the tax payers with no recourse in the courts. Please don't do this.

CROPPER, MICHAEL

1. See responses to Common Comments L, H1, and H2.

Forwarded at Stacy's request.

Ann W. Cundy
Senior Transportation Planner
Missoula Office of Planning and Grants
127 W. Spruce St.
Missoula, MT 59802-4203

Stacy,

I sent this to Dave (I live in the Rattlesnake) but I thought I'd send it to you too as you chair the committee:

Like many I've been curious about the Exxon transportation plan. Curious enough that I looked at the EA to try to answer a question I had regarding an alternate route.

1 Using Kitimat, BC as the port of Entry would solve all sorts of the associated problems and greatly reduce the costs of transport. Yet, in the EA (Section 2.3 - Alternatives Eliminated) they apparently only considered Prince Rupert and NOT Kitimat. This is a weird decision. The Kitimat highway is the wide, paved haul road for bauxite to the Rio Tinto-Alcan smelter. The route would decimate the total mileage (ship & road) from Korea to Alberta.

Kitimat is the third largest deepwater port in BC and is a bit southeast of Prince Rupert. The road from Kitimat to Terrace avoids the height restriction 35 km east of Prince Rupert.

CUNDY, ANN

1. See response to Common Comment D1.

--
Steven Sheriff
Professor of Geophysics
University of Montana
Missoula, MT 59812-1296
www.umt.edu/geosciences

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Dearest DOT,

We have an issue on our hands. And by we, I mean the people of Montana, the residents in which you serve, to make this wonderful place better. It angers me to know that you are skirting around the larger picture here. I don't have enough fingers on my hands to count the obvious reasons that this big rig proposal is wrong. Aside from the fact that you're selling us out to one of the biggest and most destructive and dirty corporations on the face of the planet, you're setting us up for a large string of future failures. I am offended by your lack of emotion in regards to this issue, and your supposition that we as the people would turn our heads and not react up in arms. You're digging us a hole that we will never be able to get out of.

It clearly states in MEPA that to the fullest extent possible you will 'recognize the national and long-range character of environmental problems and, when consistent with the policies of the state, lend appropriate support to initiatives, resolutions, and programs designed to maximize national cooperation in anticipating and preventing a decline in the quality of the world environment.'

1 If you had any right of mind you would do some research on the procedure of oil sands extraction. You would learn that oil sands are widely known as unconventional. You would learn that the process in which one extracts this oil from sand generates two to four times more greenhouse emissions per barrel than that of a barrel of 'conventional' oil. You would also learn that all processes of extracting oil from sands use excessive amounts of water and energy and at the same time emanate carbon dioxide. You would see photographs of these mining operations and not be able to fathom the degree of destruction they cause. You would learn that the land is

CUNLIFFE, SHELBY

1. See response to Common Comment E1.

ultimately irreclaimable after such a procedure, and the land in which is being mined is hundreds of square miles.

If you had any right of mind you would listen to the public very carefully. We are saying that the 'benefits' of this project don't at all outweigh the determents. I scoff at your deduction that 68 million dollars is at all a legitimate incentive for us to allow you to carry on with the issuing of these big rig permits. We as your public aren't at all unintelligent.

2 I demand that you, for the sake of the quality of our human environment, follow through with an official environmental impact statement. I also demand that you extend the public comment period due to the fact that you all did a fine job keeping this project from the public's ears until only recently.

The public has spoken. You've most likely made up your minds without our discretion. I pity you for that.

Good day,
Shelby Cunliffe
Missoula Resident

2. See response to Common Comments B and F1.

CURDY, WILLIS

Mr. Jim Lynch
Director, Montana Department of Transportation
Capitol Station
Helena, MT. 59620

1 Director Lynch:I am taking this opportunity to request that Kearl Transportation request for movement of the so called "big load/rigs" be postponed until either a full Environmental Impact Statement is completed or Kearl Transportation address several issues which are of significant concern.

1. See response to Common Comment B.

During the presentation at the Meadow Hill School public meeting, Kearl representatives did not provide acceptable answers to questions concerning public safety, accident response and potential environmental contamination of Lolo Creek and the Blackfoot River. In addition, Environmental Assessment does not address the impact to tourism and the local economy.

2 The proposed Environmental Assessment does not adequately address any procedures for dealing with a situation where the loads end up in Lolo Creek or the Blackfoot River. The EA talks about clean up equipment with each load, however, it did not address how a significant fuel spill in the fast moving Lolo Creek or Blackfoot River would be cleaned up. In addition, it seems that Kearl Transportation believes that no accident would ever occur. This sounds like the same attitude which as lead to the worst oil spill in American history at the Deep Horizons off-shore oil rig. Accidents happen and accidents occurring in a stream containing threatened bull trout are of

2. See response to Common Comment H1, H2, and H3.

serious concern. In addition, the EA does not provide any procedure to deal with life-threatening emergencies which might occur behind a big load accident on U.S. Highway 12.

3 U.S. Highway 12 is a major tourist route into and out of Montana. Although, Montana has little or no influence over Idaho's management of this project, local tourism oriented businesses will suffer because once the word gets out on the delays and traffic management issues with these loads in both Idaho and Montana, travelers will seek other travel routes thus impacting Missoula and surrounding area businesses. Whether the movement of these rigs is during the day or at night, there will be an impact and that impact must be addressed.

Again, I am asking that these questions be addressed through a more thorough vetting process.

Respectfully,
Willis Curdy
Willis Curdy
11280 Kona Ranch Road-Missoula, MT. 59804

3. See response to Common Comment M.

1 Seldom have we had the chance to oppose an environmentally awful project in another country. But because mining of the oil from tar sands needs MT's approval to drive massive, heavy loads of equipment over our highways, we do have this opportunity. Please don't allow MT to be the facilitator of this bad plan. Besides which what those loads will do to our highways, roadsides, and drivers' impatience is huge.

JUST SAY NO.
Robert A & Susan H Cushman
355 Cushman Lane
Condon, MT 59826

CUSHMAN, ROBERT A. AND SUSAN H.

1. See response to Comment E1.

	DATSUNBILL [WDI44@YAHOO.COM]
1 I'm e-mailing my complete SUPPORT for the Kearl Transport Project.	1. Comment noted.
Here are my comments after reading the EA in regards to moving the Kearl modules through MT: 1 • What IF an accident happens in a river? The EA does not address a contingency plan. 2 • There is no plan for maintenance or re-contruction of roadbeds that will need repairs in the future from these heavy loads. MT roads fall apart just from local traffic and weather. This cumulative effect was not addressed in the EA. 3 • Overall, the transport of this large, heavy, and slow equipment does not provide enough benefit to our state and local economics over the impacts and risks. Mary Ann Davies 825 Elm / 698 Shining Shirt (off N. Placid Lake Rd) Missoula / Seeley Lake 406 721 7895	**DAVIES, MARY ANN** 1. See response to Common Comment H2. 2. See response to Common Comment L. 3. See response to Common Comment M.
Dear Highway Dept Representative: I wish to register a protest of the Kearle Module Transportiton Project through Montana and Idaho. 1 The equipment never should have been built to its size of 24' X 30', and as much as 200' long. It should have been built in smaller components that can be transported on our highways through existing laws and regulations in both states. The oil company also has the option to transport by ship to British Columbia. It should not be allowed through Montana at all. Bob Deaton 2710 Mulberry Ln Missoula, MT 59804	**DEATON, BOB** 1. See responses to Common Comments D1, D2, and D3

To whom it may concern:

I recently learned about the request by Imperial Oil for a transport permit through Montana for tar sand mining equipment destined for Alberta.

I am very concerned about the devastating effect tar sand mining has on the environment. There are multiple and serious concerns:

1. mining operations in Alberta destroy valuable old growth forests

2. using oil derived from tar sands produces 3 times more greenhouse gases than conventional oil

3. mining operations compromise water quality

4. tar sand derived oil produces more air pollutants and particulate matter which affects Montanan's health.

Please require a complete environmental impact statement before making any decisions to grant such a permit.

Thank you, Borries Demeler
P.O. Box 9252
Missoula, Montana 59807

DEMELER, BORRIES

1. See response to Common Comment E1.
2. See response to Common Comment B.

Dear Sirs,

Please prepare a full environmental impact assessment on the tar sands. I am STRONGLY against the use of this terribly polluting and devastating energy source. And I think Montana should not allow them to ship their equipment on our roads. This is a terrible idea.

Thank you,

Erin Denton
Livingston, MT

DENTON, ERIN

1. See response to Common Comment B.

Dear Mr. Martin,

I am writing you to urge you to deny the use of Montana highway 200, and Montana's portion of U.S. highway 12 by Imperial Oil to transport oversize loads to Alberta, Canada for the Kearl Module Transport Project. We, as citizens of Montana, have very little to gain and much to lose, in this transportation scheme. Our highways, public safety and enjoyment of Montana's scenic wonders will be severely compromised by these planned trips. The potential for a catastrophic accident caused by these massive loads, as well as the environmental damage in sensitive areas is too great to allow them to use our highways. We all know that this is simply the cheapest route for Imperial to use, and that in spite of their protests to the contrary, they simply do not care about

DIERS, WILLIAM DEAN

1. See responses to Common Comments G, H2, J and I.

Montana, our rivers, our highways or our way of life.
Do the right thing.
Sincerely yours,
William D Diers
3530 Holly Lane
Stevensville, Montana

1 Why can't Kearl have these loads come into ports in British Columbia and use their roads to get to Alberta? Gerald A. Diettert, 9595 Nevada Trail, Missoula, MT, 59808, (406)549-2934, jerryandethel@yahoo.com

DIETTERT, JERRY

1. See response to Common Comment D1.

Dear Mr. Martin,

1 I am writing regarding the planning and analysis for the Tar Sands shipment project completed by the MDOT. I am frustrated that the MDOT did a fairly cursory analysis on the impact of allowing the Exxon Mobile corporation to ship their equipment through Montana. The potential impact of these shipments on our environment, community,

2 transportation needs, and so on is very significant and I urge your department to complete a more thorough environmental impact assessment that addresses the impacts these shipments will have on our local communities, emergency vehicle passage, the

3 flow of traffic, and the potential environmental damage from road construction. In addition, the impact of the Tar Sands mining on climate change here in Montana should be considered as well. I appreciate your time and attention to this matter and I can be reached at 406-541-2727 if you have any questions.

Sincerely,

Kevin B. Dohr
1017 Sherwood St.
Missoula, MT 59802

DOHR, KEVIN B

1. Comment noted.
2. See response to Common Comment B.
3. See response to Common Comment P.

To Whom it May Concern,

1 It is my opinion that the Kearl Module Transportation Project is a bad idea for Missoula and our surrounding natural environment. I fear the financial burden this project will put on tax payers, as well as the potential negative environmental impact. Please do not go

2 through with this project without a more diligent EIS - if at all.

Thank you for your consideration,
Amy Dolan
Missoula, Montana

DOLAN, AMY

1. See responses to Common Comments I and L.
2. See response to Common Comment B.

Tom Martin

MDT Environmental Services Bureau
P.O. Box 201001
Helena, MT 59620-1001

Dear Tom,

My name is Jerry Dombrovske. My wife Cathy and I live at Milepost 36, Highway 287. We reside in the only habitation that faces the highway between Augusta and Bowman's Corner, a distance of about 19 miles. I am taking this opportunity to express several concerns I have regarding the proposed Kearl transport project, which if implemented would pass directly by our home and through our little town.

My concerns are divided into 2 groups. Group I is specific to the effects of the proposed action as it affects the environment at my residence. Group II is more general, and deals with the analysis process itself.

Group I : Direct effects on the area from turnout construction and use at Milepost 36.1 on Highway 287.

1 As the owner and resident of the only house facing Highway 287 between Augusta and Bowman's Corner -- a distance of about 19 miles -- the impacts of the Kearl proposal on the air quality, wildlife, quality of life, use patterns, and potentially water quality of my piece of the world are of primary concern. Given the fact that ours is the only inhabited property along this stretch of road, it seems ludicrous to locate a parking turnout directly in front of it, rather than at a more appropriate location either north or south of Milepost 36. There exists a site about 1/2 mile to the south, adjacent to State land, which I believe would be much better from the aspect of real effects on both people and wildlife.

The EA discusses the construction of the turnouts and claims that their existence would be beneficial in the long run. This may be true for some, but it is false for others. An EA needs to speak to specifics to determine actual effects. The following comments are specific to this turnout, and activities at the Milepost 36.1 Highway 287 location:

2 1 -- Air Quality -- The use of this turnout by 12 vehicles per convoy and up to two convoys per day (as indicated in the Choteau Acantha's March 17 article on Bruce Brookman's presentation) will indeed affect our air quality -- 12 vehicles, some of them large diesels, idling for 10-20 minutes on the upwind side will affect and degrade the air quality at this point.

DOMBROVSKE, JERRY AND CATHY

1. This particular turnout has been relocated to MP 35.6. See response to Specific Comment B.

2. Most vehicles associated in the move would not enter the turnouts as they would be controlling traffic. Depending on other traffic using the route at that location, many turnouts would not be used for most modules.

3 2 -- Wildlife -- Our property is currently neither grazed nor cultivated. As such, it functions as nesting and rearing habitat for myriad species of birds and mammals. The birds include sharptail grouse and longbilled curlews, which are both Montana species of concern. Light and noise from 12 vehicles and 20 people once or twice each night will displace many of these nesting species and quite a few of the mammalian species present. Since this is the only currently undisturbed, ungrazed and uncropped parcel near here, these creatures will have to move a significant distance to find new habitat.

3. See response to Common Comment I.

4 3 -- Human environment -- The construction and perpetuation of a parking turnout at Milepost 36.1 will have effects which outlast the use of this structure by the immediate Kearl project. Highway 287 is promoted as the scenic route between Yellowstone and Glacier National Parks. It is shown as such on some highway maps, and receives quite a bit of RV and tourist traffic. People presently stop on our driveway approach to take pictures, etc., but don't stay. The construction of a turnout will encourage them to stay, and even facilitate overnight camping, with its attendant litter and sanitation, disturbance, and security concerns associated with this use, as well as the disturbance to our privacy. Moreover, any pets traveling with them would not understand private property and would probably wander in; our own dogs are trained to protect our place and may react. At present, our dogs are trained to stay within certain perimeters directly around our home and outbuildings; the presence of campers and pets would make maintaining their training a challenge. If the analysis for the recent reconstruction of Highway 287 had proposed the construction of a turnout at this location, I would have appealed that decision, and the same is true in this case.

4. This particular turnout has been relocated to MP 35.6. See response to Specific Comment B.

5 The regular use of this turnout -- the only one in front of an occupied house fronting Highway 287 between Augusta and Bowman's Corner -- by Kearl convoys presents other concerns, as well. The staging of up to 12 vehicles with their engines idling for at least 10-20 minutes, together with the light plants, lights, radio traffic, people talking, etc, all occuring between approximately 1:00 and 4:00 a.m. will indeed have a significant impact, no matter what is claimed on Page 36 of the EA. The light pollution alone will result in a considerable disturbance. Litter and sanitation problems from 20 people per convoy will be significant. The disturbance to our dogs will destroy much of the training they have undergone, and last but not least the effects on my wife and me will be significant. Perhaps we are unusual, but both my wife and I tend to sleep between 11 p.m. and 7 a.m. The health impact of such regular disturbances during these hours really concerns me. Most of these problems can be avoided by simply moving the turnout planned for Milepost 36.1 back to Milepost 35.5.

5. See comment responses above.

Group II -- Comment on the analysis process.

6 My first concern flows from the fact that Highway 287 is a Federal highway and has been reconstructed using primarily Federal dollars. As such, it seems that NEPA rather than MEPA would be the proper venue for this analysis.

Further, although the EA is well-written, it has some decidedly weak spots, false assumptions, and arbitrary decisions within it. The following are some of my concerns:

1) Purpose and Need

7 The purpose of the report is clearly limited to how to make the Kearl project seem somewhat acceptable, rather than discussing whether the project should ever occur.

2) Scoping

8 The EA mentions lots of names of officials. However, scoping should search out those people most likely to be affected by the proposed action. In our case, at least, that was not done, even though we are the only people living on Highway 287 between Milepost 20 and 39, and even though you have a parking turnout planned for our front yard. Not contacting us for our input ignored the basic principles of the scoping process.

3) Issues identified

9 Given the scope of this proposal (up to 2 convoys per day with up to 12 vehicles and 20 people in each convoy at each site) the report should have included the effects on people who reside adjacent to stopping or parking areas or in towns along the route. This omission was probably the result of inadequate scoping.

3) Alternatives

10 The Alternatives section does not include the most apparent one to many of us -- that of having Exxon Mobile (aka Imperial Oil) build and/or assemble the modules either in the northern U.S. or, more realistically, in Alberta. The exportation of this effort to Korea, where cheap steel and cheap labor are available, probably saved Exxon/Mobil lots of money, but the citizens of Montana will support that deportation of jobs with their own inconvenience and endurance of negative effects. One of these negative effects not addressed is, of course, the cost to taxpayers of repair and rebuilding of our highways once these heavy loads have passed through our part of the world and are making money for the oil company. Another would be the possible future use of this corridor,

11

12 once established, for the shipping of further materials necessary to future expansion of work at the Alberta site.

In particular, the following supporting statements are completely arbitrary, some false and some inappropriate for an analysis.

6. See response to Common Comment A.

7. The need for the project is defined in the EA. MDT will decide whether or not the project should be allowed.

8. This turnout will be relocated to M.P. 35.6 of See response to Specific Comment B.

9. See response #2 for this letter.

10. See response to Common Comment D3.

11. See response to Common Comment L.

12. See response to Common Comment K.

-- P. 25, 3.6.1 No action alternative: This is a blatant attempt to say that everything would go downhill if the project did not occur.

--P.34, 3.7 Air quality and noise: This section would actually indicate that 12 vehicles parked at any point for 10-20 minutes don't make any noise. It would also indicate that, so long as no actual noise ordinance exists at present, they would be free to create noise regardless of its impact on anyone.

13 --3.7. 2.5 PP2: "As a result, the noise etc. -- This is also an arbitrary statement. A 5% to 20% increase in daily traffic would most certainly have an impact, and loads 3 times the state weight limit coming downhill with Jake brakes working are certainly going to make noise. It is difficult to believe their assertion that "noise impacts on residences would be no greater than normal traffic."

--3.7.2.6: "Residences near parking turnouts wold not be noticeably affected." This sentence is false and arbitrary -- Does anyone truly believe this? The cumulative impacts of noise and air quality, in addition to the factor of light pollution, will still be significant where convoys stop for 10-20 minutes at night. That, coupled with litter, sanitation problems and wildlife disturbances, indicate potential short and long term significant effects and need to be dealt with. To assert that there would be no noticeable effect is counter-intuitive and certainly arbitrary.

13. As stated in the EA, they would not make more noise than the current use of the road.

14 The potential long and short term effects of this proposed action require an EIS to identify and evaluate them. The scope and magnitude of this proposal and connected actions -- only some of which were alluded to in this document -- also require that an environmental impact analysis be completed before any permits are issued or actions taken on the part of the state. I would also point out that, since the Kearl project affects Federal highways, as well as resources and people in multiple states, the National Environmental Policy Act applies, and an analysis under NEPA is required.

14. See response to Common Comment A and B.

15 All in all, this analysis appears to be a justification statement to give Exxon Mobil what it wants. There are apparent flaws in the analysis process. That the planners placed a parking turnout directly in front of the only residence fronting Highway 287 between Augusta and Bowman's Corner, even though a much better site is available less than a mile away, is indicative of a less-than-quality planning effort. Either that or the writer was suffering from a severe case of CCRI. Regardless, if these concerns are not addressed, I will appeal any decision adopting this proposal.

15. See response to Specific Comment B.

Sincerely,

Jerry and Cathy Dombrovske
P.O. Box 212

2274 Highway 287
Augusta, MT 59410
Phone: 406-562-3617

DOMITROVICH, NICK

To whom it may concern,

1 I am highly skeptical of the self-serving and conclusory proclamations made by project officials to date in regards to potential adverse impacts, as well as the alleged $68 million beneficial impact on the local economy. This number fails to account for potential environmental degradation, impact to roads and bridges, as well as the countless hours likely spent by Montanans and visiting tourists trailing behind these crawling behemoths. I recreate several times per week in Montana during this season and know very well what the impact of big rigs is on traffic on roads like Highway 12 and Highway 200. Having personally witnessed a fatal accident just two summers ago on Highway 200, I'm particularly wary of any situation that will further exacerbate the safety concerns on these roads. Until we see some real comprehensive analysis and a clear boon to our state, I must insist that we do not allow this project to go forward. Thank you.

Nick Domitrovich
Missoula, MT

1. See responses to Common Comments, G, L, H1, H2 and M.

DONAHUE, JANET

1 I oppose the issuance of a permit for the big rigs until a complete EIS is performed and results show no impact.

Janet L Donahue

1. See response to Common Comment B.

DORI

1 I am in favor of letting these rigs move through Montana. I seems to me that they are going to

have pullouts all along the designated highways to keep from holding up traffic too much. The state of Montana will benefit from the improvements as there are not many places to pull over on the routes that they are to be using. Dont deter the energy self-sufficiency. that our continent needs.

Dori

1. Comment noted.

Name: Devin Dotson
Address Line 1: 1210 V St NW, Apt 1
City: Washington
State/Province: DC
Postal Code: 20009
Email Address: devinmd@yahoo.com
Phone Number: 3342200891

Comment or Question:

I am dismayed to hear about the project where utility relocations, traffic structure modifications, turnout modifications and new turnouts will have to be made for ExxonMobil -- a company with billions of dollars of profit last year alone.

1 Exxon should be required to dismantle their equipment into smaller, manageable loads that can be moved on Hwy 12 without all the damage to scenic areas including the Wild and Scenic Lochsa River in Idaho.

Include the option where Exxon takes responsibility for its work and have them dismantle their equipment in Lewiston, Idaho before transport.

DOTSON, DEVIN

1. See response to Common Comment D3.

To whom it may concern,

I am writing to express my concerns about the KMTP. The plan to use Highways 12 and 200 seems so ill conceived. Tourists and residents alike use both of the roads heavily in the summer

1 months, driving cars, and trucks but more significantly driving rvs, motorcycles and bicycles. The KMTP plan will create dangerous driving conditions, as other users impatiently wait out road closures, or pass the big rigs with their big loads.

2 I wouldn't be voicing my opposition to the plan, if we didn't have Interstate Highways 90 and 15 in place. They were built to handle interstate transport of military and commercial traffic, and can do so safely and efficiently.

Please consider this as you deliberate.

Thank you for your service to Montana,
Jody Drew
3114 South 7th Street West
Missoula MT 59804

DREW, JODY

1. See responses to Common Comments G, H1, H2, and H3.

2. See response to Common Comment D2.

1 I am opposed to the proposal of transporting the modules through the State of Montana. I do not accept the statements in the EA that this project will not have negative affects on our highways and waterways, especially the Lolo Creek and Blackfoot River drainages. If Canada wants to proceed with the project in their country, fine, then bring the equipment in through Vancouver B.C. and transport it across the Trans-Canadian Highway system.

Dale J. Dufour
5550 Bison Lane
Lolo, MT 59847
May 13, 2010
seaotter@montana.com

DUFOUR, DALE

1. See responses to Common Comments D1 and O.

Voicemail comment received by me today from Jane Duncan……..

1 I want to register opposition to the Kearl Module Transport Project. I feel as though it would be a destruction to the environment and the effects would be lasting.

Jane Duncan
20 Russell Park West
Missoula, Montana

DUNCAN, JANE

1. Comment noted.

To Whom It May Concern:

I am writing to request that the Montana DOT analyze the Kearle Module Transportation Project with a full Environmental Impact Statement, including Imperial Oil's request for high, wide load permits. The EA is inadequate. A federal EIS for this project is more appropriate, as it affects several states. Is any federal stimulus money (ARRA) being used on this project for construction of the 300 miles of highway in Montana or in any other way? If so, that requires a federal EIS. 1

I totally oppose the project for many reasons.

2 1. Travel and tourism is the second largest industry in Montana. The type of traffic and associated congestion with this project will be disruptive and a hindrance to visitors traveling by car. Potential visitors will likely avoid this area altogether. The Lochsa River, Lolo Creek, the Blackfoot Valley and the Rocky Mountain Front are some of the most outstanding landscapes in the United States. What impacts to these areas will the construction associated with this project have? The Lochsa was designated a Wild and Scenic River in 1968. How will this project impact the river?

3 2. I am also concerned about safety on Montana's roads. The project will possibly disrupt the movement of emergency vehicles. This is unacceptable because it makes Montana roads even more dangerous. It is already treacherous to drive the snowy, icy roads of Montana during the winter with just one car on the road. There will be even more danger with this project because

DUPREE, BEVERLY

1. See responses to Common Comments A and B.

2. See responses to Common Comments M, J, and E2.

3. See response to Common Comment H3.

4 more cars will be held up by the high/wide loads, and/or traveling closer together, which could cause more accidents. In addition, what impact will these loads have on the road infrastructure? Will improvements have to be made in the future at Montana's expense, further complicating tourism traffic?

4. See response to Common Comment L.

5 3. I firmly oppose the use of Montana's (and Idaho's) beautiful scenic byways as a corridor for these types of loads at any time - now or in the future.

5. See response to Common Comment J.

6 4. I would like the EIS to include an alternative that analyzes using the current route from the Port of Houston.

6. See responses to Common Comments B and D1.

Thank you for the opportunity to comment. I would like to be kept informed about the development or termination of this project.

Beverly Dupree
639 N 4th
Missoula, MT 59802

DUTTON, BARRY

Dear MDT,

1 Please extend the EA comment period and conduct a full EIS for the Big Rig project. The EA does not accurately or adequately evaluate the potential effects of this proposal. The EA does not consider the potential for long-term effects and does not fully disclose the potential impacts such as:

1. See responses to Common Comments F1 and Common Comment B.

2 1. Stream impacts from wrecks which are frequent along these routes and **certain** to happen

2. See response to Common Comment O.

2. Increased costs of maintainance for new infrastrucuture

3 3. Costs to businesses that depend on these corridors including outfitters, guides, motels, restaurants, etc.

3. See response to Common Comment L.

4. See response to Common Comment M.

4. Costs to all businesses and Montanans in lost time waiting - the proposal goals to limit holdups will never be met in the real world

5 5. Damage to roadways - these rigs will put stresses on roadbeds and other infrastructure never experienced before and that cannot be accurately estimated - **but will certainly occur**

5. See response to Common Comment L.

6. Comment noted.

6 6. Potential effects of protest actions and litigation on future movement of these rigs

- this project will create a storm of protests and litigation

7 7. Inconvienence to Montanans who will wait behind these rigs and the problems that develop - saying they will not wait is wishful thinking

8 8. Wetland impacts from new infrastructure - this is a required disclosure in the EA process

9 This project sets a bad president for future corridor use and similar projects. It is essential that it be completely evaluated and the effects accurately conveyed to the public. Without such evaluation there will likely be years of litigation, protest and bad publicity for MDT.

Thank you for considering my comments.

Barry Dutton
2815 Tivoli Way
Missoula, MT 59802
406-728-4394 home
406-240-7798 cell
dbarry13@q.com

7. See response to Common Comment G.
8. See response to Common Comment I.
9. See response to Common Comment K.

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1 As I understand the Montana Constitution, we are all guaranteed the right to clean air, water and the beauty of the landscape. If this project happens, This will not be the case for a great many people.

2 I also understand that there is already a designated way to get these items to Canada, which does not involve the scary thught of really oversized truck on Highway 12 and up the Blackfoot.

Please say no.

Thank you,
Serena Early
Missoula

EARLY, SERENA

1. The EA indicated there would be no significant impacts on air or water resources.
2. See response to General Comment D1.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

EARLY, SERENA

Form Letter 1

1. See response to Common Comment C2.

2 • Require real alternatives to be considered; 3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry; 4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts Thanks, Serena Early	2. See response to Common Comment D1 and response to Common Comment D2. 3. See response to Common Comment M. 4. See responses to Common Comment A.
Dear Montana Department of Transportation: I do not support the Kearl Module Transport Project and the creation of a permanent 'high and wide' industrial corridor along Montana's highways and river ways. I urge you to: 1 - Extend the comment period so to allow for the consideration of the full input from the citizens of Montana, 2 - Conduct a full EIS on this project, under the standards of NEPA, 3 - Require that real alternatives be considered, 4 - Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry. 5 The EA says there are no risks, but that is simply not true. In fact, that's the same that was said by the proponents of the Deepwater Horizon platform in the Gulf of Mexico. Of course there is a risk of an accident, fuel spill, or massive cargo spill into one of our rivers or highways. And, similar to the Deepwater Horizon accident, there is no contingency plan for how to address such an accident. Even without an accident, our rivers, views, and natural landscape will be impacted by widened roads, additional turnouts, and slow, heavy loads. The risks and impacts are simply not worth the return. 6 Of the minimal economic benefits claimed by the proposal, few will actually benefit the average Montanan; most will go to out-of-state pockets. Montana businesses, will, however, be negatively impacted by the traffic and construction and those impacts are not properly documented or considered.	**ECOLOGY PROJECT, JULES OSBORN** 1. See response to Common Comment F1. 2. See response to Common Comment A and B. 3. See response to Common Comment D1. 4. See response to Common Comment M. 5. See response to Common Comment H2 and Common Comment O. 6. See response to Common Comment M.

7 Additionally it is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands, not simply the 12 month period currently under consideration. This is a multi-state, multi-year endeavor and deserves a more thorough analysis and consideration of the long-term environmental and economic impacts.

It is the natural capital of this state that drives tourism and much of Montana's business, my own included. To jeopardize this value for a short-term, low-return proposition like the Kearl Module Transport Project is a bad idea.

I appreciate your consideration of my concerns about these important issues.

Sincerely,
Julie Osborn
2502 Sycamore St.
Missoula, MT 59802
406 541-2712

7. See response to Common Comment K.

Dear MT Dept. of Transportation:

I am concerned about Kearl Module Transport Project and the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic highways and river ways.

I relocated my business to the state of Montana over six years ago in part due to the beautiful and uncongested highways and the beautiful rivers. We have 30 highly qualified employees that we are able to attract and retain due to the natural value of our surroundings. It is this natural capital that is the driver of tourism and a lot of business that comes to the State of Montana. To jeopardize this value for a short-term, low-return proposition like the Kearl Module Transport Project is a bad idea.

ECOLOGY PROJECT, SCOTT PANKRATZ

1 The EA says there are no risks, but that is simply not true. In fact, that's the same thing they said about the Gulf platform. Of course there is a risk of an accident, fuel spill, a massive cargo spill into one of our rivers or highways. And the risk is simply not worth the return.

1. See responses to Common Comments H2 and O.

2 Additionally it is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands, not simply the 12 month period currently under consideration.

2. See response to Common Comment K.

This is a multi-state, multi-year endeavor, therefore, I urge you to:

3 - Extend the comment period so that full input from the citizens of Montana can be delivered and considered,

4 - Conduct a full EIS on this project, under the standards of NEPA,

5 - Require that real alternatives be considered,

6 - Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry

Thank you,

Scott Pankratz
2502 Sycamore St.
Missoula, MT 59802
406 541-2712

3. See response to Common Comment F1.

4. See responses to Common Comments A and B.

5. See response to Common Comment D1.

6. See response to Common Comment M.

Sirs:

This project proposal is almost too absurd and outllandish to comment on seriously. Additionally, I am fully aware that no amount of public imput makes an iota of difference to the outcome of this sort of muscle play on the part of massive industrial money in Montana. The Corporate Tyranny that owns the country owns the Montana government as a minor subsidiary and the Governor and Legislature and the various bureaus simply take their orders from it and do whatever it takes to enable and facilitate its wishes.

That said, the flagrant idiocy of this proposal: to jam a massive convoy of gigantic Korean-made industrial parts, destined for one of the worst and most destructive environmental disasters in the developed world, by a front company owned by Exxon--those fun guys who gave you the Exxon Valdez adventure--down a system of two-lane roads along a magnificent, clean wild and scenic river corridor and through open range and tiny struggling cow towns is so insane and rotten that only the degraded slaves of Big Oil could even consider it. 1

Even degraded slaves, though, have been known to revolt.

See if you can't find it in what you claim are your hearts and minds to treat this vile and hideous piece of corporate piracy as what it is and shitcan it immediately, as self-respecting human beings would do.

The public is angry and some of what they're angry about is this kind of sweetheart suck-up to Big Oil. This is just another facet on the "drill-baby-drill" obscenity and you're in charge. If you rubber stamp it, you may get to feel some of that wrath directly.

EDWARDS, PAUL

1. Comment noted.

Paul Edwards
630 Monroe
Helena 59601

Please include this in the official comments as part of the public record.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 • Require real alternatives to be considered;

3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

I hope you will support further study prior to implementation.

Michael Ellis
412 W. Alder St.
Missoula, MT 59802

ELLIS, MICHAEL

Form Letter 1

1. See response to Common Comment C1.
2. See response to Common Comment D1.
3. See response to Common Comment M.
4. See response to Common Comment A.

Tom Martin:

My first reaction upon hearing this proposal was "not Highway 12!" I have always loved this stretch of road and think it does not deserve the treatments being proposed.

I am aware of the fact that MDT is the responsible authorizing agency and that they recommended an environmental assessment be drawn up. At first glance, the public
1 should at least have more time to consider the proposal and make comments to the EA. I hope that the comment period is extended.

ENGLISH, PAMELA

1. See response to Common Comment F1.

2 If indeed this proposal is approved, I would love to see Exxon / Imperial Oil held responsible for, at the very least, a clear breakdown of the supposed gains to the Montana economy, a comprehensive contingency plan for accidental load turnover or load loss, and a binding agreement as to the future maintenance of roads, turnouts and bridges damaged by this overuse.

3 A more comprehensive and inclusive **EIS** needs to be written in order to capture all the losses and gains of a project of this magnitude. Thank you for your consideration of my points.

--

Pamela English

1204 Margaret St.
Missoula, MT 59801
(406) 546-4179

2. Section 3.6 of the EA does have a breakdown by activity of the contribution to Montana's economy, including salaries and taxes. See responses to Common Comments, H1, H2, M, and L.

3. See response to Common Comment B.

1 I STRONGLY **oppose** the proposal by Imperial Oil/Exxon Mobil to run 200 supersized vehicles through parts of Montana to the Canadian oil fields.

Irene Erdie
Helena, MT

ERDIE, IRENE

1. Comment noted.

1 I strongly encourage you to consider extending the comment period on the transportation route being planned from the Port Of Lewiston through Montana and into

2 Canada. It all seems a bit rushed and many questions have yet to be answered. I would also like to see more in depth Environmental Impact Assessments done and a more serious look taken at beefing up the transportation corridor already in place for large loads, our interstate hwy system. Forcing this traffic into the Lochsa and Blackfoot River

3 Corridors, areas traditional perceived as "the scenic routes", offers many challenges not the least of which is how to handle an accident when it happens, and it will. There are places in both canyons where the entire canyon could be totally shut down for through traffic should there be just one little mishap with these excessively large and heavy loads. Neither canyon offers alternate routes or even the possibility for detours to be established in many areas. Like the oil field miscalculation we are currently dealing with in the gulf, accidents do happen and we cannot afford to underestimate the potential here. Washington State said no to this transport on their highways. What makes this plan any more palatable for Idaho and Montana?

ERICKSON, MARY

1. See response to Common Comment F1.

2. See responses to Common Comments B and D2.

3. See responses to Common Comments H2 and O.

4 In addition, both of these canyons are deemed by many as scenic corridors and the livelihood of many of the inhabitants of these canyons and those in communities near both areas depend on maintaining that scenic appeal. No one wants to see even a few minutes of their time enjoying the scenic beauty of these areas wasted, waiting in line to squeeze past a load ridiculously large for the road and the area. Once the word is out that that is what these areas are being used for, the tourism in these areas will dwindle and jobs will be squandered once again for corporate greed.

4. See responses to Common Comments J, N, and M.

5 Why not build these components in Montana? I'm sure there are companies capable of & willing to retrofit to accommodate the need. Then the need for transportation great distances is lessened. Better yet, make them in Canada or transport them across Canada and leave us out of the equation completely. There have to be better solutions than to forever alter these two corridors.

5. See response to Common Comment D3.

Mary Erickson, Sales Manager
Courtyard by Marriott
4559 N. Reserve St.
Missoula, Mt. 59808
406-274-9002 Direct
406-549-5260 Hotel Ph.
406-549-5257 Fax.

EVANS, KATHLEEN

Hello:

Writing as a resident and taxpayer of Montana, with no business interests in it one way or the other, I would like to express my concerns about the proposed industrial corridor. On my gut level, I think we need to be incredibly careful about going forward with this project since substantial damage could be incurred. It would be difficult to undo such damage.

1 Please ensure that a FULL Environmental Impact Study / Evaluation is done BEFORE any decisions are made. This study should be accomplished by non-business interests.

1. See response to Common Comment B.

One of the greatest assets Montana has is our environment. Once it is gone, it's gone. Please, please, do the right thing and get the appropriate and complete information before making irreversible decisions.

Thank you,
Kathleen Evans, MD
118 Apple House Lane
Missoula, MT 59802

This EA is inadequate for a number of reasons.

1 1. DOT regulations require the identification of logical termini for a proposed action. The justification for this appears to be political boundaries, which is an insufficient justification for logical termini. The logical termini needs to be clearly defined.

2 2. While some reasonably forseeable future actions have been defined, those appear to be confined to future MDT actions. Reasonably forseeable future actions need to include ALL actions regardless of what agency undertakes them. The timeframe used for the cumulative impact analysis is undefined as is the study area. For these reasons, the cumulative impact analysis done is insufficent to reach a conclusion that significant impacts will not occur.

3 3. A cumulative impact analysis also requires that both direct and indirect impacts of the proposed action be disclosed. Since it is clear that Tar Sands energy development could not continue but for completion of this proposed action, that energy development must be considered as an indirect effect of the proposed action. For this reason as well, the indirect and cumulative impacts analysis for this project is insufficient to reach a conclusion that significant impacts will not occur.

4 4. The historic property analysis does not discuss whether or not the SHPO or the THPO concurred with the Determination of Effects. Without this information, there is insufficient information to determine whether or not the proper process was followed in compliance with the National Historic Preservation Act or in compliance with Section 4(f) of the DOT Act.

5 5. There is minimal disucsion of the effects of tree trimming on historic properties through the Town of Chotean and adjacent to Bonner Dam and Mine. The analysis needs to address the criteria that resulted in the significance of these properties for inclusion on the National Register. Tree trimming may effect the setting of historic properties. This has not been defined

6 6. The parks, recreation areas and wildlife refuge section is insufficient to determine whether or not a Section 4(f) use will occur. Utility relocations do not address all potential Section 4(f) properties. This section has insufficent information to determine whether or not any future planned parks or trails would be affected. The minimal information provided about potential effects to access and parking in the vicinity of Section 4(f) properties. There is no discussion of consultation with Officials with Jurisdiction regarding existing or future Section 4(f) properties, and in fact, compliance with Section 4(f) is not even mentioned. Overall, this discusion is insufficient to determine whether or not a Section 4(f) use will occur.

7 7. Compliance with the Environmental Justice Executive Order is not even mentioned. Ther are likely to be effects to minority and low income communities due to noise (especially since transportation of the modules will occur at night), air pollution, the possibility of spills and other negative effects.

FAUVER, BRIAN

1. See response to Common Comment E1 and Common Comment E2.

2. The cumulative effects were analyzed based on activities as defined in 75-1-200(3), MCA. Those activities are described in Section 3.2.of the EA.

3. See response to Common Comment E1.

4. See Section 4.1.1.2 and 4.1.2 of the EA and Sections 4.5 of the Decision Document for information on consultation. Section 4(f) of the DOT Act does not apply to the KMTP.

5. See response to Specific Comment C.

6. Section 4(f) does not apply as this is not a federally Section 4(f) properties assisted transportation improvement project.

7. Environmental Justice is not a MEPA issue.

8	8. The assessment in the document of potential effects to wetlands does not meet the requirements of the Clean Water Act nor the requirements of the Executive or DOT Order for Protection of Wetlands. There is no functional assessment of wetlands that has been done. Broad statements are made that "the location will be adjusted or mitigation applied to avoid impacts to wetlands" or that "two of the six locations appear to have wetland characteristics and need to be reviewed." Both of these statements indicate that wetland impacts are likely to occur and yet there is a concluding statement that "the proposed project is not expected to affect water resources including wetlands." This assessment is completely insufficent and does not meet the requirements of the FHWA Technical Advisory, the Protection of Wetlands Executive Order nor the Clean Water Act. Full survey and delineation of wetlands, including functional assessment needs to be completed. Then both direct and indirect impacts to wetlands needs to be done. Practicable alternatives to the impacts to wetlands needs to be prepared and documented and mitigation needs to be fully defined and committed to. In summary, this EA is insufficient to determine the direct, indirect and cumulative impacts of the proposed action. It is insufficient to determine whether or not significant impacts will occur. We respect that the City Council require a supplemental EA or an EIS. -Brian	8. See response to Common Comment I.
	Tom Martin MDT Environmental Services Bureau 2701 Prospect Ave. PO Box 201001 Helena, MT 59620-1001 Re: Kearl Module Transport Project Dear Mr. Martin, et al, at the Montana Dept of Transportation Environmental Services Bureau:	**FAY, MARY E.**
1	My first objection is assisting the progress of the Tar Sands project in Canada. I am opposed the our continued use of coal and this project is particularly destructive to the environment. I am also concerned about climate change and the Tar Sands project will only contribute to it.	1. See responses to Common Comments E1, I, and P.
1	Secondly, using Idaho and Montana roads to haul this massive equipment has many problems. According to the proposal, there will be 200 loads on two lane highways for a year. The Lochsa River is a particularly fragile area. The areas in which this equipment will be hauled is in habitat of threatened and endangered species.	2. See response to Common Comment L.
2	The roads in Montana will take a beating. Will this company be responsible for the wear and tear of these trucks, plus an unforeseen damages as they use our state for their commerce? What kind of a bond will they be asked to pay?	3. See response to Common Comment B.
3	I think an EA is not enough and would recommend an Environmental Impact Statement.	
4	This project will also set a precedent for making this route a corridor for future international hauling of equipment. I think it is a very bad idea that needs to have everyone take a second look.	4. See response to Common Comment K.

Respectfully Submitted:
Mary E. Fay
PO Box 6772 (2019 Winne Ave)
Helena, Mt 59604

MDT,

1 This letter is written in support of the Kearl Module Transport plan. This project will benefit the local economy, improve our road infrastructure, and make for safer highways with road widening. It may also make oil less expensive by purchasing it from our neighbors, rather than overseas.

The only down side I can see is inconvenience while traveling behind one of the loads. I think the plan addresses that as much as it can. I will trade a little inconvenience for a better economy, safer highways, improved infrastructure and cheaper oil.

Seems like a fair trade.

Thanks,

Mike Feldman
1607 C St. Butte Mt. 59701

FELDMAN, MIKE

1. Comment noted.

I am writing to comment on Montana Department of Transportation's draft of the Kearl Module Transportation Project Environmental Assessment ("KMTP EA"). I am opposed to this plan and urge MDT to deny this proposal.

1 I read the Environmental Assessment and found it lacking in significant areas. I believe a much more thorough Environmental Impact Assessment must be done before any part of Exxon's plan is allowed to begin.

My community, Missoula, MT, is one of the towns that will be affected by this proposed industrial transportation corridor and I am offended by the thought that any part of my community's character should be sacrificed so that Exxon can make more profit. All Montana communities along this proposed route will be affected by the industrialization of streets and roads through their communities.

2 MDT's KMTP EA assess the impacts of this plan for the first year and that is a totally insufficient. This will be a permanent industrial corridor, once established, and the EA makes no mention of that fact nor makes any assessment of the effects of that permanency. Exxon will use this new road for more than one year and it will be used as an industrial transportation corridor for other over-sized shipments for years to come. Because the EA focuses only on one year, it does not analyze any impacts from future use and makes it impossible for MDT or Montana citizens to make an informed decision about the true impact of this proposal. That, alone, should be a serious enough flaw in the MDT KMTP EA to bring this proposal to a halt.

FESSLER, CHLOE

1. See response to Common Comment B.

2. See response to Common Comment K.

3 The KMTP EA does not assess the impacts to Montana communities whose economies are dependent on ensuring that Montana's landscapes remain unspoiled. This region is known for its abundant wildlife, quality fishing and hunting, and recreational opportunities and diminishing any of these will affect local economies. Nor does this EA address the continuing financial burden to residents of this state for the costs of road and bridge deterioration or to maintain this road once Exxon moves on. The EA must analyze and account for the economic hardships that would be created by this proposal, both during construction and afterwards.

3. See responses to Common Comments M and L.

4 The conclusions drawn about job creation and income subject to Montana state income tax are disingenuous and unsubstantiated because there is no requirement for Imperial Oil to employ Montana workers and it is questionable as to how this conclusion made its way into the MDT KMTP EA.

4. See response to Common Comment Q.

5 While MDT's KMTP EA addresses some possible environmental impacts, it is lacking in significant ways. Much of its conclusion that endangered or threatened species will not be affected is based on the premise that accidents will not happen. At best, that premise is

5. See response to Common Comment I.

6 unrealistic and basing conclusions on that premise is certainly questionable. In addition, the EA does not evaluate plans to control or remediate the impacts caused by possible accidents. Specific contingency plans for accidents must be developed.

6. See responses to Common Comments H1 and H2.

7 The broad statement the KMTP EA makes that site locations "will be adjusted or mitigation applied to avoid impacts on wetlands if necessary" is totally inadequate with regards to meeting the requirements of either the Clean Water Act or the requirements of the Executive or U.S. Department of Transportation Order for Protection of Wetlands. It appears that no functional assessment of wetlands was done for this EA.

7. See response to Common Comment I.

8 Large vehicles using the corridor to transport heavy loads will increase the amount of brake dust on the road and surrounding areas. Much of this route travels close to river and streams. Recent studies have found that brake dust (especially copper) is toxic to a number of important fish species. The increased need to salt and/or sand and maintain the roadways will have an impact on nearby waters as well as just the increase in the amount of paved surfaces. Of particular concern are potential impacts to bull trout, a threatened species under the ESA. Neither of these issues was adequately address in the current MDT KMTP EA.

8. The addition of 200 loads over the course of 12 months is insignificant in relation to the current use of these highways and will not result in significant additional brake dust. The use of additional salt or sand on roadways due to module transports is not anticipated to occur.

9 This route follows much of a designated National Scenic Byway and the Lewis and Clark Trail. When it enters Montana, it crosses Lolo Pass, a National Historic Landmark. I believe that industrializing this area with a super wide road and mega-sized tractor trailers and accompanying noise and pollution is completely incompatible with these irreplaceable assets. This is not addressed in the MDT KMTP EA.

9. See response to Common Comment N.

10 This transportation corridor is being proposed so that Exxon can ship mining equipment to the tar sands industry in Canada. Because that industry generates three times the amount of global warming pollution as conventional fuel production, the KMTP EA should also consider what additional impacts that increased pollution might have on Montana.

10. See response to Common Comment P.

11 I do not believe that the MDT KMTP EA fully considered alternatives and it should. While it mentions alternatives, there is no serious consideration or analysis provided.

12 I do not believe that the MDT KMTP EA considered the cumulative impacts across the region, even though it states that several federal permits will be needed. I ask that the state of Montana deny this proposal and seek a comprehensive federal analysis through the National Environmental Policy Act.

13 Furthermore, I request that the public comment period deadline be extended for at least 60 days. For whatever reason, MDT choose to not engage the public in an early formal scoping process even though MDT has been aware of this proposal for two years. Public participation in the deliberations of government agencies is a fundamental right enumerated in the Montana Constitution (Article II, section 9). The 30 days public comment period provided by MDT does not meet that requirement, in my opinion. One could almost conclude that MDT does not want the public involved in this decision.

Thank you for considering my comments. I have serious concerns about this project and am opposed to the establishment of a high/wide transportation corridor through Montana. I also have serious concerns about the shortcomings in MDT KMTP EA and am opposed to continuing this project without those shortcomings being addressed. I sincerely urge the Montana Department of Transportation to extend the comment period, seek a comprehensive federal analysis through the National Environmental Policy Act and take an accurate accounting of the associated environmental and economic impacts of this proposal.

Sincerely,

Chloe Fessler
1509 Howell Street
Missoula, MT 59802

11. See responses to Common Comments D1 and D2.

12. See response to Common Comment A.

13. See response to Common Comment F1.

FIREHAMMER, LISA

I am concerned about the Kearl Module Transport Project. I had intended to send just a short missive voicing my opposition, knowing that the staff of the DOT is busy and that comments often can seem redundant. However, having read in the Missoulian today that Director Jim Lynch will count identical comments as one, rather than 6,500, I feel compelled to expand on my remarks:

Having read through the EA, it appears that the potential impacts studied relate mostly to the road construction and improvements required for these enormous structures to be carried on Montana's roads. The EA finds little to no impact in most areas from the proposed road construction.

However, I am concerned also about the potential impacts from these giant loads, both on our roads themselves and on the safety of travelers on Highway 12, a two-lane, mountainous, wilderness route. Page 13 seems to be the only place in the entire EA document that deals specifically with the massive cargo, rather than just the construction to enable their transport. On this page, there is a photo of one of the gargantuan loads; it would be terrifying to come across one of these monsters, either coming or going. And I find no mention of icy winter roads (I know the transport will occur in fall, but I also know that Montana's weather is unpredictable) other than the idea that an escort-car driver could alert the driver of the over-size carrier to conditions ahead. Driving on Montana's four-lane highways in winter is adventure enough--driving on an icy, low-visibility, two-lane Highway 12 that is blocked almost entirely by these rigs would be treacherous at best. 1

1. See responses to Common Comments H1, H2, and H3.

Finally, I am outraged that the DOT director would dismiss the e-mailed comments of 6,500 Montana residents, simply because they forwarded a "canned" message. In today's technologically driven world, many messages are sent via a simple click. It saves time for both the sender and the recipient. However, "canned," it is still public response. And it is not unusual practice in a public forum. I have attended dozens of public hearings where speakers simply echoed one another. When we sign a petition, we sign on to a "canned" message. When we vote, we mark "yes" or "no" to a single message. But these votes and signatures don't all count as one because they are in agreement. Mr. Lynch does not have the right, as a state official, to ignore the voices of 6,500 people, simply because they make the same remark. 2

2. A representative sample of the text included in the NRDC e-mails is included in the response to comments section (Appendix D of the Decision Document) along with an appropriate response. A list of the names of the people who submitted the comment is also included in Table D-1.

Thank you for your time.

Lisa Firehammer
201 North Avenue East
Missoula, MT 59801
(406) 728-5664
firemeisters@yahoo.com

An addition to my comments of this morning:

I wondered if train transport has been considered? I see in the EA that other roadways have been deemed unusable, but what about railways? 1

FIREHAMMER, LISA

1. All investigated rail routes had tunnels or bridges with height restrictions.

Thank you,

Lisa Firehammer
201 North Ave. East
Missoula, MT 59801
(406) 728-5664
firemeisters@yahoo.com

I would like to suggest negotiations between MDT and Imperial Oil to support interpretive signage along the proposed transportation route for the Kearl Modules, with funding for the project coming from Imperial Oil. The section of the route from Augusta to Choteau, Bynum and Dupuyer, and then over to Valier and up to Cut Bank provides idyllic locations to tout and educate visitors about our varied geographic terrain and history.

1 Imperial Oil needs approval for this route and this puts MDT in the driver's seat to negotiate some long-term benefits for Montana. While there would be potential job-creation for Montanans during the construction and transportation phase of this project, the benefits of being able to educate travelers on this route would be far more long-lasting.

The proposed plan creates the turnouts to allow transport of the modules. Let's take advantage of this infrastructure to pass along some education to visitors and residents alike through interpretive signage.

Gayle Fisher



FISHER, GAYLE

1. Comment noted.

---

1 Quit wasting time and get the permit issued so these guys can get through Montana before the winter!

Matthew Fochs, Havre MT ~

FOCHS, MATTHEW

1. Comment noted

---

1 This is to advise you of our support of the KMTP proposal. We do have property along the proposed route. We are in favor of and support the project.
Thank you for your attention.
The Fords

FORD

1. Comment noted.

Good morning: I'm writing to add my voice to the discussion.

1 Please DO NOT ALLOW big rig crossing in Montana as the effects on tourism and ecology have not been explored.

Marianne Forrest

FORREST, MARIANNE

1. See responses to Common Comments I and M.

---

1 Please prepare a full environmental impact statement, not just an environmental assessment, before you issue a permit to Imperial Oil to transport massive equipment across the state. It is

2 important to consider the devastating cumulative environmental impacts of tar sands development-especially its contribution to global warming.

Thank you for listening.

Jackie Foster
Dillon, MT

FOSTER, JACKIE

1. See response to Common Comment B.
2. See responses to Common Comments E1 and P.

---

dear montana department of transportation,

1 i was saddened to hear that i missed my opportunity in missoula to speak out against this terrible consideration - partnering in anyway with exxonmobil is a dubious venture at best, given this company's track record in both financial dealings and ecological disaster. montana can simply not afford to work with these sharks. i think if you do a comprehensive study you'll find that neither montana's economy nor fragile natural environment can withstand the overwhelming pressure which will almost certainly be imposed by big oil's money, attorneys and penchant for destroying virtually every environment they enter and profit from.
i bet that whomever in helena is at the head of considering the creation of this permanent industrial corridor is being lobbied heavily and financially by exxonmobil. it's just a guess on my part...

2 keeping companies, such as exxonmobil, out of montana will further increase our property value while bolstering our tourist economy and service industry -- failing to do so will inevitably prove to be a critical mistake for montana's families, ecosystem, tourist industry and way of life.
sincerely,
jeff francis
missoula, mt 59801

FRANCIS, JEFF

1. Comment noted.

2. Comment noted.

To Whom It May Concern;

1 I am writing to express my opposition to the Kearl Module Transport Project. As a Montanan, I think that this project will benefit Imperial Oil/Exxon/Mobile and the Canadian Government while harming Montana's environment, people, wildlife and economy. These corporations are asking that they be allowed to disrupt the lives of anyone who uses these roads at the times they want to haul. Even at the proposed low

FRANDSEN, CHRISTOPHER

1. See response to Common Comment G

traffic times hunters, fishermen, outfitters, guides, commuters, delivery drivers, travelers, emergency services, etc. depend on these two lane highways at all hours of the day.

2 The route that has been proposed is right through some of the best of this Last Best Place. Narrow winding highways through environmentally sensitive areas adjacent to headwaters and rivers, hundreds of infrastructure modifications, additional highway repair costs and delays and disruption of the tourism/transport/trucking industry are just a few good reasons to deny this awful project. I think that other alternative routes must be considered, particularly those in Canada. It is, after all, a private enterprise on Canadian soil.

2. See responses to Common Comments D1, O and L.

3 Allowing this project also make us partners in the very dirty business of developing Canadian oil sands. I know that the we have no control over a Canadian project, but facilitating it seems to go against the Montana Constitution's guarantee of a healthy environment. It is not our responsibility to harm ourselves so that Imperial Oil/Exxon/Mobile can make a bigger profit.

3. See response to Common Comment E1.

4 In closing, I hope you will consider extending the comment deadline as many people are just becoming aware of the scope of this project. Thank you for accepting my comment.

4. See response to Common Comment F1.

Sincerely,
Christopher T. Frandsen
420 East Beckwith Ave.
Missoula, MT 59801
406-728-7792

FRANZEN, MONIKA

1 Please don't permit this project to go ahead. It will ruin some of our most scenic highways, end up costing us in taxes, impact tourism, crumble our roads and bridges ... and all this for some fantasy financial advantage which is pure balderdash.

1. See responses to Common Comments J, L, and M.

Let them off-load these monster machines at a Canadian port and transport them on Canadian roads!

Monika Franzen
Florence, Mt.

To Whom It May Concern:

1 I am writing in regard to the above mentioned project. I urge you to oppose the approval of the heavy equipment transport through Montana. The route chosen is not only wild and scenic, but also of cultural and historical importance. There is just too much potential to impact the ecological value of the ground to be crossed. Besides the obvious impact to the state's highways, the end product of this transport caravan is more potentially harmful oil exploitation in Canada. As a resident of Montana, I really don't want a part in that destructive process.

2 Besides the obvious reasons to deny this transport: If you received 6500 comments from one special interest group, and you are going to consider them as one comment... Aren't you ignoring the simple fact that 6500 people reached out to show their feelings about keeping this transport caravan out of Montana?

Thank you for your consideration.

Sincerely,

Donna L. Fraser
PO Box 36
Sheridan, MT 59749

FRASER, DONNA

1. See response to Common Comment EI, I, and N.

2. A representative sample of the text included in the NRDC e-mails is included in the response to comments section (Appendix D of the Decision Document) along with an appropriate response. A list of the names of the people who submitted the comment is also included in Table D-1.

Public comment taken over the telephone on May 14, 2010 (8:50 am) from:
Judith Fraser (calling from hospital bed)
338 Cooper Lane
Hamilton, MT 59840
Comment

1 1) I don't feel MT should play any part of Oil Sands Development. Unfortunate way to proceed, understand this project does not evaluate the oil sands but a very destructive process.

2 2) Lochsha, Bitterroot, Blackfoot, and Clark Fork River corridors are vulnerable and also have heavy traffic. No more sedimentation from pullouts and congestion from everyone backed up is needed.

3 3) If this were allowed could set a precedent-not comfortable that this is a one-time action and even more uncomfortable that there is a possibility this will be an industrial corridor from Washington to Canada.

4 4) Another example of a short term perspective, exploit natural resources to create tremendous profit for few, extensive damage to remain once project is done.

FRASER, JUDITH

1. See response to Common Comment E1.

2. See response to Common Comment O.

3. See response to Common Comment K.

4. Comment noted.

FRIENDS OF THE CLEARWATER - MACFARLANE, GARY

The following comments are from Friends of the Clearwater, a conservation group headquartered in Idaho, about the Kearl transportation project. We are opposed to this project and feel a full, federal EIS is needed to look at cumulative impacts and connected actions over the entire transportation route. While Montana is to be commended for doing an analysis, a full EIS is needed.

An EIS is needed to look at connected actions and cumulative impacts along the entire route. This includes the states of Washington, Oregon, Idaho and Montana. Port facilities that may need to be upgraded, likely using federal money, are an issue that can't be ignored. The water route up the Columbia and Snake Rivers was created with tax dollars from all US citizens. The highway systems--Federal Highways 12 and 89--are maintained with federal tax dollars. 1

Indeed, the US Forest Service will need to issue a special use permit (EA page 3) and that is a federal action. That conflicts with the allegation in the EA elsewhere that the turnouts won't go outside of the road right-of-way (ROW). The EA inadequately and inconsistently addresses this issue for the Lolo and Helena National Forests in Montana. The same situation exists for the Clearwater National Forest in Idaho. A full EIS is needed.

1. See responses to Common Comments A and B.

2 The specious conclusion that there would be no impacts to parks or national forests fails to consider accidents, increased traffic on roads within the reserves that could affect wildlife,

2. See responses to Common Comments I, H1 and H2.

3 The impacts on Montana and the world from this project need to be considered. Global warming is recognized as a dire threat. Tar Sands are one of the dirtiest forms of energy. As such, the impact of this proposal is significant and that triggers the preparation of an EIS.

3. See responses to Common Comments E1 and P.

4 The economic impacts are inadequately considered. The claim that everywhere these rigs, they will be traveling at night is not born out when comparing planned stops, layover places and the average speed of these giant rigs. There is no question that traffic delays will have a negative economic impact. The EA omits the economic and safety impacts of diverting state troopers to deal with traffic delays and congestion caused by these rigs.

4. See response to Common Comments G and M. Imperial Oil will enter into a contract with Montana Highway Patrol to pay for vehicles, gas, and salary (including overtime pay). Off duty Patrolmen will be used on a voluntary basis, therefore it will not impact normal Highway Patrol services.

5 The environmental impacts in the EA are also inadequately analyzed. Turnouts along Highway 12 on the Lolo National Forest are within federal riparian habitat conservation areas for listed bull trout. The EA glosses over this fact. Also, turnout construction could introduce sediment into streams.

5. See response to Common Comments I and O.

6 Terrestrial species are not adequately analyzed. The impact from increased traffic will lead to additional deaths. In fact, a large grizzly was recently killed on Montana 200 near Lincoln by a truck. The EA also fails to adequately recognize that Lolo Pass and Rogers Pass are both important corridors for wildlife movement. They are crucial connective habitat for rare and listed species like lynx, grizzly, wolverine, fisher, and wolf. While wildlife seeks to avoid roads, crossing roads is necessary to maintain connectivity, genetic diversity and eventually survival.

6. See response to Common Comment I

7 Safety is not adequately considered. Emergency vehicles may need to use the roads when the rigs are moving. The allegation that there will be no more than a ten minute delay does nothing to assure those in immediate need

7. See response to Common Comment H3.

8 In summary, the EA fails to look at the big picture including the impacts of the development of huge tar sands operations and the cumulative impacts and connected actions from that proposal. The EA also fails to properly analyze important site specific impacts. An EIS is needed that considered the cumulative impacts and connected actions of this project.

8. See responses to Common Comments E1and B.

Sincerely,

Gary Macfarlane
Friends of the Clearwater
PO Box 9241
Moscow, ID 83843

Hi, Dwayne

Please find attached our Friends of Two Rivers comment regarding the Kearl Oil Sands Transportation Project in Western Montana. Friends of Two Rivers is a grass-roots organization of Milltown, Bonner, and Missoula area residents, initially organized to support the Milltown Site cleanup, restoration, and redevelopment. We are also active in encouraging developments that we believe are in the best interests of the community. The Transportation Project has received so little evaluation, that we strongly oppose it in the absence of a much more thorough consideration of risks and benefits. We believe that both State and Federal Environmental Policy acts should be fully utilized to help us better understand the environmental, economic, and social impacts of the Project. On its face, it is unwise to allow such a huge project of undetermined risk level on the 2-lane highways in the Lochsa and Blackfoot, where exceptional scenic, natural resource, recreational, and tourism values add to the essential transportation and emergency access needs of local residents. At a minimum, residents deserve a chance at a much more thorough evaluation of impacts.

Thank you for your attention to our comment.

FRIENDS OF TWO RIVERS, GARY MATSON

1 1. See response to Common Comments A, B, H3, and J.



Friends of Two Rivers PO Box 376 Milltown MT 59851

7 May 2010

Comment regarding Kearl Oil Sands Project's transportation plan for Western Montana

Dwayne Kailey

Montana Department of Transportation

PO Box 201001

Helena MT 59620-1001

Dear Mr. Kailey,

We understand that the oil companies participating in development of the Alberta, Canada Kearl Oil Sands Project propose to haul 200 pieces of extraction equipment from the Port of Lewiston, Idaho to the project site in Alberta. Beginning in the fall of 2010, 2 moving complexes per day would continue *through the winter* and into the following months. We understand the immense size of the transportation units, each of which involves several trucks and trailers with loads measuring 30 feet high, 24 feet wide and 162 feet long. Each load would weigh 330,000 pounds (165 tons).

Given the fact that this proposed route traverses river corridors of exceptional natural resource, economic, and aesthetic values for all Americans, these considerations cause us great concern:

1. The State of Montana has made only a cursory evaluation of impacts in its Environmental Assessment. There have been no estimates of social or economic impacts to communities in the proposed route, potential environmental impacts of

1

FRIENDS OF TWO RIVERS, GARY MATSON

1. The EA does include such an assessment based on the likely impacts. See section 3.5 and 3.6.

possible accidents especially likely to occur during winter, expected interference with local and tourist traffic, or any consideration of alternatives. There has been no consideration given to the structural limitations of the proposed 2-lane route: If there is an accident or other problem with a "big rig", there are no potential traffic detours or alternate routes for emergency vehicles.

2. See response to Common Comments M, H2, and H3.

2. Creation of this route, described by MDT's Director Jim Lynch in his report to the Montana Legislature's Revenue and Transportation Oversight Committee as "…permanent High/Wide corridors through Montana…" will likely be the beginning of a disruption that will continue as the Kearl Oil Sands project is developed. The project is expected to be active through the year 2060. The modification of utility lines and construction of highway turnouts will cause further disruption and impact to a Montana way of life anchored in deep appreciation for our natural surroundings and their interacting biological networks.

3. See response to Common Comment K.

3. Extraction of oil from "oil sands" creates three times the carbon footprint of traditional oil wells because of the large amount of energy required to convert the deposits into liquid oil. At a time when the planet is increasingly at risk from a climate gone severely awry because of ignoring consequences of the exponential growth of fossil fuel use, a technology that adds to the exponential characteristic of that growth should be discouraged by responsible Montanans, not encouraged. No amount of short-term revenue to our State is worth the long term consequence.

4. See response to Common Comment E1.

For these reasons and others, Friends of Two Rivers ***strongly recommends*** that the State of Montana ***not allow*** the Kearl Oil Sands transportation project to proceed pending a thorough economic and environmental impact analysis through utilization of both the Montana and National Policy Acts.

5. See responses to Common Comments A and B.

Sincerely,

Gary Matson,
Secretary/Treasurer

For the Friends of Two Rivers, Inc. Board of Directors

Tom Martin
Montana Department of Transportation
P.O. Box 201001
Helena, MT 59620

Dear Mr. Martin,

The Kearl Module Transport Project will have far-reaching impacts as it is currently proposed. An endeavor of this magnitude necessitates a full environmental impact statement rather than the inadequate environmental assessment recently conducted. This EA does not fully address many looming questions, including accident costs, highway costs, and the economic effects on local communities, wildlife and the environment.

1 A comprehensive review of the full impact of the KMTP is needed to assess the situation accurately. Please consider **all** the aspects of this project by conducting a complete EIS for the Kearl Module Transport Project.

Sincerely,
Scott Friskics
1306 3rd Ave North
Great Falls, MT 59401
friskics@hotmail.com

FRISKICS, SCOTT

1. See response to Common Comment B.

Dear Tom Martin (or whom it may concern),

I would like to voice my strong opposition to granting a permit to Imperial Oil Co. allowing transportation of their HUGE, GIANT, ENORMOUS equipment through Montana.

I don't see why any Montanans should be inconvenienced (at the very least) just so that another dirty oil company can add to their billions of dollars of profits at the expense of the ecology of the planet! If Montana grants permits for this transportation project we
1 will be aiding and abetting the elimination of huge swaths of old-growth forests in Alberta, which is so close to Montana that it cannot help but affect us. (Even if it didn't affect us it should not be countenanced). And not only the degradation of the ecosystem, but we will share in the responsibility for adding hundreds of millions of tons of greenhouse gasses each year to the atmosphere! There has to be a better way. There is a better way to meet energy needs. The only goal this mining project aids is profit for a private company, at the expense of everybody else.

GAGNON, RONDA

1. See response to Common Comments E1 and P.

As a member of MEIC I hope you will see that there is no good reason for Montana to aid Imperial Oil (Exxon Mobile) in their ruthless and destructive quest for more and more profits. Please, allow common sense to win this time!

Sincerely,

Ronda L. Gagnon
255 Bayou Rd.
Kalispell, MT 59901

GARCELON, CHERIE

1 I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. The proposal is for a one year transport permit, but once the changes to the roads are made it makes it easier to extend the permits for future transport. Highways 12 and 200 along the Lochsa and Blackfoot Rivers are 2 of the most beautiful and awe inspiring drives in Western Montana, to change them would be like improving the route to Logan Pass to accommodate logging trucks and big rigs. Montana's own tourism website describes the Blackfoot River as: **"***a glacial stream, lined with large rocks, that occasionally gets squeezed into short canyons. The result is a dashingly beautiful stream that provides outstanding whitewater excitement, incredible scenery, and dependable fishing. It's Missoula's favorite recreational river and there's no better place on a hot summer day."* How will the state reconcile this statement with the actuality of behemoth trucks going up Highway 200. What provisions are being made for wildlife protection, water quality and the impact on tourism and recreation?

1. See responses to Common Comments K and I.

2 We already have commercial routes on Highways 15 and 90, if these transports must be made through Montana, let Exxon/Mobile figure out a way to use our established routes. What exactly will Montana be getting out of this deal and if it's such a great thing why aren't these parts going into Vancouver and across Canada Hwy 1?

2. See response to Common Comments D1 and D2.

V{xÜ|x ZtÜvxÄÉÇ
Cherie Garcelon
Arlee, MT
406-726-3270

GARVEY, LYDIA

1 Consider the devastating cumulative environmental impacts & huge contribution to global warming (much more than oil) & vast air/water pollution- along with old-growth forest destruction. There is just a wrongness with the whole picture, like the 'oil spill' in the ocean on the U.S. southern coast now. Don't be part of the problem, promoting fossil fuels- when America Can go sustainable, renewable, efficiency. Insist upon upon a Full EIS, not just an environmental assessment- then NIX it!

1. See responses to Common Comments P and B.

You are blessed to have unique spectacular World Heritage wild nature areas- Keep them that way! Do your job- Protect Our Public lands, waters, health & wildlife!

Your attention to this most urgent matter would be much appreciated by all present & future generations of all species.

Thank you

Lydia Garvey Public Health Nurse 429 S 24th Clinton OK 73601

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1 I am against this transport project because I feel it will involve extensive wear and tear on Montana roads that will not be compensated for. In this age of declining state and federal revenue road maintenance is already suffering and this big volume of truck traffic will greatly speed the deterioration of our roads. An independent assessment of this effect should be studied and quantified.

2 I also do not feel proper measures have been taken to ensure that this could be a safe transport route. Mountain roads are treacherous; wildlife frequently cross the roads creating unsafe conditions for the wildlife and vehicles. Weather in the mountains is unpredictable and past history of truck accidents on mountain roads should elicit a more cautious approach to this project. Accidents happen despite best efforts and there is not a disaster back up plan in place.

The companies involved in the transport and subsequent production of the tar sand are only seeking to make a profit; all other concerns are not theirs so they will cut corners and not be concerned about safety and the long term effects on Montana.

Thank you,

Kathy Gaskill
1520 Khanabad Drive
Missoula, MT 59802
406-829-8978

GASKILL, KATHY

1. See response to Common Comment L.
2. See responses to Common Comments H1, H2 and H3.

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1 Montanans are smart. They know Exon will get the machinery to Ablerta one way or another. They know Exon will pay us to transport the machinery through our state. They know Gov. Shwietzer is correct about the $68 million infusion to our economy. They know we can use this money to improve our tranportation system - especially in Missoula. Perhaps this is the funding source for the Russell Street Corridor Improvements! The opposition is trying to hi-jack the proposal by abusing the environmental rules as usual. Driving the rigs through western Montana is no bid deal. Welcome to our state, spend your money freely, thanks for rebuilding our road system, please come back.

GASS, TOD

1. Comment noted.

To Whom it May Concern:

1 Please realize the effects of this project merit the in-depth attention of a full-blown EIS as required by law for projects with impacts similar to this one. Don't try to skate through on a wimpy EA because the governor says it's ok It isn't ok. Do the job right and save the taxpayers money on litigation.

Steve Gilbert
604 2nd St.
Helena, MT 59601

GILBERT, STEVE

1. See response to Common Comment B.

Hi, my name is K.T Gianoulias and thanks to MDT for providing this opportunity for public comment. As someone concerned about the significant impacts of this project on sensitive riparian areas, on road and bridge infrastructure, on our recreation and tourism industries, and on the communities along the proposed route, I call on MDT to conduct a full EIS on this project - anything less is unacceptable. The current EA is woefully inadequate: we must take all
1 economic costs into consideration, and the current list of alternatives is artificially constrained. In addition, in light of the short period during which the public has had a chance to participate, I hope you will extend the comment period to 90 days to allow for full and effective public participation.

GIANOULIAS, K.T.

1. See responses to Common Comment B and F1.

Given the massive size of the loads that Kearl wants to transport on our state highway system, I
1 am very concerned about the potential detrimental impacts of this project on our roads and bridges, on our environment and our tourism industry. Given the obvious threat to public safety
2 posed by these loads, I do not think this project should be approved until a more extensive study is completed. I urge you to extend the public comment period, and I would like to see a
3 full-scale environmental impact statement completed before this proposal goes any further.

Gary Glynn
Missoula, MT 59803
gjglynn@gmail.com
406-218-8956

GLYNN, GARY

1. See response to Common Comment L and Common Comment M.
2. See responses to Common Comments H1, H2, and H3.
3. See responses to Common Comment F1 and Common Comment B.

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1 I do not think this project should be allowed. There seems to be no contingency plan in place, nor any concern with the impact on Montana's roads this would have. These rigs are massive and would cause serious damage or injury if an accident were to occur. There needs to be further consideration on this matter before Exxon is allowed to use Montana as a thoroughfare

GOLDEN, MICHELLE

1. See responses to Common Comments L, H2, and H3.

for transporting its equipment. This would also set a precedent for other oil companies to use Montana roads for transpot. We all know these companies do not follow through with clean up in the event of an accident & Montana doesn't need another spoiled area because of big business. Last best place & we'd like to keep it that way! Sincerely, Michelle Golden	2. See response to Common Comment K.
1759 S. 7th St. West Missoula, MT 59801 May 13, 2010 Montana Department of Transportation POB 201001 Helena, MT 59620-1001 RE: Kearle Module Transportation Project To whom it may concern: Please accept this as my official public comment on the proposal to permit the Kearle module transportation project. Under Montana's Environmental Policy Act, MDT is required to conduct a thorough environmental analysis prior to permitting projects that may significantly affect the environment. I find the EA conducted by the contract firm to be incomplete and inadequate in assessing whether the project will significantly impact the environment.	**GOLDMAN, DEREK**
1) The EA failed to fully analyze alternatives to the proposed actions. The alternatives considered were scant, and those included were given only a cursory analysis. For instance, the analysis of alternatives failed to include an analysis of the economic cost of alternative routes, such as using interstate highways.	1. See responses to Common Comments D1 and D2.
2) The EA failed to analyze the impact on public safety, including potential costs to counties, municipalities and the state of Montana.	2. See response to Common Comments H2, H3, and L.
3) The EA failed to adequately address the likelihood of an accident or breakdown, as well as the potential costs to local governments, local economies or the state of Montana that could arise from the response and recovery of a breakdown or traffic accident involving one of these Kearle module vehicles.	3. See response to Common Comment H2, H3 and Common Comment M.
4) Finally, the EA failed to analyze the effect that construction of all the traffic and roadway facilities (eg: pullouts) related to this project may have on the likelihood of this applicant or other	4. See response to Common Comment K.

applicants to be granted a similar permit in the future, for other projects using this corridor.

5 The Department should therefore conduct: a programmatic review of the establishment of this corridor for oversize loads, prior to permitting any individual oversized load project of this nature.

6 Given the inadequate analysis contained in the current EA, the Department should at a minimum conduct a full EIS under the MEPA to thoroughly assess all potential impacts of the project.

Thank you for the opportunity to comment.

Sincerely,
Derek Goldman
1759 S 7th St. West
Missoula, MT 59801

5. See response to Common Comment C1.

6. See response to Common Comment B.

May 14, 2010

Tom Martin
Montana Dept of Transportation
Environmental Services Bureau
PO Box 201001
Helena, MT 59620

Dear Mr. Martin,

GRAYUM, GRETCHEN

1 I would like to request that you do not allow Kearl Module Transport to bring their supersized vehicles through Montana.
In the first place it could derogatorily affect Montana's environment and wildlife, and it certainly would be dangerous for drivers.

Please say no. Thank you.

Sincerely,
Gretchen Grayum
906 N Benton Ave
Helena, MT 59601

1. See responses to Common Comments I, H1, H2 and H3.

GRESHAM, KIMBERLY

1 I strongly oppose the modifications which will have to be made to the corridor. I do not believe that trading chunks of our greatest resource: scenery, for a lump sum is a sound investment either in the short or long term. Establishing a transport corridor for large-cargo vehicles in one of the most scenic routes in America seems like a complete

2 contradiction of interests and uses, catering to the most short-sighted of financial goals, which can only harm the state. I am concerned that the size and weight of the transport

1. See responses to Common Comments J and K.

2. See responses to Common Comments L and G.

vehicles (both now and any in the future) will necessitate frequent road repairs which will be made by day, and thus delay and limit regular travel. And lastly, as a resident along the corridor (just off Reserve St.), I am concerned that my sleep and real estate values will be adversely effected by nightly vibrations. Kimberly Gresham 2669 Quinn Ct. Missoula, MT 59804

3

3. Noise and vibrations will be no greater than normal traffic already using Reserve Street due to the slow speed and axle weight.

I am 100% in support of this project.
This program would create much needed jobs in this community.
Thanks.

Terry Grice
Gases Plus Norco
899 Parkway Lane
Billings, Mt 59101
terryr@gasesplus.com

1

GRICE, TERRY

1. Comment noted.

I respectfully request that you deny the request for the 32J permit since the EA fails to consider potential accidents & negative impacts to tourism. Thank you,

Leah Grunzke
406-493-0544
Restoration Ranger
Montana Natural History Center
120 Hickory St.
Missoula, MT 59801
(p) 406-327-0405
(f) 406-327-0421
Greenhouse Manager
Fishman Lab
University of Montana-Missoula
(p) 406-243-5166
Grassroots Music Director
KBGA Missoula
UC Room 208
University of Montana
Missoula, MT 59812

1

GRUNZKE, LEAH

1. See responses to Common Comments H1, H2, H3, and M.

Rebecca C. Guay
1115 W. Third St.
Anaconda, MT 59711
(406) 560-3751

May 14, 2010

Dwayne Kailey
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

Dear Mr. Kailey:

I am writing to express my deep concerns about the proposal for a "High and Wide" Transportation Corridor in western Montana.

1 According to a July 2009 presentation by MDT Director Jim Lynch to the MT Legislature's Revenue and Transportation Oversight Committee, ExxonMobil's goal is to create "***permanent*** High/Wide corridors through Montana," which, he said, would have "considerable potential for impact." I am confused, therefore, that the Environmental Assessment (EA) for the project portrays it as only a one (1) year project with 200 vehicles, and no environmental impact.

2 Typically, environmental documents must address the full impact a project may have over its lifetime. The EA does not address ExxonMobil's goal of creating a permanent industrial corridor next to a Wild and Scenic River and the place where "A River Runs Through It". Some of the many impacts that must be considered include:

3 • The Alberta Oil Sands project is expected to last through 2060 – entailing the movement of this large equipment for many years over the proposed route. The long term effects of this volume/size of traffic must be evaluated.
4 • Wildlife impacts and fatalities created by traffic snarls.
5 • Water quality impacts if the inevitable accident happens that creates a damming effect on the rivers, or if hazardous materials released.
6 • Impacts on the blue-ribbon trout waters from the above "accidents" and those potential impacts on tourism and our Montana way of life.
• Impacts on fishing and rafting guides and outfitters that rely on access to the rivers.
7 • Noise and lighting impacts.
• Impacts associated with the construction activities on turnouts, utility lines, etc.

8 I urge the Montana Department of Transportation (MDT) to require a full Environmental Impact Statement (EIS) on the creation of at least the Montana portions of this industrial corridor. The EIS should at a minimum:
9 • Conduct a programmatic review for the establishment of a permanent industrial corridor;
• Require real alternatives to be considered;
• Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;
• Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts.

Thank you for this opportunity to provide comments on this important issue.

Sincerely,

Rebecca C. Guay

GUAY, REBECCA

1. See response to Common Comment K.
2. See response to Common Comment C2.
3. See response to Common Comment K.
4. See response to Common Comment I.
5. See response to Common Comment H2.
6. See response to Common Comment M.
7. Impacts on noise and lights (see Section 3.0) and turnout and utility crossings are addressed throughout the EA.
8. See response to Common Comment B.
9. See response to Common Comment C2, M, and A.

We wish to add our voices in opposition to this enormous boondoggle. For the MDT to be a party to this farcical corporate swindle is disgraceful. The vague promises of jobs and economic benefits are no compensation for the ecological disaster this ill conceived idea portends, not to mention the damages it will inflict on these
1 most beautiful areas of our state. It is almost unimaginable what effects the incredible number and size of the required turnouts will have on our riparian areas and scenic highways. Then there is the high risk of something going wrong and one of these monsters ending up in Lolo Creek or some other fragile stream. (Think BP Gulf of Mexico blowout inspite of all the fail safe devices). We are not reassured by company propaganda to the contrary. You can be sure there will also be hidden
2 costs (deliberately concealed?) for the taxpayers to absorb. We demand that you do the right thing for Montana. If there is no legal way to block this project, then you must require a full and complete Environmental Impact Statement and the accompanying process.

Thomas P. Hagan
Judith A. Hagan
710 Continental Way
Missoula, MT 59803

HAGAN, THOMAS AND JUDITH

1. Comment noted.
2. See response to Common Comment B.

I have had the opportunity to review the Environmental Assessment for the Kearl Module Transport Project and would like to make two comments regarding inadequacies in the EA. Both comments are directed towards the cultural resource segment of the document. The EA
1 notes that there will be tree trimming activity within the boundaries of the Bonner Company Town National Register Historic District. As the lead author of the National Register nomination for this historic district, I would note that the nomination includes a historic landscape component and that the trees are recognized as as a contributing to the historic district. The EA does not address the potential adverse effect to a contributing resource to a National Register of Historic Places property.

2 Second, the EA does not address the Lolo Trail National Historic Landmark and any possible effects to this property. The consultation process should include the Confederated Salish and Kootenai Tribal Historic Preservation Officer, the National Park Service, and the Advisory Council on Historic Preservation regarding any possible adverse effects to this NHL.

3 The flaws in the EA with regards to these two cultural resources, in my professional opinion, indicate that an EIS is required. If you have any questions or need any clarification, please contact me. Thank you.

Daniel S. Hall
Western Cultural, Inc.

HALL, DANIEL

1. See response to Specific Comment C.
2. See response to Common Comment N. See Section 4.1.1.2 and 4.1.2 of the EA and Sections 4.5 of the Decision Document for information on consultation.
3. See response to Common Comment B.

Building 28, Suite 2
Fort Missoula
Missoula, MT 59804
(406)829-0301

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 • Require real alternatives to be considered;

3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts.

5 • We need the oil and the jobs, but..... Lets take the time and examine the issues carefully before proceeding

John Haller
345 Blaine St.
Missoula, MT 59801
406-549-0116-res
406-880-0512-cell
john@hallerweb.com

HALLER, JOHN

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.
5. Comment noted.

1 I have followed this carefully and I agree with those that say this proposal has not been given enough scrutiny. It is ridiculous to say there is no backup plan if one of these things ends up in the river because it wont happen. Give me a break. This is why there is no backup plan in the Gulf of Mexico. Of course an accident can happen. Go back to the drawing board or better yet, say no!!
Annie Hamilton
Missoula, MT

HAMILTON, ANNIE

1. See responses to Common Comments H1, H2, and H3.

I will definitely be there at Bonner in front of that first truck. I, too, feel like the little guy in Tienemen Square in front of the tank. It is time to say "no more"! Listening to the testimony in congress on the BP blowout has shown the complexity of beginning to drill a mile deep in the
1 ocean at 80,000 pounds of pressure and then drilling another thousands of feet further for the oil. It all makes solar look pretty darn simple, clean, economical and practical. The bizarre thing is that Tar Sands technology is even less efficient, more costly, more environmentally insensitive and less productive than the deep water drilling. Just say no to oil.

Mary Hamilton
400 W. Franklin St.
Missoula, Mt 59801
406-721-1130

HAMILTON, MARY

1. Comment noted.

Tom Martin:

From what I know about the Alberta tar sands extraction, it is a mega project boondoggle for the profiteering corporations who don't care a whit about the future of the planet. These mega-corporations just want to squeeze the last dollar out of the American and Canadian tax payers under the guise of job creation and domestic energy production. Just these convoys probably use up any oil that they may be able to produce. Add that to the energy it will take to tear up the land and the payback in production alone would end the project if it had to stand on it's own financial merits.

I seriously hope that you consider the long term consequences of this states cooperation in the
1 implementation of this mega-project. Permitting the convoys of oversized trucks to cross on Montana's two lane highways for such an extended period of time or encouraging this project in any way is absolutely immoral. These projects have been lobbied through Canadian legal channels in the most horrifying manner and do the world no good at all. For the sake of distributed generation, prevention of global climate change, and the protection of the land for our grandchildren and theirs, please consider standing in the way of something so ugly. This is a chance for Montana to be proactive in the fight against environmental degradation on a grand scale by big big money. You're dealing with Exxon here, believe me, they don't care about anything but the almighty dollar. Exxon is equivalent to Haliburton, BP and Goldman Sachs). Let's let our little Montana voice be heard loud and clear.

Thank You for your consideration.

Mary Hamilton
400 W Franklin

HAMILTON, MARY

1. Comment noted.

Missoula, Mt 59801
406-721-1130

Each turnout is longer than a football field. Each pink balloon is a new turnout. How can MDOT call this minimal environmental impact?

If a rancher wants to run a four inch pipe under the highway, you can make it so impossible and yet this project requires no EIS? Just try to remember who you are supposed to be working for. Think about how hard we have worked to keep the Blackfoot Valley pristine and how that has paid off for Montana's image and economy. This is a huge mistake in the making. These turnouts will be permanent scars on some of the most preserved parts of our state.

1

Mary Hamilton
400 W Franklin St
Missoula, MT 59801

HAMILTON, MARY

1. See response to Common Comment B.

I am opposed to any of the 200 convoys from the Imperial Oil company having access to Montana roads. The environmental impact of this project is so absolutely detrimental to the planet that we can't be responsible for supporting it in any way.

1

Marcia Hanks
5815 Ellison Lane
Florence MT 59833

HANKS, MARCIA

1. Comment noted.

Dear Montana Department of Transportation: Thank you for the opportunity to express our opinion on the transportation of heavy equipment in huge vehicles so that a company can mine and refine the Tar Sands in Canada.

1) The highways of Montana are dangerous enough as it is. We don't need some gigantic trucks – why should one commerce be more important than another.
2) There are real no jobs that will come out of this to anyone in Montana, Washington or Idaho.
3) There is a great deal of concern in the mining and refinement of the Tar Sands as being extra ordinarily harsh on the environment and uses an incredible amount of water. Anyone who has lived in the west knows that in our semi-arid climate, water is more precious than oil
4) We live in a changing world. To wean our dependence on oil or any fossil fuels will make a cleaner and healthier world.
5) We live in a world of climate change where our energy must now come from cleaner and greener sources. We need to have battery powdered or electric cars not more oil for gas burning cars. It is time to change.

1

HARDIMAN, LISA

1. See responses to Common Comments H1, H2, and H,3 M, E1 and P.

6) This project is about going backwards.
7) Please add my comment not to allow these monster trucks to take over our roads for a ridicules project.

Thank you very much.

Lisa Hardiman
3726 4th Ave. North
Great Falls, MT 59401
406-455-6412
lisa-hardiman@bresnan.net

Hi,

1 I would like to voice my opposition to having the Canadian trucks come through Montana to deliver their oil-rigging equipment. I don't care how many road improvements they claim, the impact of their large-scale scraping of the Earth is something that I want no part in supporting. Thank you,

Emily Harrington
645 S. 2nd ST. W.
Missoula, MT 59801

HARRINGTON, EMILY

1. Comment noted.

April 27, 2010

To: Montana Department of Transportation

1 I am writing in regards to the proposed transportation of machinery for the Alberta Oil Tar Sands project. I do not oppose oil exploration in general, but I do oppose possible permanent damage to some of Montana's most scenic river ways.

Increasing the traffic and widening the roadways could cause harm to not only the aesthetic value of the region, but may also have economical effects as well. I

2 would like to see research conducted on the economical impacts of the proposal. Tourism and recreation are now a large part of our economy, and to cause disturbances will unnecessarily hurt an already economically challenged region.

3 I would also like to see viable alternatives proposed and considered for this plan. Currently this does not seem to exist. I would also like to see coordination with

4 DEQ and the federal permitting agencies to properly analyze the transportation

HARRIS, CODY

1. See response to Common Comment J.
2. See response to Common Comment M.
3. See response to Common Comments D1 and D2.
4. See response to Common Comment A.

project as a whole under both the Montana and National Policy Acts.

Once this infrastructure has been established, there will be no going back. I encourage you to help preserve Montana for generations to come and not unnecessarily develop our few remaining scenic and wild valleys for a short term project.

Thank you,



Cody Harris
210 Red Fox Rd
Lolo, MT 59847
406-207-2027
cdharris1@gmail.com

I was just reading through this and although I beleive there will be affects of hauling these loads on the roads and that the actual hauling will cause a few inconveniences, I think it's a good plan.

1 The highways will benefit greatly from added turnouts. Especially highway 12 as right now the turnouts are quite few and far between. Plus we all use fuel and complain about the prices when it goes up and Im thinking we should be willling to let the company take there things through. I think that they should be allowed to proceed!

Thank you for allowing me to voice my opinion!

Julie Harris
381-7792

HARRIS, JULIE

1. Comment noted

Dear MDOT,

1 I am very concerned about the proposal to transport high and wide industrial equipment over Lolo Pass and through the Blackfoot River corridor. The Kearl Module Transportation Project will almost certainly NOT be a one-time proposal. The EA should take into consideration the much more likely scenario that the route will be used for decades to facilitate development of the Alberta Oil Tar Sands.

Please conduct a programmatic review for the establishment of this permanent industrial transportation corridor. Please require real alternative to be considered. Please provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry.

Thank you for considering my comments.

HART, JOHN

1. See response to Common Comment C2, K, and M.

John W. Hart
301 Burlington
Missoula, MT 59807
406/728-4543

Dear Sir/Madam,

1 Thank you for this opportunity to comment on the Kearl Module Transport Project EA. While I appreciate the opportunity to comment, the window of availability of project documents, communication issues and scale of the project unfortunately are not reflected in your public outreach process. Please include me on mailing lists for future project information. I suspect that many of your comments will be spent trying to familiarize many individuals with existing content in your EA. I hope you see this as a symptom of an inadequate review period. I suspect you'll see many half-developed comments as a result of this.

TIMELINE

2 I was disappointed to see that MDT did not grant an extension on the comment period on this project and these comments have been prepared in haste, without a chance to thoroughly review the project and all of its impacts. A longer comment period is necessary for me to fully understand the project and thoroughly review the EA. Your website has also been slow to download the EA (and electronic communication issues complicated saving the EA from your website) and as I understand it, emails have been rejected. This is absolutely unacceptable and does not reflect an open process needed for a project of this scope.

EXISTING CONDITION DESCRIPTION IS INCOMPLETE Proper inventory of resources has not been conducted.

3 Given the construction needed and the areas discussed, it is unclear if indeed this project can be completed. What is the proximity to wetlands and streams? What mitigation measures are in place to protect them, and more importantly, what are the impacts? The MDT has prepared an EA without properly documenting existing environmental conditions. Listing a series of vague protection measures does nothing to speak to the viability of this project.

WETLANDS

4 How are wetlands being defined? This is not discussed.

Also it indicates that wetland surveys were conducted in October. Many areas would have been seasonally dry at this time and much of the wetland vegetation would have been dried out and unidentifiable. Therefore, it seems impossible for you to identify avoidance areas. The EA

HARTWELL, MICHAEL

1. See response to Common Comment F1.
2. See response to Common Comment F1 and Common Comment F2.
3. See responses to Common Comments I and O.
4. See the responses to Common Comments I and O.

should include a map of all wetlands identified on the route and proximity of developments to wetlands.

SPECIFICITY

The EA is vague with many undeveloped sections. For example:

--there has not been a complete inventory of wetlands --the revegetation plan has not yet been developed.

5 --The spill prevention plan is not outlined --It is unclear how lighting will be directed to avoid impacts to wildlife at night. Who will oversee this? What areas will you avoid lighting?

CUMULATIVE EFFECTS

6 Cumulative effects do not consider emissions or global warming impacts from tar sands oil industrial development in Canada. I understand that the project has been approved in Canada, but the MDT can not avoid the full disclosure of environmental impacts by piece-mealing the analysis and discounting the entire scope of project simply because decisions have been made outside Montana's borders.

7 Montana's constitution guarantees a healthy environment and it is up to the State agencies to pursue that to their best ability. Using the rationale that an alternative route would simply be selected if this were not to occur in Montana is not realistic. It is a pre-decision determination with no validity. Please analyze the full extent of cumulative effects.

All of your cumulative effects sections seem to be a simple repeats of direct and indirect effects disclosures.

Cumulative impacts should consider past, present, and future impacts when added with direct and indirect effects of this project. I don't any discussion of other past, present or future projects. Please include and analyze.

8 What about other road maintenance? What about other projects that may lead to localized increased traffic (i.e., gravel developments, other road maintenance, private construction, logging projects). A thorough analysis of all EAs and EISs for other projects potentially contributing to in the proximity of the project area is necessary. In addition, other city, county and federal permitting actions with potential to increase traffic volumes needs to be analyzed.

5. See response to Common Comment H1. Lighting will be directed at workers only, and in areas where worker and public safety can be maintained (see Section 3.10.2.5 of the EA).

6. See response to Common Comment P.

7. See the response to Common Comment R.

8. This is the definition of cumulative effects under Federal NEPA. The definition of cumulative effects under MEPA is different and is defined on page 16 of the EA as "the collective impacts on the human environment of the proposed action when considered in conjunction with other past, present, and future actions related to the proposed action by location or generic type". (75-1-220(3) MCA) Those activities known to MDT are listed in the EA.

SUBJECT TO NEPA

9 The fact that federal special use permits for this project indicates that it is subject to the National Environmental Policy Act. The issuance of those permits constitutes a Federal Action and this project is subject to the National Environmental Policy Act and should be disclosed as such and with full disclosure of total multi-state environmental effects.

9. See response to Common Comment A.

SOCIOECONOMICS

The full financial impacts and responsibilities have not been disclosed as is indicated in Section 2.2.1.2. This indicates an incomplete disclosure of socioeconomic impact.

10 The socioeconomics section glosses over the whole project and potential negative impacts. Motor tourism in Montana is a large part of our tourism economy. Highway 12 in particular is a national destination for motorcyclists.

Delays caused in these scenic areas and subsequent rerouting of tourism traffic is not properly disclosed.

10. See responses to Common Comments M and G. No rerouting would occur.

11 By creating and developing new turnouts scenic areas are permanently being modified. This has long-standing effects in our state. Tourists do not come to Montana to see blacktop. Please acknowledge this impact and the degraded scenic qualities associated with all of the project developments---particularly in valued scenic corridors.

11. See response to Common Comment J.

TRAFFIC VOLUME FLOW ANALYSIS FLAWED

12 AADT calculations grossly misrepresent traffic flow information by stating that only an additional six vehicles would be added daily. These six vehicles are not at all comparable to other vehicles in the AADT analysis.

12. AADT was used appropriately.

This part of the analysis is too dismissive. Exceptional impacts deserve exceptional analyses. Dismissing this as an extra six vehicles a day is misleading.

13. Most turnouts will only be used for a short period. While driving at night, turnouts will be available for other users. If you were to meet a module at the exact moment you got a flat, you would already be stopped by traffic control. If you got a flat before or after the module movement, you would have access to any turnout. If you got a flat and the next turnout had a module parked in it, there would be enough room at either end of the turnout to safely change your flat.

TEMPORARY LOSS OF TURNOUTS

13 One of the main functions of the turnouts is for public safety. Many of these turnouts will be unavailable during the project. I do not see where this has been addressed in detail. What happens if I have a flat tire at night and a turnout is not available? That means I'm potentially changing my tire on a narrow median in the dark. Yet you say traffic safety will not be substantially affected. The one example I've provided here shows you haven't really explored safety impacts.

BULL TROUT AND CRITICAL HABITAT and ESA

14 You state that no effects will occur. This statement cannot be justified. Several developments have been identified in close proximity to sensitive areas. BMPs are not 100% effective and there is still risk to waterways.

There are impacts, that is one of the reasons why you have designed mitigation measures. Impacts for this project exist on a continuum, not an absolute. The claim of no impacts is unrealistic. Saying that risks and impacts are minimized is more appropriate. Then you need to quantitatively describe those impacts in more detail. A more thorough risk analysis is needed. Also the wetland analysis and inventory is flawed---which invalidates your effects determination on aquatic environments.

15 Indeed Federal permits are being issued as a result of this project, thus consultation with USFWS is required.

Sincerely,

Michael Hartwell
420 Strand Avenue
Missoula, MT 59801

14. See responses to Common Comments I and O.

15. Consultation with FWS is not required for an MEPA document, although the project was discussed with FWS informally (see Section 4.1.1.4 of the EA).

Tom Martin
MDT
PO Box 201001
Helena, MT 59620
Monday, April 26, 2010
Dear Mr. Martin,
RE: Kearl Module Transport Project (KMTP)

HAUG, CATHERINE

I am very concerned about the impact of this convoy project upon wildlife, watersheds, and air quality, as well as the safety and health of people who live or travel along the route.

1 I understand some of the equipment to be transported along Montana's highways will be as large as 24 feet wide, 30 feet high and 150 feet long! And furthermore that most of the roads are only 2-lane, and are curvy and steep through the mountain passes. Can you imagine a 150-foot long load negotiating these curves safely? I can't. Plus, the convoys of trucks and equipment will severely disrupt travel and communities across a wide swath of Montana.

1. See response to Common Comment G.

2 I am requesting that you do a complete Environmental Impact Study (EIS), not just an Environmental Assessment (EA), to consider not only the direct impact upon Montana's environment, but upon the planet of going forward with tar sands development in Canada. Here are a few additional points to consider:

2. See responses to Common Comments B, and E1.

Tar sands mining has irreversible impacts to the environment and public health, including:

- Will produce 108-125 million metric tons of greenhouse gases each year. That's more greenhouse gases than conventional oil production by a factor of 3:1.
- Produces excessive levels of harmful particulates that impair air quality
- Requires the clearing of valuable old-growth forests.
- Severely harms water quality.
- Worst of all, burning the oil from tar sands produces more greenhouse gases per barrel than conventional fuel.

Sincerely yours, Catherine Haug

3. See responses to Common Comments E1 and P.

HAVERSTICK, BRETT

To Whom It May Concern,

Thank you very much for the opportunity to comment on the Kearl Module Transport Project. I have just recently become aware of this project and am gravely concerned about what it means for our communities and wildlands. This project is deplorable from a few different angles, but today I will stick with what concerns me the most: the transportation of these mega-rigs up the Wild & Scenic Lochsa River corridor and over Lolo Pass.

Highway 12 is known as the Northwest Passage Scenic Byway for a number of reasons. The biggest reason may be because it is the route that Lewis & Clark took over the Divide in their quest to find a northwest passage to the Pacific Ocean. This historical corridor is at the heart of America and needs to be treated as such. Turning it into an industrial highway though goes completely against that reality and threatens the integrity of our heritage.

1. See response to Common Comment N.

The upper half of the Lochsa River is designated a Wild & Scenic River under the Wild & Scenic Rivers Act of 1968. This incredibly gorgeous river corridor does much more than appease the eye though; it provides habitat and spawning grounds for numerous native fish species such as chinook, steelhead, bull trout, and west-slope cutthroat trout. All four species have been deemed threatened or endangered at one point in time by the US Fish & Wildlife Service. This rugged wildlife corridor also is home to black bear, cougar, lynx, wolverine, wolves, elk, moose, deer and countless other species. The reason why these aquatic and terrestrial species make their home here is because for the most part the landscape has not been altered or degraded by human development. This transportation project greatly threatens that though.

2. See responses to Common Comments E2 and I.

The Northwest Passage Scenic Byway, the Lolo Pass Visitor Center, and the Lolo Hot Springs are major destinations for tourists and travelers during all times of the year. The beautiful scenery and the tranquil atmosphere offer visitors a chance to recharge and get away from the daily vigors of life. I am greatly concerned about the impact this transportation project will have on local business owners and visitors to our area. The local economy in this region greatly depends on tourism dollars and Americans from all corners of the country need places like Lolo Pass to

3. See response to Common Comment M.

visit and enjoy. Having hundreds of mega-ton trucks drive through this corridor would change all that.

Sincerely,

Brett Haverstick
Moscow, Idaho

The EA seems to be a study in optimism ‹ and the denial of Murphy¹s Law.

1 In every assessment of effects, the transportation company seems to have been given the benefit of the doubt. Even the photos of the big rigs offer the least objectionable configuration, that is, a 16-foot wide load, as opposed to the 24-foot wide maximum.

2 Furthermore, in its blithe avoidance of the worst-case scenario, the EA calls to mind the assessments that were performed before the certification of the Deepwater Horizon oil platform.

3 In short, as a risk/benefit study, the EA is all benefit and hardly any risk. For instance, there doesn¹t seem to be an acknowledgement of lost man-hours of motorists stuck behind the rigs.

4 Or the possibility of a catastrophic accident. Or the possibility that a private vehicle not connected to the transporter¹s communication network could be delayed during an emergency trip.

5 Or the distinct likelihood that once the route has been made big-rig-friendly, subsequent projects will find their way over Montana¹s highways, with permitting fees that seem inadequate to state-borne costs of each trip.

6 For all these reasons, I urge the MDT to perform an EIS.

George K.C. Hayes
Concerned private citizen
(406) 543-1944
1321 Jackson Street
Missoula MT 59802
gkchayes@montana.com

HAYES, GEORGE

1. See Appendix E in the EA.
2. See responses to Common Comments H1, H2, and H3.
3. See response to Common Comment G (analysis of lost hours),
4. See responses to Common Comments H1, H2, and H3.
5. See response to Common Comment K.
6. See response to Common Comment B.

Hello -

1 I am a local resident urging you to consider refusing access for tar sands equipment being shipped to Canada on Montana roads. Beyond the devastating effects of tar sands mining - the convoys of trucks and equipment will be a burden to our roads and communities.

Please Say No.

HEINZMANN, HOLLY

1. See responses to Common Comments E1 and L.

thank you,
Holly Heinzmann
Norris Hot Springs
Norris, MT 59745

- *Tar sands mining is one of the most destructive forms of energy development and has irreversible impacts to the environment and public health and furthers global warming pollution.*

This is test, says artist Mark Dion, if we pass, we get to keep the planet.

We love light crude oil from the east of the world for our touchy refineries. We ship our oil back to points in the east and say we are mining to relieve ourselves of the import debt burden. That has never been true.

1 If we lose control of tankers or oil rigs then another chunk of our diverse ecosystem dies and we fail the test.

When we destroy a diverse ecosystem we cannot get it back. It's changed. The consequences are disease and global warming. The spirit of our place is sacrificed to the God of Money and a lack of imagination: not every single person needs one or more cars. Oil and coal are not the only energy sources that belong in our national and international energy portfolio. Our niche of ecological wonder here in the northwest nurtures our spirit. This does not resonate with industrial development on the scale of humungous industrial corridor.

The Kearl Module Transport Project is not a one-time affair. This equipment is going to work in the tar sands oil fields of Alberta Canada; this is only the beginning of plans for an industrial 2 corridor to be built through some of our most prized scenic and diverse ecologies. It is an assumption that the energy portfolio will remain the same forever ad naseum until all the oil and coal is gone and the profits are made in this decade or two. We do not have a plan for long-term growth that, yes, can include coal and oil. This is an egregious effort to mine one of the largest oil fields in the world, and for export. Get the money and run – no long-term development goals needed here – our spirit, our community goals are mere inconveniences to such a force of profit. 3

Remember, they have no federal EIS for casualties on this trans state and trans border project. They are bringing us into this transport corridor because we have the roads they want. If something goes wrong, we can just litigate – take our anger and broken spirit to the courts – they can afford it – we can't.

Please disallow this use of our public transport systems and keep our spirit alive.

Thank you,

Linda Helding Schure

HELDING-SCHURE, LINDA

1. Comment noted.

2. See response to Common Comment K.

3. Comment noted.

born in Missoula 1946
lived here on and off all my life
P.O. Box 812
Arlee, MT 59821

HENDRIX, TOMMY

To whom it may concern,

My name is Tommy Hendrix and I have lived in Missoula county for 32 years (my whole life). I spent my childhood growing up along the Blackfoot River. As I have watched the old mill site in Bonner finally close and the restoration of the confluence of the Blackfoot and Clarkfoot rivers I am excited for the future of these great valleys. I understand people are weary of future jobs, but with our future comes progress. We now have an area that was highly polluted by large industries finally being returned to normal, or as close to normal as man can get. We all know tourism can bring more money and clean jobs to our beautiful area in the future.

Although I am not against large machinery moving through our state, I am opposed to this project. To think Montana and Idaho would allow something like this to occur on two of the most scenic and precious highways our country has is sickening and stinks of big money. No matter how you try to sell this to the public you must be crazy to think the majority of us in Missoula County would ever be willing to let this happen without some sort of possible legal challenge.

I lived along the Blackfoot Highway in the late eighties and early nineties when the highway was straightened and widened. I remember evacuating our house when they were setting off
1 charges etc. You tell us you'll only allow ten minute traffic delays, but whose really going to enforce this. I remember insane traffic delays during the major construction. Were they held to
2 the same rules and if so how easy is it to bend those same rules. Even with the reconstruction, this state has no business allowing something like this to travel the Blackfoot corridor. The first few miles of the Blackfoot highway are built upon wire cages with rocks inside to hold the road up so it won't crumble into the Blackfoot River. Isn't allowing something like this over a years time going to put more strain on those cages?

3 Although I haven't read the EA (I will), I am curious if things like sediment control, elevated emissions, traffic congestion, emergency response, disruption in tourism, disruption in recreation, disruption to wildlife, disruption to fire response, etc. has been considered.

1. See response to Common Comment G. MDT may revoke the oversized load permits if the 10 minute rule is not followed.
2. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs.
3. Sediment control and air quality are discussed in the EA in Sections 2.2.1.3 and 2.2.1.7 respectively. See response to Common Comments H3, M, I and O.

What if we have a good snow year? I have personally seen the Lolo Pass area reduced to one lane of traffic between huge walls of snow. It can't possibly be safe to allow these big rigs over
4 Lolo Pass in the winter. I can just imagine the traffic backing up during the rush of summer activities, the extra car accidents, and other unplanned events that will come up.

4. While Module transportation is allowed during the winter, the modules would not be transported during inclement weather (see the MTP). MDT currently maintains the full width of Highway 12, modules would not proceed if the roadway was reduced to one lane of travel.

Considering the richest industry in the world has proposed this, tells you this is a great idea for them and a bad idea for everyone else.

British Columbia, Canada has ports and highways so let them use their roads. Who cares if it cost the oil industry a little extra money, trust me they have plenty.

5. Comment noted.

5 Oh and yes I do rely on fossil fuels, because I have to. I live in a nation that has had ample technology to change this, but like our GREAT STATE of MONTANA our government always gives in to big industry. It's time for a change and this is your chance to take a stand. Don't forget the State of Montana and the Federal Government gave us Reserve Street and what a great failure it has been, so of course we're weary of anything the MDT plans to do in Missoula's back yard.

Sincerely,
Tommy Hendrix
4918A Potter Park Loop
Missoula, MT 59808

HERRIES, DAVE

We in Montana who live here for the beauty and wildlife need fear for the same if these big rigs come through. We need to let them go somewhere else and we need to see that this sort of
1 thing does not go unnoticed. If our transp director thinks it is a great idea I have to wonder what he gets out of it. we can only wonder and say no no no

Dave Herries

1. Comment noted.

HILL-HART, JENNIFER

Jennifer Hill-Hart, Missoula, MT
Please do not force Missoula, let Montana, to enable this dirty, costly and inefficient fuel source.
1 Tar sands are not a long-term option for energy. Please don't let Montana jump the gun on this just because of the infrastructure improvements, when it is highly likely the projects will be ended mid-construction because tar sands energy development is too costly to sustain.
Thank you,
Jennifer

1. Comment noted.

I'm writing to urge the Department of Transportation to turn down Imperial Oil Co.'s application for a permit to truck tar sands mining equipment across Montana. The impacts of tar sands mining on public health and the environment are overwhelmingly negative, and not something Montana should facilitate.

1 As you must know, this type of mining produces massive amounts of greenhouse gases and high levels of harmful particulates. This particular project in Alberta would require the clearing of old growth forest and would severely harm water quality. On top of all this, burning the oil from tar sands mining produces more greenhouse gases per barrel than conventional fuel.

Please consider all these factors as you review Imperial Oil's permit application. Why would the state of Montana want to contribute to more global warming, degraded air and water quality,

2 and loss of more old-growth forest? Please prepare a full EIS, not just an environmental assessment, regarding this project.

Thank you for your consideration.

Sincerely,
Grace Hodges
14 S. Raleigh St.
Helena, MT 59601

HODGES, GRACE

1. See response to Common Comments E1 and P.
2. See response to Common Comment B.

My wife and I are writing to express our view concerning the desire of Imperial Oil to bring

1 oversize loads through the state of Montana. If this should happen, it must only be after a full Environmental Impact Statement has been completed. The Environmental Assessment does not deal with the negative and costly ramifications a permit to this company would/could impart on this state. We must consider in detail the effects on our state, both short term and long term, of highway accidents caused directly and indirectly by these rigs, of possible effects

2 on our scenic rivers and wetlands, of delaying and stopping normal traffic, of winter conditions, of the long term disadvantages of all the extra pullouts that would be constructed to accommodate these loads, of the unknown long term effects on our roads and bridges, just to mention a few.

3 To consider allowing this company, with its environmental record, to "rearrange" our lives and highways without a thorough analysis (EIS) would be nothing less than foolhardy.

Ron and Karen Hoff
870 Rankin Road
Missoula, MT 59808
406 543 8556

HOFF, RON AND KAREN

1. See response to Common Comment B
2. See responses to Common Comments H1, H2, H3, O, and L.
3. See response to Common Comment B.

Public comment taken over the telephone on May 14, 2010 (3:10 pm) from: Scott Howard 9590 ½ Anderson Road Missoula, MT 59802 Comment 1) I'm opposed to getting low quality oil and the trucks coming through the Lochsha corridor.	**HOWARD, SCOTT** 1. Comment noted.
To the MDT: I urge you not to approve this. I'm all for more jobs for Montanans, but not at the expense of the land we treasure. -M Hutchins	**HUTCHINS, M** 1. Comment noted.
This Exxon proposal is absurd! Have we not learned enough about being abused by other big corporations in Butte and Libby and...?? It's time Montana stood up and said NO to any kind of activity that detracts from the environmental quality we hold dear. I am appalled that this silly proposal has gotten far enough to waste our time! Richard Hutto Missoula, MT	**HUTTO, RICHARD** 1. Comment noted.
Dear Tom: The proposal to move mining equipment through Montana is absurd. We are the most environmentally intact place left on the planet, and we should be the last place to offer support to companies that continue to extract non-renewable energy. In addition, there are unstudied effects of noise and traffic holdups on wildlife all along the proposed route. Summer is a time to enjoy the roads of Montana at all times of day and night without having to bear the environmental costs of a company that uses us the same way ARCO and ANACONDA and GRACE have done, leaving us to deal with the unforeseen environmental and health consequences! WHY ARE WE WASTING OUR TIME DISCUSSING THIS PROPOSAL? NO is the answer. NO. NO. NO! Rick Hutto 3707 Creekwood Rd. Missoula, MT 59802	**HUTTO, RICHARD** 1. See the response to Common Comment I.
from Roger and Janice Inghram 61 Whitetail Acres Lane Grangeville, ID 83530 208-983-0616 inghrams@mtida.net	**INGHRAM, ROGER AND JANICE**

1	We oppose this mega-truck transportation project from beginning to end, but especially over Highway 12 as it will "re-brand" our Scenic Byway and All American Road along a Wild and Scenic River as an industrial truck route. The editorial in the Lewiston Morning Tribune, 5-13-10, says it all, "Nobody's asking you; they're telling you" that High and Wide is going to happen. Thanks to Montana for having a process for comment that may have some "teeth"; however, one gets the feeling that once again the 2nd largest/ richest corporation in the world will "run over" anyone/thing in its way. Roger and Janice Inghram	1. See response to Common Comment K.
	Larry J Jackson POBox 1467 Lolo Mt 59847 LJcksn1@msncom 406-550-9192	**JACKSON, LARRY**
1	I do not see any problem with this company going through our state We already have enough laws to protect our enviroment We dont need more laws or rules that would stiffle any more companies from entering our state and not doing business It is just more OBSTRUCTIONISM This company has made plans for anyfor the moving of this equipment which will give some new but temperary jobes give us turn out where we should have had more anyway now at no cost to Idaho or Montana I say lets cotinue this project It will have a greater benefit to use all	1. Comment noted.
	telephone on May 14, 2010, at 3:20 pm Brian Jamison Ravalli County, MT	**JAMISON, BRIAN**
1	Comment 1) Opposed to idea of super oil rigs moving through corridor. 2) Dangerous and unnecessary 3) That's my opinion, thank you.	1. Comments noted.
	Rita Jankowski-Bradley 510 E. Kent Ave., Missoula, MT 59801 406.544-9026, fax 406.721.4266, rjankowski_bradley@yahoo.com May, 13, 2010 Montana Department of Transportation MDT Environmental services Bureau PO Box 201001 Helena, MT 59620-1001	**JANKOWSKI-BRADLEY, RITA**

Comments re: the Kearl Module Transport Project (KMTP) EA Control Number: CN 68oo

NOTE: Comments prepared for submission after public hearing, question and comment period in Missoula, April 29th 2010, and Missoula City Council meeting May 10, 2010 and study and review of information during this time period. (4 page comment)

1 To begin with, my understanding is that this is not a truly independent EA but paid for by the company and therefore for the benefit of Imperial Oil-Exxon/Mobil, not the people of Montana. A second truly independent assessment is needed. Montanans should not have to bear the financial burden.

1. While Imperial Oil paid for the EA to be conducted, the firm that produced the EA is independent of Imperial Oil and the EA was reviewed and approved for publication by MDT as meeting environmental review criteria under the Montana Environmental Policy Act.

2 The potential adverse impacts of the project are significant. An immediate red flag goes out when the impact listed in the EA overview are all pre-determined as **"minimal to no**" environmental impacts. This should be challenged. Exxon has a history of mishap and contamination of waterways and fragile ecosystems. (As an example of the impossibility of such a guarantee, in a 2009 Environmental Impact Analysis, BP suggested it was "*unlikely or virtually impossible***"** for an accident to occur that would lead to a giant crude oil spill and serious damage to beaches, fish and mammals.)

To state that there is only ***"a slight risk of spill of contaminates or hazardous waste with minimal impacts"*** is questionable. A load this large over mountain passes and river corridors has a high risk of an accident. One accident will wreak havoc on our rivers. Clean water is at a premium for life, quality of life, recreation, fisheries, wildlife etc...Montana's wild and scenic rivers are irreplaceable treasures.

2. See responses to Common Comments H1, H2 and H3.

3 I am not a structural engineer but I have grave concerns regarding the wear and tear on the life expectancy of the roads this project is proposing to utilize. Both the life expectancy from the narrow road, fragile shoulder, bridges, riparian damage from such massive length and weight is predictably extreme and considerable... The long term cumulative effects from deterioration will become a long term burden carried by Montana taxpayers and negate the short term money being proposed to benefit the state and to repair the roads. Because these are permanent modifications, the potential for extreme wear is also PERMANENT.

3. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs. See response to Common Comment L.

4 Stating that the decision is based on following the Environmental Policy Act is one thing but our **constitutional right** (Article IX, Environment & Natural Resources), to a clean and healthful environment in Montana for present and future generations will be jeopardized if this permit is approved. Furthermore, our preamble states "We the people of Montana grateful to God for the quiet beauty of our state, the grandeur of our mountains, the vastness of our rolling plains, and desiring to improve the quality of life, equality of opportunity and to secure the blessings of liberty for this and future generations do ordain and establish this constitution." This project jeopardizes the quality of our life, the quiet beauty, and replaces it with negative impacts on our

4. See responses to Common Comments R and I.

scenic by ways and river corridors and wildlife, fisheries and migratory birds, including the Eagles and other raptor population at Rogers Pass. Even in the unlikely possibility that there was never an accident, widening the pullouts to such an extent and other modifications needed for these super size vehicles are a negative impact.

5 A 32 J permit for over dimensional, oversize loads were never designed for loads over weight, height and size of such magnitude. To have to relocate utility lines, traffic signal structures, modify for increased turning radius, etc. is indicative of this.

6 Taking alternative routes through Montana (during late fall and winter) which are often icy, impassible due to slides, flooding, etc. would cause either accidents or more trucks to go through Montana during better conditions. Lolo Pass is dangerous in winter and Rogers Pass has record extreme weather conditions. If more trucks travel during more ideal conditions, this is an added burden to Montanans. At the public hearing officials said a 2nd push truck may be needed for Lolo and Rogers Pass. Under extreme conditions this may, in turn, add to the danger.

7 Safety. Montana residents or tourists and other visitors requiring emergency medical attention could die because of these impassible transport modules blocking the road. As one woman stated "ten minutes more would have been too long and I would not be testifying here today." Not all emergencies can wait for transport by emergency vehicles. For Imperial Oil to guarantee a ten minute maximum delay for the transport modules as the officials did at the public hearing is impossible. **Losing the life of one Montanan or other citizen**, from such an incident, is unacceptable!

8 The route passes by some of Montana's **Minuteman missile silos**. Montana has one of the largest stockpiles. If these transport module vehicles block traffic they could cause eminent danger in terms of safety for Montanans and the world at large

9 Less traveled Montana roads, the same roads proposed for the Kearl Module Transport of equipment, are where late night accidents due to alcohol are a problem. This will only add to the tragedy.

10 An accident would block traffic for long periods, perhaps days or weeks. There are no alternative routes for many Montanans using these roads for work or recreation.

11 Economic impacts from risk to the rivers when a disaster occurs are difficult to cost. Many of the costs would be far greater than monetary. Lolo creek is Montana's gulf coast. As a tributary of the Bitterroot it flows into the Clark Fork and would pollute clear to Lake Ponderosa. The Blackfoot is noted as a "Blue Ribbon River," and damages would flow far downstream. The Dearborn River and other rivers could be damaged, as well. There is not much clean water on

5. Mont. Code Ann. Section 61-10-121, authorizes MDT to issue permits for loads exceeding the size and weight standards set forth in the statute. The permitting process includes special permits for utility work in the form of Utility Occupation and Agreement permits.

6. The Montana Transportation Plan contains contingencies for inclement weather. Module transportation would not occur under "extreme conditions".

7. See response to Common Comment H3.

8. Consultation was conducted with the Air Force at Malmstrom Air Force Base, the agency responsible for the missiles. They did not indicate the module transportation or other work would affect their operations (Section 4.1.3 of the EA).

9. The module transportation will not contribute to the problem.

10. See responses to Common Comments H1 and H2.

11. See responses to Common Comments H1 and O.

the planet. Contamination is irreversible. The damage to wildlife (moose, bear, elk, sheep, etc), and jobs surrounding recreation and tourism would be disastrous to the state.

12 Testimony by an economist at both the public hearing in Missoula and the City council meeting stated that impact and cost analysis was inadequate, incomplete. The EA assumed no job or business loss (tourism, recreation, outfitting, fishing, etc.). The EA assumed no big rig accidents, and assumed no federal dollars. A comprehensive report is necessary that addresses all the costs to taxpayers, workers, earnings lost, etc.

12. See responses to Common Comments M, L, H1, H2, and H3. No federal dollars would be involved in the project.

13 Support vehicles, emergency disaster vehicles and necessary equipment large enough to deal with an accident were not properly addressed.

13. See responses to Common Comments H1 and H2.

If this project is allowed which I am not in favor of, the State of Montana needs to guarantee that the citizens will not bear any adverse burdens from any disaster or long term damages. To

14 guarantee this a significant amount of money, I would propose $2 Billion US to be put in a bond account by Imperial—Exxon/Mobil for the state to access without question so there is no costly delays in clean up remediation or from persons injured or kept from emergency care due to delays in obtaining medical care in the event of a medical emergency or accident related to this project. There should also be a fund to support legal fees related to damages for use by Montanans.

14. See response to Common Comment L.

15 <u>Energy technologies/clean energy</u>. I am against this project because Montana should be not risking safety, economic burdens, and/or environmental damages from indirect support for dirty energy when Wind, Solar, and other renewable projects should be supported in Montana. Montana has experts in renewable energy. The document of chief import to Montana's Energy needs is AERO's *Repowering Montana: A Blueprint for Homegrown Energy Self-Reliance—How all of Montana's power needs can be met using conservation and clean, renewable energy while creating jobs, saving money, and revitalizing rural and urban communities* (<u>www.aeromt.org</u>).

15. Comment noted.

16 Montanans do not need to carry the burden for shortsightedness about the future of life on the planet. The tar sands have already caused destruction of irreplaceable boreal forests (perhaps source of natural cures to industrial caused problems). The tar sands produce less energy than used and contribute a tremendous carbon impact when climate change science requires a reduction in carbon if life on the planet is going to exist as we know it.

16. Comment noted.

17 It is a tragedy, the sacrifice of indigenous Chipewyan peoples who are dying or suffering from cancer and other ailments due to pollution of the Athabasca River from the Tar Sands. As a Montana citizen, I do not want to contribute to this tragedy which will only be exacerbated with continued Tar Sands development.

17. See response to Common Comment E1.

18 There are other feasible routes available**.** The current route from Port of Houston for transport of oversize loads for Alberta tar sands projects already exists. When Imperial/Exxon Mobile says this is the least expensive it is because they are **not weighing the long term, down stream externalities in the cost analysis.** Montanans should not be subject to such potential loss when other alternative routes and energy technologies that are less dangerous are available.

18. See response to Common Comment D1.

19 It is a fact that no matter whether the permit is asking for a High and Wide Corridor or not, this is what Montana will have. Future requests are assuredly guaranteed once such roads are altered and available.

19. See response to Common Comment K.

20 The route goes through forest service land, therefore NEPA should apply. Additionally, if highways are being rebuilt in the future, federal dollars will be used. This changes the parameters beyond state rules.

20. See the response to Common Comment A.

21 A review needs to be conducted under the National Historic Preservation Act for federal lands subject to secondary and cumulative impacts to archaeological & historic sites along the route. Also, full surveys with shovel testing on the extra wide pull outs to protect unknown cultural resources before they are destroyed. Also full review under the Federal Highways Act for those portions of the route that are indeed federal highways, Interstate 90 & 15 and US 93 & 287.

21. A cultural survey was done on the portion of Highway 12 crossing the Lolo National Forest where ground disturbing activities would occur. See Section 4.1.1.2 of the EA.

22 According to my reading of class 2 permits for 32-J, the vehicle loads may be moved only during daylight hours, from sunrise on Monday until 3:00 pm on Friday. Because the state determines it is in the best interest to change the times for the Kearl Module transport, it seems that allowing weekend travel goes beyond intended benefit to the public (officials stated ~ 1 vehicle per day at public hearing).. IN FACT, none of this is truly to the benefit of Montana, except for a few short term jobs at the risk of long term economic burdens that Montana cannot afford to bear. This is plain old common sense—of which Montanans are proud.

22. Pursuant to ARM 18.8.1101(13)(g), MDT may authorize travel at other times, including nighttime. In this case, the nighttime travel minimizes inconvenience to the traveling public and enhances traffic safety (see Section of 2.3.3 EA) No weekend travel is proposed or planned.

23 The EA allows for citizen and groups voices. Our comments of concern should not just serve protocol but should be listened to carefully for the concerns re the impact of this project. I believe we matter; it is our state and our duty to protect its scenic rivers, wildlife and quiet beauty for generations to come. Many youth testified about their fear for the state they love and plan to live in for a lifetime and to raise their families here. Future generations are Montana's future.

23. Comment noted.

24 Please deny the permit. At the minimum please submit to a federal Environmental Impact Statement to take into full account all the damages that Tar Sands mining generates. Common sense dictates an EIS when such a request requires higher scrutiny. The current assessment is insufficient.

24. See responses to Common Comments A and E1.

25 There has not been enough time for citizens and groups to comment. In reality, the 30 day period was only a 15 day period because only with enough information generated at the public hearing did we have time to act.

25. See response to Common Comment F1.

Thank you for your consideration.
Rita Jankowski-Bradley
Missoula, MT

1 **I urge you to consider *all* environmental impacts of tar sands development-especially its contribution to global warming before you issue a permit to transport this MASSIVE equipment across western MT and into Canada.**

Sincerely,

Gerry Jennings 317 Fox Drive; Great Falls, MT 59404

JENNINGS, GERRY

1. See the response to Common Comment E1.

Norman W. Johnson, PLLC
Certified Rehabilitation Counselor & Board Certified Vocational Expert
PO Box 1656, Polson, MT 59860-1656 406 883-0398 Fax 406 883-0298 Cell 406 249-5303

April 29, 2010

Re: Testimony
Imperial Oil/ExxonMobile's plan to move 200 over height, over width, and overweight loads from Lolo Pass to the Port of Sweet Grass over a 12 month period starting fall 2010, for twelve months, during the evening and early morning hours.

Dear Reader:
I am in favor for this action for a number of reasons.

1. The 53 new highway turnouts and 22 existing turnouts that will be enlarged will be a boon to the traveling public to use for emergencies, snowplow pull offs, cell phone usage, for tourist pull outs for scenic photos, a place to watch wildlife, and to care for young children and infants. Hopefully, these will contribute to slowing tourists so they will spend more time and money in our state.
2. At least 100 flaggers and pilot car drivers will work year round to Sheppard these loads through Montana. These workers will earn Davis-Bacon Act wages which vary based on zones from the dispatch city but will run from at least $17.18 per hour to $21.98 per hour for flaggers and $19.97 to $24.77 per hour for pilot car drivers. Plus, per diem and fringe benefits.
3. These 100 flaggers and pilot car drivers will consist of a number of high risk members of society such as: single women trying to support their families; disabled and handicapped workers who can only perform work with a physical capacity rating of sedentary to light; minority group members from various Montana tribes who are experiencing unemployment rates in excess of 25% on their home reservations.
4. From 1980 to 1982 huge equipment was transported from Billings to Coal Strip to finish up the power plant construction. Today along I-94 the pullouts constructed around each overpass is only visible to the knowing eye and many times even I cannot tell where they once were.
5. The oil produced in the oil sand fields of Alberta is destined to be piped to the Cenex refinery in Laurel which will produce good paying jobs in that Montana community.

Typically, when folks from western Montana oppose something they use the environment as a handy argument. In other words, they claim that an activity will harm the flora and fauna, kill off the bull trout, destroy the salmon, ruin the scenery, pollute the air, wreck the view etc. It is simply disgusting that folks would stoop so low. We all want to protect our environment.

Using the same techniques as the so called protectors of the environment I could characterize those who opposed this project as being anti-family as they are destroying good jobs that families rely on to support themselves. I could go one step further and say that those who are in opposition are discriminating against the disabled and handicapped as they would more than likely be the recipient of many of these jobs. And of course not to be outdone by current ruling junta in Washington D.C., I could claim that everyone who opposes this project is racist as many Native Americans will more than likely be employed on this job.

However, I am not going to use any of those specious arguments. Instead, I simply recommend that you use the common sense that your higher power gave you to see how this program will be a long term benefit to Montana.

Norm Johnson

1

JOHNSON, NORMAN

1. Comment noted.

30 days is not enough. More time needed. Please, please extend the period. Wayne	**JOHNSON, WAYNE** 1. See the response to Common Comment F1.
To whom it may concern: Having read the proposal, some of the opponent's view points and some of the proponents view points, I have to side with the opponents. While the economic benefits of this project are real and needed in these hard economic times, the risk, uncertainty and long term impacts to the Western Montana river and stream systems are not being considered adequately in my view. We have a large interstate highway system in this state that is designed for long haul operations such as this. The company proposing this project is interested in the lowest cost alternative only and the chosen route represents that choice. Reject the proposal and retain the long term integrity of the Blackfoot and Lolo waterways. Thank you, Dave Jones 212 Sentinel	**JONES, DAVE** 1. See response to Common Comment O. 2. See response to Common Comment D2.
Greetings, I'd like to express my opposition to moving equipment for the Tar Sands work in Canada through Montana. It's one of the most environmentally degrading processes in the world, and we are trying to stop global warming, not make it worse. It's going to tie up our roads, and for what? For greed, degradation, and a shaky future for humans. Please address these impacts before issuing any permits. Thank you. -- Beth Judy 718 Vine Missoula, MT 59802	**JUDY, BETH** 1. See responses to Common Comments E1 and P.

To: mdtcommentskearl@mt.gov

Hello, I'd like to add to comments I made earlier.

I am concerned that the current EA does not adequately address concerns about fish, animals, plants, and archaeological or historical artifacts along the route that these huge shipments would take.

1 If there is already a route available that would not go through Montana, I would prefer that the shipments continue to stay on that route.

2 If the route does go through Montana, I would hope that the bond would be high enough to take into account more than just construction/engineering values of the road itself, but additional economic values--impacts on tourism from any accidents or Montana losing value as a destination for any reason. Negative impacts on wild lands, scenery, ecosystems. People's time

3 when they are held up by an accident involving the equipment. Impacts that we aren't evident now, but that we may be left with.

4 I don't welcome this kind of traffic. It seems like if we establish this route, other companies may use it as well, since there are many projects in the Tar Sands experimenting with all kinds of new technologies. I would wish for Montana not to become a pass-through state for that industry.

Exxon/Imperial also does not seem like a trustworthy partner, if there were any problems. They have reneged on promises to much bigger "fish in the sea" than our lightly populated, economically poor state.
Thank you.
--
Beth Judy
718 Vine, Missoula
406-728-4711

JUDY, BETH

1. There are no current routes through Montana for these loads to use.

2. See response to Common Comment L.

3. See responses to Common Comments G, I, and J.

4. See response to Common Comment K.

Public comment taken over the telephone on May 14, 2010 (2:30 pm) from:

Gary Kahl

5005 Pattee Canyon Road

Missoula, MT 59803

1 1) Concerned about project, environmental aspects, current disaster in making, facilitating a bad idea.

2) Has problem with MT participating in such project using our highway system, conflict with other users, especially with an accident and believes an accident is inevitable.

3) Large potential for disaster.

2 4) Have Exxon post millions for dealing with potential disaster.

5) Exxon would rather fight than step up and pay for damage.

6) Don't know what MT has to gain from facilitating this project, MT has much to lose and not much to gain.

3 7) What does our state or our nation have to gain?

8) Why facilitate or enable this to happen?

9) Let Korea and Canada figure this out and not involve the US transportation system.

KAHL, GARY

1. See response to Common Comment G, H1, and H2.
2. See response to Common Comment L.
3. Comments noted.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 • Require real alternatives to be considered;

3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

Donald E. Kiely
Missoula, MT 59801
406 721-0311212 Sentinel
Missoula, MT 59801
406 721-0311

KIELY, DONALD

Form Letter 1

1. See response to Common Comment C2.
2. See response to Common Comment D1 and response to Common Comment D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

I am concerned about the huge equipment that may travel over our roads on its way to Canada for the Tar Sands. Dev. Although I love Canada and her people this is a
1 dangerous undertaking. I'm asking that you prepare a full environmental impact statement before proceeding.

Mollie Kieran
Libby, MT
Molly Montana
Molly Montana Real Estate
406-293-2934 office
406-293-3407 fax
molly@mollymontana.com

KIERAN, MOLLIE

1. See response to Common Comment C.

Dear Montana Department of Transportation ,

I am concerned about the creation of a permanent "high and wide" industrial corridor along some of Montana's most scenic river ways. The environmental analysis of the Kearl Module Transportation Project must not be limited to this one-time proposal since it is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands.

Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 • Require real alternatives to be considered;

3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts.

b.kneefe
missoula, mt

KNEEFE, BERNIE

Form Letter 1

1. See response to Common Comment C2.
2. See response to Common Comment D1 and response to Common Comment D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

Voicemail comment received by me today from Marian Koch……..

1 I am calling on this big rig deal. I am definitely against it. I am afraid it is waiting for an accident to happen. Thank you very much.

Marian Koch
Missoula, Montana

KOCK, MARIAN

1. Comment noted.

To whom it may concern:

1 I am writing to voice my strong opposition to the proposed Kearl Module Transport Project. I understand that the project would require major changes to road infrastructure, albeit at Exxon Mobil's expense, and would create at best a nuisance and at worst a safety hazard to the public. The potential environmental risks to such a famously scenic area are just too high. It seems to me that the significant, lasting benefits of this project would all accrue to Exxon Mobil, while the significant lasting risk is all footed by the public, and we need look no further than the Gulf right now to see that is a terrible proposition. Different industry, different specifics, but the same principle.

I urge you to put the interests of Montanans, present and future, first and reject this proposal.

Sincerely,

Emily Kodama
823 Defoe Street
Missoula, MT 59802

KODAMA, EMILY

1. See responses to Common Comments G, H1, H2, and H3.

Dear Mr. Martin,

1 Please accept this message as a positive vote on allowing the Modules to move through Montana. The extreme environmentalists have only one agenda, and that is to stop all fuel and coal production. Their claims of environmental damage from moving these rigs is baseless and ridiculous. The cry baby fishing guides think they own the rivers and highways of Montana, yet they actually contribute very little to Montana's economy. They have already helped destroy one of Montana's best paying industries, gold mining, so please don't let them hold up progress on this worthwhile project.

I am a third generation Montana mining employee, with considerable experience in the devestating effects extreme environmentalism has had on Montana's economy and jobs. As your studies so far have shown, this project has little, or no, affect on the environment. Please proceed.

Thank You,
Jerry Koon
50 Poison Patch Rd
Hall, MT 59837
406-288-3626

KOON, JERRY

1. Comment noted.

Dear MDT:

I am unable to attend the public meetings but wish to register my dismay over this proposal to
1 open up Western Montana for what will undoubtedly be years and years of shipping this enormous equipment over our narrow roads and through some of the most gorgeous and sensitive areas of our state. Exxon-Mobil can spend extra money and simply ship using other, safer routes.

2 I recreate regularly on the Clearwater and Lochsa Rivers and work for USGS up the Blackfoot River doing water surveying from May through October. The prospect of these rigs coming over Lolo Pass and down through Missoula and then up the Blackfoot strikes me as one of the least supportable ideas in a long time—and the building of more and bigger turnouts every few miles (oh, and burying a few overhead lines) is one bribe we don't need and shouldn't take.

3 I will readily admit that I am horrified (on self-evident ecological grounds) by this Alberta Tar Sands project, but I am here basing my strong objections to this transportation proposal on the intrinsic beauty and integrity of these river corridors, their narrow two lane roads and the absurd notion that we in Montana must move heaven and earth (certainly earth!) to accommodate every corporate whim (even while another such plays out in slow motion down in the Gulf).

4 At the very least, there should be the fullest of environmental reviews and a great deal more time taken in considering all this—or I am afraid we will all suffer for a too-hasty acquiescence.

Respectfully,
Michael Kreisberg (244 So. 2nd St. W.;, Missoula MT 59801)

KREISBERG, MICHAEL

1. See response to Common Comment D1.
2. Comment noted.
3. See response to Common Comment J.
4. See response to Common Comment B

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1 Imperial Oil/ExxonMobil should keep to their existing route. If we open Montana roads to them, there will be more companies wanting to do the same and there will be an endless parade of oversized rigs running down our roads. They'll increase and slow traffic, damage roads and decrease our air quality. Please do not allow Imperial Oil/ExxonMobil passage through Montana.

Holly Kuehlwein
Missoula, Montana

KUEHLWEIN, HOLLY

1. See responses to Common Comments G, L, and K.

Hello,

1 I just want to make sure it is known that my wife and I are AGAINST the modules.
We fear it is taking advantage of a pristine area, and the risk is not worth the reward to Montana.
Please do NOT issue this permit.

KUHNLE, DAVID

1. Comment noted.

Thanks
David kuhnle
2620 woodland ave.
missoula , mt 59802

Hello Sir/Madam,

I just wanted to make a comment about the Oil company's plan to move large modules across Route 12 and hwy 200.
My name is David Kuhnle
2620 Woodland ave.
Missoula, MT 59802

1 I DO NOT approve this plan. I don't understand how an oil company can make changes and threaten our highways. These module loads could be easily transported up the Columbia by barge, then transported that way. I don't believe it is safe or acceptable to have these large loads transported on narrow roads like route 12 and hwy 200. These roads were never designed to have loads like these, and the danger to the public is what is my greatest concern.

I hope you all can see the public does NOT want this.
Good luck, thanks
David

KUHNLE, DAVID

1. See response to Common Comment G.

1 Don't allow this beautiful and scenic wild river corridor to be ruined by altering it to allow these enormous vehicles to use it.

2 Normally I am all for anything that would have a positive impact on the economy, but in this case i will make an exception.

There are other routes that these vehicles have used to transport the machinery to the oil sands of Canada. Use those instead.

Richard Kuschel
rhk@therecordingcenter.com
I canna' change the Law o' Physics-Scotty
The Recording Center
118 W. Pine St.
Missoula, MT 59802
406-721-4172

KUSCHEL, RICHARD

1. See response to Common Comment J.
2. See response to Common Comment D1.

Dear Mr. Martin,

My comments on this project are more in the form of questions. My family and myself have quite a few concerns about this project, but none of us were able to make it to the public meeting last night. Some of my questions stem from what was reported in the Missoulian this morning.

My first question is in line with the question posed by Robbie Liben of Missoula last night.

1 What is the company's plan for accidents, not only for those individuals involved, but also for the wildlife/environment? The Missoulian reported that Imperial Oil reassured the public that an accident (or incapacitated rig) would not happen. Even the best drivers are subjected to conditions beyond their control, such as weather, wildlife and other drivers. A transport of this magnitude can do severe damage to anyone or anything unable to get out of the way including the environment.

2 Is Imperial Oil also proposing routes in Canada? The end product will be used in Canada, why not use a Canadian port, roadways and railways to transport? Why are the shipments coming through the United States? Is it cheaper to deal with the U.S. than it is Canada?

3 In an effort to avoid the "not in my backyard" mentality, would the use of the established freeway system be better? I understand that the transports may not fit under the overpasses and the transports would have to exit and enter the freeway again. However, would that be safer for other drivers? Is the freeway system better equipped to handle these heavy loads?

Thank you for receiving my questions.

Sincerely,
Jona A. Lagerstrom
2070 Cooper Street
Unit 221
Missoula, MT 59808
406-549-8969

LAGERSTROM, JONA

1. See the responses to Common Comments H1, H2, and H3.
2. See the response to Common Comment D1.
3. See the response to Common Comment D2.

1 Please consider the incredible environmental impact that the tar sands are having and will continue to have on the ecosystems of Canada, USA and the planet as a whole. The Alberta tar sands are hugely wasteful of Nature. The energy used to extract what has become a poison to the earth is massive. The resources needed to have begun and to maintain what is surely an obsolete technology does not warrant the tar sands' contribution to environmental destruction. Please, please do not narrow your vision to "but we need the oil". Consider ALL of the environmental impacts of this project. It's wasteful in its process. It's massively polluting on a planet that cannot take any more of this "growth". And the idea that we can safely use public scenic two-lane roads without

LANDINI, RICHARD

1. See response to Common Comment E1, H1, H2, and J.

1 catastrophe to rivers and public service is not reasonable. I do not want this destruction-for-oil on our public roads. I do not support the Corporate Profit made at our public infrastructure's expense. PLEASE	See previous page.
Dear Sir, 1 I have looked at the EA for the proposed KMTP. Although I do not live along the direct route, I oppose this project. I am a frequent visitor to the Lochsa river drainage. I cannot see the safe passage of these vehicles along this corridor. Please do not allow this company, from another country, take advantage of our beautiful countryside. Jeff LaPlume 156 Trailridge Rd. Kalispell, MT 59901	**LAPLUME, JEFF** 1. See response to Common Comment E2.
Dear MDT, 1 As a native Montanan and an informed citizen I wanted to contact MDT. I strongly object to the approval of this permit. this is not only because of the significant risk to everyone traveling the roads during while this MASSIVE equipment is being transported but also because of the environmental and public heath issues it poses.... Montana can not afford to turn it's head to these issues.... Thanks for your time Sincerely Matts Larson	**LARSON, MATTS** 1. Comment noted.
I am writing to STRONGLY object to the hauling of massive tar sands drilling equipment through Montana to Alberta! PLEASE consider: 1 1. the cummulative and irreversible environmental and health impacts of tar sands mining: - the harm to water quality - millions of metric tons of greenhouse gases - excess levels of harmful particulates that impair air quality - the clearing of old growth forests	**LEE, BONNIE** 1. See the response to Common Comment E1.

2. the future effects of developing this high and wide corridor across our state

THANK YOU for your attention!
Bonnie Lee
Missoula, MT

2. See response to Common Comment K.

As a member of the Missoula community since 1972 and a Missoula resident homeowner since 1980, I wish to speak out **against** the proposed hauling of over-sized mining equipment through the Missoula area. It seems ironic and hypocritical that we would allow mining companies to so abuse a town where the population has often voted against mining interests and in favor of the environment. I see little to be gained and much to lose for our community in this ill-advised endeavor. Please tell Exxon Mobil and Tar Sands that they need to find another route over which to haul their earth-raping equipment. Thank you for listening.

Robert Lee
1045 S. 1st W
Missoula MT 59801
406 721-3814

LEE, ROBERT

1. Comment noted.

Dear Mr. Martin

I am 100 % support of the Kearl Module Project – We need more jobs in Montana.

Thanks
Danielle Lehman
GasesPlus Norco LLC
899 Parkway Lane
Billings, MT 59101
1-406-252-5339

LEHMAN, DANIELLE - GASESPLUS NORCO LLC

1. Comment noted.

Whoa on this! A permanent 'High & Wide' corridor alongside some of Montana's finest streams and through ecologically important wildlife habitat? And only an EA? That's like solving the potential for hazardous spills into Flathead Lake by posting "Report bad driving signs".

At least have an EIS conducted, then read it, then have public meetings on it and carefully examine all the negative impact this 'corridor' will have for western Montana's quality of life. If it's as severe as I suspect, then SAY NO!

Respectfully,

LEHNER, PHIL

1. See response to Common Comment K.

2. See response to Common Comment B.

Phil Lehner
Polson

Dear MDT,

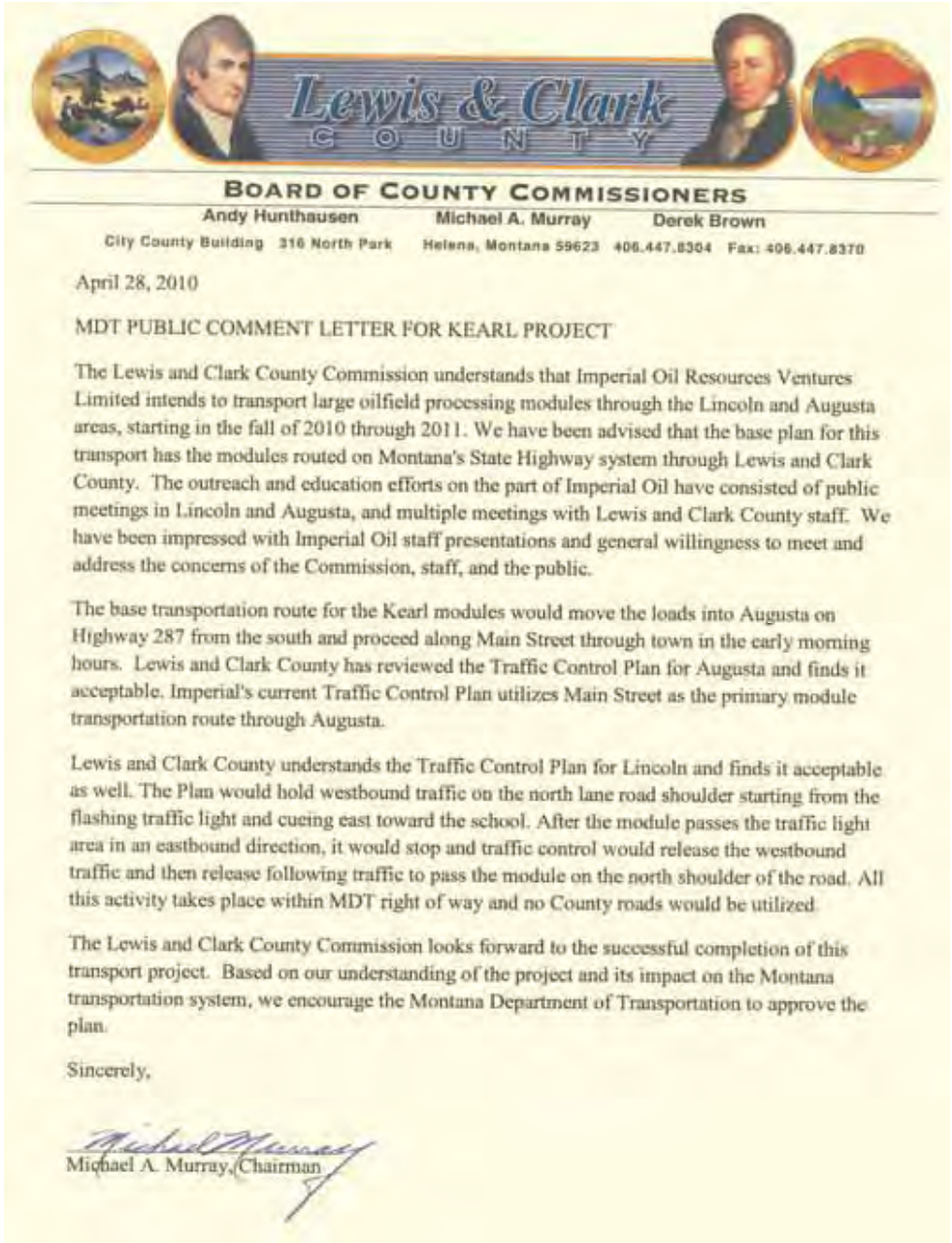
1 I am writing object to allowing Imperial Oil Co. to haul greatly oversize loads of equipment over Montana highways. No matter what Imperial Oil claims, this will disrupt traffic and possibly the movement of emergency vehicles. This is unacceptable because it makes Montana roads more dangerous. I imagine the equipment is being constructed overseas. Why not construct it in Canada or somewhere closer and keep the money here instead of giving it to the Koreans? Finally the whole tar sands project seems like an environmental disaster waiting to happen.

Thank you for considering my concerns.

Peter Lesica
929 Locust
Missoula, MT 59802

LESICA, PETER

1. See responses to Common Comments G and H3.
2. See response to Common Comment D3.
3. Comment noted. E1



Lewis & Clark COUNTY

BOARD OF COUNTY COMMISSIONERS

Andy Hunthausen Michael A. Murray Derek Brown

City County Building 316 North Park Helena, Montana 59623 406.447.8304 Fax: 406.447.8370

April 28, 2010

MDT PUBLIC COMMENT LETTER FOR KEARL PROJECT

The Lewis and Clark County Commission understands that Imperial Oil Resources Ventures Limited intends to transport large oilfield processing modules through the Lincoln and Augusta areas, starting in the fall of 2010 through 2011. We have been advised that the base plan for this transport has the modules routed on Montana's State Highway system through Lewis and Clark County. The outreach and education efforts on the part of Imperial Oil have consisted of public meetings in Lincoln and Augusta, and multiple meetings with Lewis and Clark County staff. We have been impressed with Imperial Oil staff presentations and general willingness to meet and address the concerns of the Commission, staff, and the public.

1 The base transportation route for the Kearl modules would move the loads into Augusta on Highway 287 from the south and proceed along Main Street through town in the early morning hours. Lewis and Clark County has reviewed the Traffic Control Plan for Augusta and finds it acceptable. Imperial's current Traffic Control Plan utilizes Main Street as the primary module transportation route through Augusta.

Lewis and Clark County understands the Traffic Control Plan for Lincoln and finds it acceptable as well. The Plan would hold westbound traffic on the north lane road shoulder starting from the flashing traffic light and cueing east toward the school. After the module passes the traffic light area in an eastbound direction, it would stop and traffic control would release the westbound traffic and then release following traffic to pass the module on the north shoulder of the road. All this activity takes place within MDT right of way and no County roads would be utilized.

The Lewis and Clark County Commission looks forward to the successful completion of this transport project. Based on our understanding of the project and its impact on the Montana transportation system, we encourage the Montana Department of Transportation to approve the plan.

Sincerely,

Michael A. Murray, Chairman

LEWIS AND CLARK COUNTY

1. Comment noted.

1 Know one seems to care about us homeowners on the Blackfoot River on hwy 200 from Milltown to Patomac.

It just never ends.

2 Now this. Most of the homes on the Blackfoot river on hwy 200 are small properties in width. 150ft from the flood planes. Many are long but very narrow and almost to the Hwy. From Milltown to Bearcreek Rd. the problem exists. So no matter where you put a turn out it is going to effect a homeowner. A turnout is going to create a real disaster for any of the homeowners along this section. Not really from the Big Rig but the long effect of that persons home and property. This will be putting traffic and the big rig right in our back or front yards. Not to mention all the construction on the Electrical wires (which are many). And when this project is over it will leave us to deal with the problems to be created from traffic in the turnouts.

After your project is done there will be a devistating effect for those of us who have narrow lots along the river. If there is a turn out near by it will create another meeting place for the party goers. (by the way our police coverage usually has to come all the way from Missoula)

Hwy 200 gets pretty noisy from the traffic for those of us who live along Hwy 200 from Bonner to Potomac, but it ends around 12 a.m. and we are than able to go to sleep. Unless there is a kegger party on the weekend. So I guess now we will have to be awake all night long. Every night for a whole year. Real nice.

3 Please I have a request - please do not put a turn out at Gold Creek Road, this will harm 14 homes plus the residents up Twin Creek Road. We already have to put up with so much from the parties and traffic and other issues. Please do not make it worse for us.

4 This year we get to spend time writing to you, by the way I finally figured out after 2 hours how to get to this site. Last year we had to fight River Set Backs. I do not understand, how they can control our property about River set backs and then turn around and tear up the roads, put underground utilities, etc. all along the river with only 200 feet to the Hwy, and on the bridges over the river. This state does not make any sense.

5 Don't forget to tell the residents from Bonner to Clearwater Junction that they cannot be injured or get sick or have their home catch on fire while all this is happening.

LGLAFFFF@YAHOO.COM

1. MDT does care about homeowners and the travelling public. The impacts have been identified.
2. For the noise assessment, the park/extended park turnouts (new or existing) were reviewed to see if they were within 500 feet of a residence. None of the parking/extended parking turnouts on Hwy 200 are within 500 feet of a residence. There are a total of 8 new turnouts on Hwy 200 on the approximately 86 miles between Bonner and Rogers Pass. Of those, 6 turnouts are clearing turnout which were not reviewed for their proximity to residences because their use by modules will be less than 10 minutes at a time. They are located at mile posts 43.0, 47.2, 52.3, 70.1, and 77.9. Of these, the turnout at 70.1 is the closest to any residence at 430 feet. This turnout is 1/4 mile from the Blackfoot river. The construction width of the clearing turnouts is 10 feet. None of the new turnouts are within a floodplain. Noise levels from module transportation will be similar to current commercial use on the highway.
3. Twin Creek is near MP 9, the closest turnout with any work proposed is just past MP 12 (a new turnout).
4. Comment noted.
5. See response to Common Comment H3.

1 I oppose Imperial Oil/Exxon Mobil's request to run through 200 grossly oversized vehicles through Montana. This will have negative impacts on our environment, our citizens, and our roadways ... with no significant benefit to our state.

Tom Likens
Helena, Montana

LIKENS, TOM

1. Comment noted.

Dear Montana Department of Transportation:

As someone who grew up with the Blackfoot River in my backyard, and having helped fight--and win--the legal challenge to protect the Blackfoot River from the proposed giant cyanide heap leach gold mine proposed for the headwater of the Blackfoot-the case is MEIC v. DEQ, I am compelled to vehemently oppose jeopardizing one of Montana's most treasured rivers and river corridors. Not only is the Blackfoot a treasured recreation area, but it provides critical habitat for many species--aquatic life and wildlife. It is also one of the primary routes to West Glacier from Missoula and Helena, and provides critical access to the Bob Marshall Wilderness.

1 Making Highway 200 a superhighway for transport of behemoth industrial equipment would jeopardize not only the scenic beauty and habitat the Blackfoot River provides, but it would more than likely result in adverse economic impacts to small communities, and to Montana's overall tourism and recreation industry.

2 I am concerned about the creation of a permanent "high and wide" industrial corridor along some of Montana's most scenic river ways. The environmental analysis of the Kearl Module Transportation Project must not be limited to this one-time proposal since it is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. **Please do the following:**

3 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

4 • Require real alternatives to be considered;

5 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

6 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts.

Thank you for this opportunity to comment.
Sincerely
Brenda Lindlief-Hall
Reynolds, Motl & Sherwood, PLLP
401 North Last Chance Gulch
Helena, MT 59601

LINDLIEF-HALL, BRENDA

Form Letter 1.

1. See responses to Common Comment M.
2. See response to Common Comment K.
3. See response to Common Comment C2.
4. See response to Common Comment D1 and response to Common Comment D2.
5. See response to Common Comment M.
6. See responses to Common Comment A.

(406) 442-3261
(406) 443-7294 (fax)

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 ▪ Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 ▪ Require real alternatives to be considered;

3 ▪ Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 ▪ Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

LITTLE-STARRATT, DEBRA

Form Letter 1

1. See response to Common Comment C2.
2. See response to Common Comment D1 and response to Common Comment D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

May 3, 2010

Tom Martin
MDT
P.O. Box 201001
Helena, MT 59620
Mr. Martin:

We are writing to express our concern about allowing mining equipment to travel on Montana highways for 350 miles en route to Alberta. Besides the obvious safety concerns and travel disruptions, we are concerned about the broader implications of enabling tar sands development.

1

Tar sands mining is devastating to the environment and to climate stability. It produces 108-125 million metric tons of greenhouse gases each year, requires logging of old growth forests, and damages water and air quality.

2

We urge you to prepare a full EIS to assess the long-term cumulative effects of tar sands development and its contributions to global warming - effects all the citizens of Montana will have to live with.

3

Thank you.

Kathy Lloyd and Drake Barton
503 State Street

LLOYD, KATHY AND DRAKE BARTON

1. See responses to Common Comment E1, H1, H2, and H3.
2. See response to Common Comment E1 and P.
3. See response to Common Comment B, P, and E1.

Helena, MT 59601
406-449-6586

Montana Department of Transportation,

1 I and those I represent, Lewis and Clark Trail Adventures and the 543 members of the Lochsa River Conservancy demand with all due respect that the hearing process be lengthened to at least 90 days due to the length and breadth of the EA.

2 We also request that a comprehensive EIS be completed on the state and federal levels because this goes beyond a single project, it is the opening of a permanent high and wide corridor.

3 The EA does not sufficiently cover the "what if" situations and blindly rules out the case of any accidents through corporate egocentricity. Although the KMTP officials may have driven through the state a handful of times that doesn't mean they know all challenges and scenarios that may be presented.

4 By choosing not to acknowledge the beginnings and ends of this project MDT is making a statement of helpless ignorant compliance. MDT employees are public servants to us the citizens of Montana and we want more detailed alternatives, more thorough analysis and the time to digest it.

The following web link and attached documents are lists of roughly 200 signatures opposing the project along the Lochsa River in Idaho. Although these petitions are not directed to the Montana portion of the KMT Project it is safe to say that the undersigned sentiments exist on both sides of the border. These signatures must not be ignored because a majority of them are Montana citizens, the people whose taxes pay MDT salaries.

5 petition link:

http://www.petitiononline.com/lrmi68/petition.html

We would also appreciate being kept in the loop on future extensions and occurrences within the department pertaining to this and similar projects to save all of those involved time and money by not prompting FOYI requests.

My name is Jim Hepburn. I am a born and bred Montanan, a U of M alumni, construction worker, outdoorsman, and a whitewater raft guide.

I am here to represent the Lochsa River Conservancy. A public interest group that I formed in response to the Kearl Module Transport project and the detrimental effects it

LOCHSA RIVER CONSERVANCY – JAMES HEPBURN

1. See response to Common Comment F1.
2. See the response to Common Comment B and K.
3. See the response to Common Comment H1, H2, and H3.
4. See responses to Common Comments E1, E2, D1, D2 and D3.
5. Comment noted.

and its precedent will have on the social and natural environments of the Lochsa River corridor.

I am also here on the behalf of Lewis and Clark Trail Adventures, a Missoula based outfitter owned by Wayne and Gia Fairchild that has been operating on the areas rivers and trails for over 20 years.

For over 2 years the KMT project has been limited to whispers between select government officials and corporate representatives.

It has not been until recent that those affected most have been notified.

6 By ignoring local communities and businesses the KMT project has literally been set up to pass with precedence under the cover of darkness.

Individual projects like the KMT project may be finite but, an amassing list of other interested companies unveils an open ended ticket to similar future use.

7 The Emmert Coke Drum project is already slated to move 4 similar modules at the same time as the KMT project.

8 And just yet, the Port of Lewiston is planning to expand sizably, enhancing its capability to receive mass amounts of this lowest-bidder foreign made equipment destined for oilsands, wind power, and coal projects throughout intermountain North America.

9 Proponents of the KMT project boast that jobs will be created in Montana on its behalf but, besides a few temporary construction jobs and a few gas and lodging sales to truckers, the livelihoods of many Montanans and Idahoans will be negatively affected. Especially those who depend on the lands surrounding the KMT project proposed route.

If Imperial Oil, Exxon Mobil, Emmert or any other corporate behemoth want to make jobs in Montana, Why not build it here?

Instead it seems as though Montana is merely a meager means to big profit by way of efficiency.

I understand that sacrifices must be made for our way of life but, that goes for both sides. When does off limits mean off limits?

10 State and corporate officials claim that this is the only feasible route but, a January 2009 Canadian Sailings article details the successful movement of a 400 ton module through Thunder Bay, Canada to the Kearl Oils sands. We want detailed alternatives.

The majority of individuals and businesses I have spoken to along the route oppose the

6. See Section 4.0 in the EA. Consultation has been ongoing since September 2009. The KMTP EA was made available for public review.

7. The ConocoPhillips coke drums are not currently scheduled to move at the same time the KMTP would be moving modules.

8. Comment noted.

9. See response to Common Comment M.

10. This route is much longer than the proposed KMTP route including the ocean trip.

KMT and similar projects. I have gathered an estimated 300 signatures in opposition to the KMT and similar future projects in the Lochsa River corridor.

11 By allowing the foreign modules of the KMT project to move through our state, a precedent will be set and others will follow. “If you build it they will come”. It may seem beneficial now but, 10 years down the when corporations want to turn our wild and scenic by-ways and prized Rocky Mountain landscape into a super-sized high and wide interstate through our front yards, remember that it could have been prevented by saying no to the KMT project and the precedent it will set.

Sincerely,
Jim Hepburn
j.hepburn@hotmail.com
406-223-3907

The Lochsa River Conservancy
lochsariverconservancy@live.com

11. See response to Common Comment K.

Petition by The Lochsa River Conservancy

12 We the undersigned believe that the Wild and Scenic Lochsa River Corridor and the Lewis and Clark National Scenic Byway (U.S. Highway 12) should not be used now or in the future for the transportation of extremely oversized commercial equipment and oppose Imperial Oil/ Exxon Mobil's proposed travel route in Idaho.

Not only will this project set a precedent for other interested parties but, this type of activity is contradictory to what the area represents and will be detrimental to small businesses and communities that depend on the recreational aspects of the area.

The narrow width, windy character and existing commercial traffic on U.S. Highway 12 already pose significant dangers to recreationalists and motorists alike. Multiple semi-truck wrecks in the past have spill their fuel and contents into the delicate river ecosystem protected under the Endangered Species Act and the Clean Water Act. Altering this roadway to accommodate oversize loads can and will have adverse effects on the Lochsa River ecosystem.

Projects such as the aforementioned should use routes specifically designed for oversize commercial use.

Name	Signature	City and State	Occupation/ Affiliation	Date
Claire Yauck	Claire Yauck	Missoula, MT	Law Student / [illegible]	April 16, 2010
Brad Dickson	[illegible]	Missoula MT	Law Student	4/16/2010
DeAnne Dunning	[illegible]	Missoula, MT	Law Student	4/16/2010
James P. Crane	[illegible]	Missoula, MT	Law Admin.	4/16/2010
[illegible]	[illegible]	Missoula, MT	Student	4/16/2010
[illegible]	[illegible]	Missoula, MT	Student	4/16/2010
Robin R. Gregory	[illegible]	Missoula, MT	Student of Law	4/16/2010
Jessica LaRoche	[illegible]	Missoula, MT	Student	4/16/10
Kaylan Minor	[illegible]	Missoula, MT	Student.	4/16/2010
Randy Tunnel	[illegible]	Missoula, MT	Student	4/16/2010
Ann Harris	[illegible]	Missoula, MT	Student	4/16/2010
Carly Forbes	[illegible]	Missoula, MT	Student	4/16/2010
[illegible]	[illegible]	Missoula, MT	Student	4/16/2010
Katharine Riker	Katharine Riker	Missoula, Mont.	Student	4/16/2010
Jain Walsh	Jan Walsh	Missoula, MT	Student	4/16/2010
Tony Zampert	[illegible]	Missoula, MT	Student	4/16/10
Cassie Dellwo	[illegible]	Missoula, MT	Law Student	4/16/10
JESSICA DEMARCIS	[illegible]	Missoula, MT	Law Student	16 April 10
[illegible]	[illegible]	Missoula, MT	Law Student	4-16-10
Bill Lewis	[illegible]	Missoula, MT	Law Student	4-16-10
Sean Skillingford	[illegible]			
Rob Olsen	[illegible]	Missoula, MT	Law Student	4-16-10
Sabrina Hart	[illegible]	Missoula, MT	River Guide	4-17-10
Tommy Boyle	[illegible]	Missoula, MT	3 Rivers Shuttle	4-17-10
Will Plumbrick	[illegible]	Missoula, MT	Fishing Guide	4-17-10
Bruce Shafer	Bruce Shafer	Missoula, MT	Social Worker	4-17-10
Sally Weaver	[illegible]	Missoula, MT	Teacher	4-27-10
John Downs	[illegible]	Missoula, MT	Student	4-27-10
Nick Dumitrovich	[illegible]	Missoula, MT	Student	4/27/10
Tricia Petek	Tricia Petek	Missoula, MT	Student	4/27/10
Stephen Kuras	[illegible]	Missoula, MT	[illegible]	4-27-10
Paul Gallardo	[illegible]	Missoula, MT	[illegible] Student	4-27-10
Ethan Waldir	[illegible]	Kalispell, MT	Student	4-27-10
Joe Sedlack	[illegible]	Missoula, MT	Law Student	4-27-10

12. Comments noted.

Name	Signature	City and State	Occupation/ Affiliation	Date
Karla Painter	Karla Painter	Hunter, MT	law student	4/27/16
Lauren Leslie		Missoula, MT	Law School Staff	4/27/16
Jay O'Rear		Missoula, MT	Law School	4/27/16
Julia Brown		Missoula, MT	Law Student	4/27/16
Sara Caldwell		Missoula, MT	Law Student	4/27/16

Petition by The Lochsa River Conservancy

We the undersigned believe that the Wild and Scenic Lochsa River Corridor and the Lewis and Clark National Scenic By-way (U.S. Highway 12) should not be used now or in the future for the transportation of extremely oversized commercial equipment and oppose Imperial Oil/ Exxon Mobil's proposed travel route in Idaho.

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Projects such as the aforementioned should use routes specifically designed for oversize commercial use.

Name	Signature	City and State	Occupation/ Affiliation	Date
[illegible]	[illegible]	Salmon, ID	[illegible]	4/16/2010
Laura Howe	Laura Howe	Missoula, MT	Engineer/citizen	4/16/2010
[illegible]	[illegible]	[illegible]	[illegible]	4/18/2010
[illegible]	[illegible]	Missoula, MT	[illegible]	4/18/2010
[illegible]	[illegible]	[illegible]	[illegible]	4/20/2010

May 14, 2010

Tom Martin
Montana Department of Transportation
Environmental Services
Helena, MT

To MT DOT:

The Lolo Watershed Group would like to comment on the Kearl Module Transportation Project that would bring over-sized trucks along US Highway 12 and Lolo Creek on its way from the Idaho border to Missoula, Montana.

1 **1) First, we feel the public comment period was too short.** The Environmental Assessment (EA) was completed in April, and a few weeks is not enough for organizations, agencies and the public to review, digest and understand the complex issues raised by this proposal. Many non-profit membership groups, as well as our local community council that is made up of elected representatives, meet *at most* monthly...and many meet less often. How can you expect one month to be sufficient for people to read an assessment, contact other organizations and their own members, schedule meetings, or put together information for websites and disseminate it to parties who might have concerns??

2 **2) As a watershed group, we are specifically concerned about the environmental impacts this project would have on our local water resources and aquatic species. The Environmental Assessment does not recognize all the costs of these associated impacts.** Construction of new turnouts and on-going additional maintenance of roads have the potential to add a significant amount of sediment to Lolo Creek. Also, icy winter roads will necessitate additional sanding and/or salting for safe travel of these big rigs. These activities have the potential to harm aquatic species – both macroinvertebrates and the endangered bull-trout that depend on them.

3 We are also concerned about the long-term affects of soil disturbance and the associated impacts of noxious weeds that are inevitable from both road construction and the relocation of power lines. Reseeding alone is not enough – it will take years of weed management to mitigate the impacts, and your environmental assessment does not indicate who will bear these costs.

4 The Montana Department of Environmental Quality listed Lolo Creek as an impaired water body on its 303(d) list of impaired streams, and the principal source of impairment is sediment from logging and roads. The road activities associated with this project threaten to add to the sediment loading, further impairing the creek. The Lolo Watershed Group is working with DEQ's TMDL and Non-Point Source Management sections to develop a restoration plan to improve water quality and water quantity in Lolo Creek, and this project threatens to add to the very problems we are

LOLO WATERSHED GROUP - WENDY STURGIS AND THE LWG BOARD OF DIRECTORS

1. See response to Common Comment F1.
2. See response to Common Comment O.
3. Minor disturbances would be created by utility relocations. A weed management plan has been developed for the 10-mile plow and turnouts. See response to Common Comment I.
4. See response to Common Comment O.

trying to solve.

5 3) A project of this size and scope has the potential for HUGE and varied environmental, economic and social impacts. It involves travel through several states and changes to transportation infrastructure, affecting individuals and businesses throughout each state. This project should have nothing less than a THOROUGH REVIEW of ALL of the impacts, both during construction and the one year of transportation, and also for the cumulative effects for several years after when the effects will assuredly still be felt. **We strongly urge you to push for a complete ENVIRONMENTAL IMPACT STATEMENT allowing federal review.**

Thank you for your consideration.

Wendy Sturgis, Coordinator
Lolo Watershed Group
and the LWG Board of Directors,
Bobbie Bartlette, President
Doug Harkin, Vice-President
Gayland Enockson, Treasurer
Tom Morarre
Neva Larson

5. See the responses to Common Comments B and A.

---

dear tom martin/mdot representatives,

1 i do not want the tar sand equipment trucks to be allowed to use my montana roadways. they will cause destruction to life locally and in the large scope due to the climate effects of their final destination, the tar sand mines of alberta.

please do whatever it takes to prevent this misuse of the lands we call western montana, and that of the rest of the planet, which the shippers attempt to obfuscate in their EA.

thank you,
matthew loveless

914 1/2 stoddard street
missoula, mt 59802

LOVELESS, MATTHEW

1. Comment noted.

The problem: How do they fuel for these large trucks.

1 They can't pull into a normal gas station. Does this mean that they will also have large Gas Trucks following behind to gas them?

2 Will the turnouts that will be put in stay in place to be used for visitors and others who live here to take a break to enjoy the scenery and take pictures, or to park in along the river? That would be kind of nice.

Just a foot note here:

It use to be said, "The best things in life are free" I think bottled water started breaking down that saying.

M G

1. The trucks will be disconnected from the trailer and fueled at a regular filling station.

2. MDT will decide following completion of the hauling which turnouts to retain.

Dear State of Montana,

1 Good day. I write as one of your citizens, today. This state has always awed me and I admire it greatly, both in its landscape and government. I am troubled, however, by the proposal by Imperial Oil to transport massive pieces of tar sands mining equipment through Montana's river corridors and along sensitive grizzly bear habitat in the Rocky Mountain Front. It is against Montana values, and though it may result in short-term economic gain for the state, in the long run the proposal is an economic loser, because you can't put a price tag on Montana's scenic highways and Wild and Scenic rivers. The burden of building these massive turnouts to allow these big rigs to dominate our roads and get a toehold into our best hunting and fishing spots in both Lolo Creek and the Blackfoot is beyond what Montanans can bear. It could, in one fell swoop, butcher the evolving land ethic here in western Montana that has put this area on the global radar as The Last Best Place. This proposal is going to affect elk herds. This is not addressed in the EA. This proposal is going to affect grizzly bears. This not fully addressed in the EA. This proposal is going to affect bull trout. This is not addressed in the EA. This proposal will deposit sediment into the Blackfoot River and Lolo Creek, a violation of the Clean Water Act. This proposed project needs the scrutiny of a full-blown Environmental Impact Statement.

2 This proposal needs to go through the processes granted to United States citizens under the National Environmental Protection Act. In addition, Montana grants all of its citizens the right to a clean and healthful environment. I urge you to take a deeper look at this project, as required by law.

With regards

Josh Mahan
1626 S. 5th W. #4
Missoula, MT 59801
(406)-529-4238

MAHAN, JOSH

1. See the responses to Common Comments I and O.

2. See the responses to Common Comments B, A, and R.

Subject: ExxonMobil Kearny Module Project - YES - 100% support!
Dear Mr. Tom Martin;

I am 100% in favor and in support of Imperial Oil/ExxonMobil's Keary Module Transort Module Project.

1 I have lived almost all my life in MT and believe this is good for Montana, good for the energy industry which we desperately need to support this to reduce our dependency on foreign oil.

Thanks for supporting this worthwhile project.Dave Malek

1217 Babcock Blvd.
Billings, MT 59101

MALEK, DAVE

1. Comment noted.

Tom Martin
MDT Environmental Services Bureau
PO Box 201001
Helena, MT 59620-1001
Dear Mr. Martin,

Thank you for this opportunity to comment on the Kearl Module Transport Project Environmental Assessment.

1 The project involves two US borders, four U.S. states, and corporations from several different countries. It will create a permanent industrial transport corridor through some of America's most treasured scenic areas.

2 There must be a full Environmental Impact Statement, not just an Environmental Assessment.

3 The sole purpose of the project is to facilitate the development of the Alberta Tar Sands and allow Exxon to maximize its profits by outsourcing manufacturing jobs to Korea. The EA completely fails to take into account the economic and environmental costs to the United States, and indeed the world, of climate change, which development of the Alberta Tar Sands will significantly accelerate.

4 It also fails to take into account the economic costs of outsourcing jobs from North America.

5 Each giant transporter will weigh as much as 632,450 pounds! The EA fails to take into account the costs of the cumulative damage to roads and bridges which would result not just from the 200 shipments currently planned by Exxon, but from the additional hundreds or, more likely, thousands of shipments of massive industrial equipment to the Alberta Tar Sands which would occur for decades to come.

6 Furthermore, the EA understates the costs of traffic delays which will caused by the project.

MANN, ELIZABETH

1. See response to Common Comment K.
2. See response to Common Comment B.
3. See response to Common Comment P.
4. Comment noted.
5. See response to Common Comment K. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs.
6. MDT agrees with the analysis of the cost of delays in Section 3.6.2.6 of the EA.

7 In summary, the EA fails to properly account for all the costs that will be associated with the project. Neither the development of the Alberta Tar Sands nor the outsourcing of jobs away from North America is in the best interests of this country, or the state of Montana. The project serves no public interest. MDT should reject this proposal.

Sincerely,

Elizabeth Mann
12 Bedford Street
NYC 10014

7. See response to comments 6 and 4 of this letter above.

As the Chairman of the Greenough Potomac Fire department I have concernes about the fire and medical safety and protection of property during the time the big rigs are traveling along Hwy 200.

A ten minute delay is not acceptable when we have a medical emergency (heart attack) , fire, car wreck, etc. .

What is the plan for emergency responce ?

1 This will be Hwy 200 with your plan in place.

A_____B_____C
A = location of fire station
B = The big load
C = Emergency we need to respond to
How do we get arond the big load if it is not in the pull out area?

I will meet with you if that would be helpfull.

Darryl Mariucci
Chairman
Greenough / Potomac Fire Département
Home address
670 Swanson Lane
Potomac, MT 59823
406-244-5971

MARIUCCI, DARRYL

1. See response to Comment H3.

Hello MDOT decision makers.

Please deny the requested 32J permit to Imperial Oil/Exxon for their project to move "big rigs" through western Montana. The EA submitted for this project/permit is seriously inadequate.

1 For example, it fails to consider any potential negative economic impacts to Missoula-area rafting, fishing and other outdoor outfitting businesses. I'm sure you realize that tourism is a major industry in western Montana. Traffic delays and potential accidents are likely to adversely impact those businesses, yet impacts to tourism is not considered.

MARLER, MARILYN

1. See response to Common Comment M.

Also the EA assumes zero accidents. That seems unlikely. 2

Finally, given that the project for which the 32J permit is required necessitates permanent and significant infrastructure improvements to highways and bridges, it seems reasonable that the EA consider future use of the travel corridor. 3

Thank you for considering these comments, and please deny the permit.
Marilyn Marler, Missoula, 543-6721

2. See response to Common Comments H1, H2 and H3.
3. See response to Common Comment K.

These are real comments made by a real person.

MARSOLEK, MATTHEW

First of all, I believe that having 30 days for public comments is inadequate. It gives the impression that the department of transportation has already made their decision and is trying to railroad the idea past the people of Montana. 1

1. See response to Common Comment F1.

I am against the Department of Transportation issuing a permit. Here are some of my concerns 2

- I don't feel that the risks and costs to the states economy have been thoroughly assessed.
- The stability of the long term income our state receives from tourism and recreation in this scenic corridor is more important than the short term gains we might receive from this project.

2. See response to Common Comment M.

- Modifying our scenic byways for these big rigs will create a corridor for future similar transports. These scenic corridors should not be used for industry. We have a Federal Interstate System already in place for large transports. 3

3. See response to Common Comment K.

- If there was a major catastrophe in the corridor (i.e. Forest Fire, Earthquake, Terrorist Attack, Landslide etc.) while the large rigs were coming through, State and Federal emergency services would not be able to respond adequately. The risk toward our environment and population is too great. 4

4. See responses to Common Comments H1, H2, and H3.

- Let's put the resources and efforts of the MDT toward sustaining, maintaining, and improving our existing state road system, rather than accommodating large corporations who do not have a long term investment in our state. 5

5. Comment noted.

Exxon is hoping that Montana will take the thin carrot its offering. If we properly assess the risks and costs of this project and gave Exxon an accurate quote, I doubt that they would choose this route. By the way, while Exxon is a US company, it paid little or no Federal Taxes in 2009. This concerns me as my State tax dollars support the MDT. 6

6. See response to Common Comment L.

I agree with Jim Lynch's comment in today's Missoulian, that the basic question is whether or not of issue a permit, but this decision does have ethical implications. It's not just about the bottom line. By issuing the permit, the State of Montana would implicitly support the environmental devastation that's occurring in the oil sands. 7

7. See response to Common Comment E1.

Thank you for taking my comments.

Sincerely,

Matthew Marsolek
PO Box 672
Arlee, MT 59821
406-726-4445

Hello,

1 As a Montanan who is proud of her state's incredible consitutional assurance of a clean and healthful environment, I encourage the MDT to reconsider the proposed Tar Sand's shipment route through the beautiful Lochsa River, Lolo Creek and my own community, Missoula. Not only do I strongly oppose the politics of an international corporation who seeks increased profit, regardless of the long-lasting impacts that profit creates, I cannot support a route such as this that will NOT benefit our current generation, and certainly will not benefit the future. While these shipments may bring a handful of short-term jobs to our region, they will bring innumerable negative consequences. So often decisions like these do not take into account future catastrophes (and the money those situations will necessitate from our state, not to mention the negative impacts on our environment and communities); please do not let this decision do the same. Imperial Oil cannot justify the Alberta Tar Sand's project unless they describe it in terms of saved revenue; it is environmentally and ecologically abhorrent. Please do not force the communities of Western Montana to support this project by forcing us to accept the significant negative impacts that we will feel intimately.

2 Thank you for recognizing the significance of this issue and continuing to allow public comment throughout the process of a FULL environmental assessment.

Sincerely,

Christine Mathers
1525 Phillips St.
Missoula, MT 59802

MATHERS, CHRISTINE

1. Comment noted.

2. Comment noted

MT Department of Transportation:

I only fully and strongly opposed to allowing the Hugh oil extraction equipment to use MT highways to move Lolo Pass to Sweetgrass/Coutts. First, the equipment

1 is much to large to move as proposed on highways without endangering other travelers on those highways. Secondly, these massive trucks and heavy equipment

2 has a strong potential to inflicts serious structural damage to highways, especially shoulders and edges, bridges, any overpasses or underpasses as well as any soft spots that could develop.

MATHSEN, RONALD M.

1. See response to Common Comment G.

2. See response to Common Comment L.

Why would be as a state want to permit this use of our public highways? Surely not to encourage and support the tar sand oil extraction industry which is the dirtiest of all methods of extraction of oil. It produces huge amounts of C02 and particulate matter that has a huge impact on climate change/global warming - witness the fire and insect threats to our forests, the melting of our glaciers, the drying up of our reservoirs, rivers and streams, and the uncertainty of our developing weather patterns. 3

3. See responses to Common Comments E1 and P.

We have nothing to gain except to show the rest of the country how gullible we are. We have lots to loose including our credibility.

I request that in this serious matter you must do a full environmental impact study before even considering such a foolish move. 4

4. See response to Common Comment B.

Ronald M. Mathsen,
Concerned husband, father and grandfather, and citizen
Just so NO! to this insult to our state's integrity

Project Commenting On: Kearl Module Transportation Project

MATTHES, KRISTINA

Kristina Matthes
1150 34th St. Apt. 6D
Missoula MT59801
Email Address: matthes_15@hotmail.com
Phone Number: (406) 728 9352

Comment or Question:

I am opposed to big rigs going over Lolo Pass, down Lolo Creek, and along the Blackfoot River.

The turn-outs will deminish the scenic beauty of these roads, which my husband and I enjoy biking along to get to fishing and recreation (scenic places to ride our mountain bikes). Any trees cut to accomodate the thirty-foot high trucks will deminish the appeal of these roads. If a single life is lost due to an accident or held up traffic, the transportation project will 1

1. See response to Common Comment J.

NOT have been worth the cost. I am extremely opposed to a permanent corridor through western Montana on our last remaining scenic roads. The beauty of our state is worth much more than 68 million dollars. It is frustrating that while Montana's greatest asset would be injured with the road scars, it would also be injured by the increased global warming caused by removing and using the oil they plan to extract in the Kearl Oil Sands fields in Alberta. 2

2. See responses to Common Comment K and P.

If, to Montana's misfortune, this Kearl Module Transportation project goes forward as planned, we should insist that Imperial Oil/Exxon Mobil pay to remove any turnouts after the 200 modules move through Montana. Also, citizens should be compensated for the disruption, by a well-publicized donation of several million dollars to Five Valleys Land Trust, or another local environmental program. 3

3. See also responses to Common Comments L and G.

4 The public needs more time to comment on this project, if they are to feel part of a democratic process. There is anger in Missoula County; people feel that this is a done deal and they weren't consulted. If this project goes ahead without full compensation, people who feel strongly about the need to be good stewards of the land will consider what actions they can take to disrupt this project. Thank you for your consideration.

5 Kristina Matthes

4. See response to General Comment F1.

5. Comment noted.

I attended the public hearing about the Kearl Module Transport Project on Thursday, 4/29/10, at Meadow Hill School in Missoula. After hearing the questions from the audience and the responses from both the Montana Department of Transportation and Imperial Oil, I strongly believe the public comment period needs to be extended for another 90 days.

MATTHIAE, MARY

1. See response to Common Comment F1.

2 One reason is that the public needs to know in more detail what preparations Imperial Oil has made for safety and protecting the environment in the event of mechanical failure or accidents involving their over-sized vehicles. It is not enough to state, as one representative of Imperial Oil did, that they are positive there will be no equipment failures, breakdowns or accidents. The Gulf of Mexico is currently dealing with the tragic results of that mentality from another oil company.

2. See responses to Common Comments H1, H2 and H3.

3 There also does not seem to have been sufficient ongoing communication with the local Emergency Services agencies. I have worked as a 9-1-1 Dispatcher in the past, and I know first-hand how imperative it is to have accurate and immediate communication among the various agencies in event of any emergency.

3. The EA addresses communications in the case of emergencies on page 13.

4 Furthermore, I believe this project deserves the more extensive review that an Environmental Impact Statement (EIS) would provide. One of the reasons given for not requiring an EIS is that no Federal funds are involved in the project, and this project is only addressing the route through Montana. I believe this is disingenuous and avoiding some bigger issues.

4. See response to Common Comment B.

5 One issue is that the entire project impacts four Pacific Northwest states (Washington, Oregon, Idaho and Montana) since the equipment has to travel up the Columbia and Snake Rivers before traveling across land in Idaho and Montana. In addition, the Port of

5. See response to Common Comment E2.

5 Lewiston, ID used Federal stimulus funds to improve their facilities, in part to accommodate the equipment needed for this project. You cannot consider the route across Montana or any other of these states separately, since without even one of them, the project could not succeed.	See response on previous page.
6 I live in Missoula, and I have been a resident of Montana for over 40 years. I value the time I can spend outdoors in the mountains and on the lakes and rivers of my state, and I want to see them protected for many generations to come.	6. Comment noted.
7 In summary, please extend the comment period for another 90 days, in order to give full consideration of the impact this will have on both the people and environment of Montana. Thank you. Mary A. Matthiae 804 W. Pine Street Missoula MT 59802 406-721-1194 Mary Matthiae Missoula County Central Services 406-258-3465	7. See response to Common Comment F1.
To whom it may concern: 1 I do not want the Alberta Tar Sands equipment shipped through Montana. Keep the current route from Texas. Madeline Mazurski Missoula MT	**MAZURSKI, MADELINE** 1. Comment noted.
1 Please do not allow our state roads to be used for this monster! It will disrupt our best industry! Tourists! It is not in our interests or in the planets interest to do this. Please vote to stop it from coming to us over the next 18 months! Thank you , Steve	**MCARTHUR, STEVE** 1. Comment noted.
Schweitszer! 1 What will you look like when one of these things rolls over? Or when the pipline bursts? Let's be forward thinking as you were on perscriptions and start wind-farms in Great Falls and Eastern MT More lobor intensive with no disasters!! Those trucks are dangerous and bad for us and the earth. Accidents happen, Sarah McClain	**MCCLAIN, SARAH** 1. See response to Common Comment H2.

1 I think the oilfield trucks should be allowed to use HWY 12. Just put the turnouts where people could access the river. William Mccool, 11720 lewis and clark dr., lolo, mt.

MCCOOL, WILLIAM

1. Comment noted.

To Whom It May Concern:

1 It is time for good sense. We must put our efforts into alternative sources of energy. It makes such good sense to do this before exploiting tar sands at immense cost to our natural world, when we must do it anyway after all the oil is in our air cooking our planet.

Sincerely,
Jerry McGahan
Box 71
Arlee, Montana 59821
406-726-3480
arleeart@blackfoot.net

MCGAHAN, JERRY

1. Comment noted.

Name: Chelsea McIver
Address Line 1: 19550 Six Mile Rd.
City: Huson
State/Province: MT
Postal Code: 59846
Email Address: chelsea.pennick@gmail.com
Phone Number: 406-626-2414
Comment or Question:

MCIVER, CHELSEA

Hi, my name is Chelsea McIver and I would first like to thank MDT for providing this
1 opportunity for public comment. I am writing to express my significant concern regarding the proposed KMTP project that would widen roads over Lolo Pass and up into the Blackfoot
2 Region, impacting riparian areas, wildlife movement and transportation of residents and tourists. I am concerned about the level of analysis that has been completed and feel that more extensive analysis in the form of an EIS should be required. These areas (Lolo Pass and Blackfoot) are important and wild lands that I feel should be protected from this level of
3 impact. It also concerns me that the infrastructure development and investment is being made for only one project and the analysis may only consider impacts from this isolated project, but wider roads will no doubt bring more traffic, possibly of similar type and impact, which may not be included in the full analysis at this stage. Thank you for taking these comments into consideration.

1. See responses to Common Comments G, I and O.
2. See response to Common Comment B.
3. See response to Common Comment K.

Dear MDT,

1 Please deny the request for the 32J permit since the EA fails to consider potential accidents as well as negative impacts to tourism.

Thank you,
Holly McKinney
1700 S 11th St W
Missoula, MT 59801

MCKINNEY, HOLLY

1. See responses to Common Comments H1, H2, H3 and M.

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1 Since the Canadians spent their oil development money having the Koreans build their equipment they should be required to include in their project budget the costs of replacing the Montana highways which will be destroyed by their heavy trucks and trailers. Building a few turnouts may minimize the inconvience to the traveling public during transport, but will not mitigate the permanent damage the overweight traffic will cause to our highways. The cost of reconstruction should not be paid by the taxpayers of Montana and the first Canadian truck should not be allowed to enter our state until there has been deposited with the state sufficient cash in U.S. dollars (no "promises" or bonds) to completely rebuild all highways of the state as well as all city streets which will be destroyed. C.B.McNeil, Box 486 , Polson, Mt.59860.

MCNEIL, C B

1. See the response to Common Comment L.

To whom it concerns:

1 This proposal is close to insane as far as western Montana and northern Idaho is concerned. Primarily (but not solely) it is a problem of scale. The sheer size of the pieces of equipment to be transported does not comport with the the relatively small scale of roads, drainages, and environmental features of this area. East of divide, whether in Montana, Alberta (with which I am very familiar), or further south, the scale of the landscape is much larger and more able to accommodate this kind of transportation problem.

2 Furthermore, if there are to be 200 loads transported over about 12 months, this amounts to an average of over one load every two days. The frequency of such interruption to the normal flow of western Montana traffic is bound to have negative impacts, including increasing 'road rage' and general motorist anger and frustration that can only contribute to the already-high dissatisfaction with 'big industry,' 'government,' and 'them, over which we have seemingly no control.' This will help to further erode any remaining sense of 'public good,' 'public goodwill,' and civic responsibility. In other words, its side effect will be an increase in lawlessness overall.

3 It is none of our business what the use of this equipment is, whether or not oil sand exploitation is environmentally benign, nor the fact that the equipment is destined for Canada. These factors are not relevant. The project remains, however, an extremely

MCQUILLAN, ALAN G.

1. See response to Common Comment D1.

2. See response to Common Comment G.

3. Comment noted.

bad idea for the reasons I have outlined above.

4 The department has already set a bad precedent in continuing to allow the transportation of hazardous material down the east side of Flathead Lake. This laissez-faire attitude should not become a habit.

Sincerely,
Alan McQuillan
(Retired professor of forestry)

4. Comment noted.

Montana Department of Transportation:
RE: KEARLE MODULE TRANSPORTATION PROJECT

MCSLOY, T A

1 Based on a lack of information at the Missoula meeting on April 29, 2010, I suggest an additional 90-day comment period be allowed to provide needed assessment of this project. With the present information presented to the public, I oppose the project. The public needs to be adequately informed regarding the impact of transportation of the supersized modules on wildlife, local business, and the possibility of accidents.

1. See response to Common Comment F1.

2 Apparently there isn't an emergency plan in existence at this time should an accident occur, and the route to be taken was never designed to accommodate vehicles of this size. Are we prepared for possible traffic delays, as well as accidents, in years to come should this route become established through use? I think not. A route already exists via the Gulf of Mexico. This projected route will undoubtedly save Imperial/Exxon Mobile considerable money, but will that savings eventually be shifted to the taxpayers of Montana due to accidents, litigation, highway damage, etc? A careful and thoughtful examination is needed regarding this project.

2. See the responses to Common Comments H1, H2, and H3.

Sincerely,
T.A. McSloy
347 Fairview Ave. , Missoula, MT 59801

I am Gerald McVay, 627 Edith St. Missoula. I am a member of or contributor to local and national environmental organizations but I represent none.

MCVAY, GERALD

My comment, and a question:

1 *The proposed route follows Lolo Creek and the Big Blackfoot River. Many turnouts are planned. I question whether these can be completed without disturbances to one or both streambeds.

1. See response to Common Comment O.

2 * This is a proposal by a Canadian company to transport Korean equipment for work in Canada. It is huge, disruptive and risky. Why isn't it being shipped instead to a port in British Columbia?

2. See response to Common Comment D1.

To the Montant Dept of Transportation,

1 I am writing to urge you to consider all the environmental impacts of the proposed Tar Sands truck transportation through Montana. The impact of this transport is one thing to consider but also the total environmental impact in general of this kind of mining. Montana can do it's part to limit the kind of damage that a development such as this would most certainly do.

Thank you for your increased scrutiny of this matter.

Marta Meengs 107 North Ave W. Missoula, Mt 59801

MEENGS, MARTA

1. See response to Common Comment E1.

Dear MDT Folks,

For SAFTEY SAKE keep the 24 foot wide trailers that Exon Mobile wants to send through our state off our winding climbing not so very wide Highways. My husband and I had a heart stopping narrow escape from collision with a Semi which took more than it's lane on Lolo

1 pass. What accidents await if 24 foot wide loads are traveling Lolo pass, the Blackfoot, and Rogers pass? Granted the behemiths that Exon proposses would have wide load warning cars but is that enough and if one car is in a pull off where will the other cars go to let the 24 footer pass. Where will Semis, Pickups, SUVs and RVs go to let it pass? How long will it take tourists, locals, and commerce to get through these corridors if they must be ever yielding to, following, or just plane worring about these loads.

2 My husband and I have signed and sent a postcard (provided by the Clark Fork Collition) addressing the enviornmental concerns of this proposal but I felt that I must also write about the saftey issues and let you know that I support a big NO to a permanent industrial corridoor in Western Montana for the sake of Montanans, visitors, and normal interstate commerce.

Sincerely
Peggy D Meinholtz
2120 S 5th W, Missoula MT 59801

MEINHOLTZ, PEGGY

1. See response to Common Comment G.The Montana Transportation Plan provided online along with the EA described the method of traffic control and clearing the module from the highway. The module will be stopped and pulled at least partially off the roadway (in some cases all the way off) to allow other vehicles to pass. It is also unlikely that a motorist would encounter more than one or two modules on any trip.

2. See responses to Common Comments H1, H2 H3, and C2.

To Whom It May Concern:

1 I have serious environmental concerns about the tar sands development proposed in Alberta and Montana's participation by allowing transportation through the state. I urge you to prepare a full environmental impact statement and not be satisfied with only an environmental assessment, before you issue a permit to transport this equipment across the state.

Yours truly,
Brian L. Melchar

MELCHAR, BRIAN

1. See responses to Common Comments E1 and B.

this one came in via phone.
Kathryn and Douglas Miller
453-5048

1 Both feel that other options should be explored for the use of Montana Roads
Thanks!

MILLER, KATHRYN AND DOUGLAS

1. Comment noted.

To Whom it May Concern:

1 I am writing to encourage you to deny the right to allow the access of our highways to expedite the awful tar sands development. Would we allow rapists to export children across our highways? What about poachers decimating wildlife? This development is just as dangerous cumulatively for communities, habitats and globally, in the contribution of global warming, than any other behavior we deem "bad".

2 Not only will it terribly inconvenience our local population, it will clear old growth forests, harm water quality, produce harmful particulates, and increase climate changing greenhouse gasses. Why should we help them accomplish this? Please deny their right to parade through our streets. We are only embarrassing and harming ourselves.

Respectfully submitted,
Ashea Mills
PO Box 1085
Gardiner, MT
59030

MILLS, ASHEA

1. Comment noted.

2. See response to Common Comment P.

MISSOULA CITY COUNCIL

May 13, 2010

Tom Martin
Montana Department of Transportation
PO Box 201001
Helena MT 59620-1001

Subject: Kearl Module Transportation Project

Dear Mr. Martin,

Enclosed is a copy of a resolution adopted by the Missoula City Council on May 17, 2010, a copy of the transcript from the meeting, and the written citizen testimony the City Council received on the Kearl Module Transportation Project. The resolution passed on a 9 ayes, 2 nays, 1 absent vote. Voting in favor of the resolution were councilpersons Childers, Houseman, Jaffe, Marler, Mitchell, Walzer, Wiener, Wilkins and Strohmaier. Voting against the measure were councilpersons Hellegaard and Haines. Councilperson Rye was absent.

Sincerely,

Marty Rehbein
City Clerk

Enclosures

RESOLUTION NUMBER 7528

A RESOLUTION OF THE MISSOULA CITY COUNCIL COMMENTING ON THE MONTANA DEPARTMENT OF TRANSPORTATION'S KEARL MODULE TRANSPORTATION ENVIRONMENTAL ASSESSMENT AND REQUESTING THE HEIGHTENED LEVEL OF SCRUTINY AFFORDED BY AN ENVIRONMENTAL IMPACT STATEMENT CONDUCTED UNDER THE MONTANA ENVIRONMENTAL POLICY ACT AND THE NATIONAL ENVIRONMENTAL POLICY ACT.

WHEREAS, Imperial Oil/ExxonMobil (Exxon) applied for permits from the Montana Department of Transportation (MDT) to transport approximately 200 oversize loads through Montana, including through Missoula's city limits; and

WHEREAS, moving loads as large as 24 feet wide, 210 feet long and 30 feet high and weighing up to 580,000 pounds will require extensive construction over almost 300 miles of Montana highways, including but not limited to permanently raising or burying utility lines at 572 locations, modifying or installing 33 traffic structures, permanently modifying 22 existing highway turnouts and building 53 new highway turnouts; and

WHEREAS, Exxon proposes to move up to two loads per day through Montana, including the movement of three to four loads per week through Missoula for 12 months; and

1 **WHEREAS,** the construction required for these large loads will create a permanent high/wide corridor through Montana and Missoula that will attract the interest of additional oversize trucking projects destined for Alberta, as set forth in the draft Environmental Assessment's (EA) Past, Present and Reasonably Foreseeable Impacts section and in MDT Director Jim Lynch's 2009 "Proposed High and Wide Corridors Briefing" to a Montana Legislature committee; and

WHEREAS, the draft EA's Purpose of the Project does not address the creation of a permanent corridor to serve future oversize trucking; and

2 **WHEREAS,** the draft EA does not include an adequate consideration of alternative routes, including a route from the Port of Houston currently being used to transport oversize loads destined for Alberta tar sands projects; and

3 **WHEREAS,** scoping of the EA was conducted without formal public comment or consideration of the long-term impacts of the project through a programmatic review, therefore limiting MDT's impacts analysis to Exxon's specific proposal rather than adequately addressing the direct, secondary and cumulative impacts of creating a permanent high/wide corridor through Montana and Missoula; and

4 **WHEREAS,** the Montana Environmental Policy Act (MEPA) and its implementing regulations require MDT to examine the direct impacts, secondary and cumulative impacts of a proposal; and

5 **WHEREAS,** the EA fails to weigh the cumulative impacts of oversize loads in a permanent high/wide corridor on infrastructure designed for standard-weight vehicles; and

6 **WHEREAS,** the EA fails to adequately weigh the incremental losses to Montanans and Missoulians from additional traffic delay and increased risks of accidents; and

7 **WHEREAS,** the EA does not address whether the proposed project intends to direct project employment and contracting toward Montana citizens and businesses; and

8 **WHEREAS,** the EA fails to consider the negative economic impacts of developing a permanent high/wide corridor on tourism and outfitting, industries that generate $3.1 billion statewide and over $300 million annually in the City of Missoula and, therefore, the EA overstates the economic benefits to Montanans of the proposed project; and

1. See response to Common Comment K.
2. See response to Common Comment D1.
3. See response to Common Comment C2.
4. See response to Common Comment S.
5. See response to Common Comment S.
6. See responses to Common Comments H1, H2, H3, G, and M.
7. See response to Common Comment Q.
8. See response to Common Comment M.

9 **WHEREAS,** the EA fails to analyze whether potential detrimental effects on water quality in Lolo Creek and the Blackfoot River will result from the amended MDT sanding and snow removal procedures necessary during the project; and

10 **WHEREAS,** the EA fails to analyze the economic and environmental impacts to Montana of the Alberta tar sands strip mining promoted by the state's proposed action; and

11 **WHEREAS,** while the proposed high/wide corridor crosses three state and two international boundaries the scope of the EA is limited to only one segment of the corridor, preventing consideration of the impac of the project as a whole; and

12 **WHEREAS,** due to the limited scope of the EA, MDT cannot properly determine the impacts of the proposed action on the human environment, including but not limited to water resources, fish and wildlif the transportation system, and the local economies and communities along the proposed route; and

WHEREAS, imposing effective mitigation requirements on the proposed project's permits is not possibl without first adequately determining the impacts of the proposed action; and

13 **WHEREAS,** the transportation project involves and impacts other federal, state and local agencies as evidenced by the list of consultations provided in the EA and the breadth of impacts identified by the public; and

WHEREAS, MDT is required to cooperate and coordinate with other state and federal agencies to prepare appropriate environmental analysis and to comply with the National Environmental Policy Act (NEPA) as well as MEPA where there is federal action; and

14 **WHEREAS,** based on an inadequate scope, unevaluated or under-evaluated impacts and failure to coordinate with affected agencies, the EA erroneously concludes that no significant adverse impacts wil result from this project;

NOW, THEREFORE BE IT RESOLVED, the Missoula City Council hereby declares that complying with the spirit and letter of MEPA and NEPA will require environmental review taking the form of a programmatic joint EIS under MEPA and NEPA and urges MDT to begin such a process in cooperation with affected or involved federal agencies, fully involving the public and exhaustively evaluating the impacts of creating a permanent high/wide commercial transportation corridor from the Port of Vancouv to the Alberta tar sands.

PASSED AND ADOPTED this 10th day of May, 2010.

ATTEST:

/s/ Martha L. Rehbein
Martha L. Rehbein, CMC
City Clerk

APPROVED:

/s/ John Engen
John Engen
Mayor

.

9. See response to Common Comment O.

10. See response to Common Comment E1.

11. See responses to Common Comment E1, E2, and A.

12. See responses to Common Comments I and L. MDT concludes the EA and decision document adequately assess potential impacts and properly concludes no significant impacts.

13. See responses to Common Comments S and B.

14. MDT concludes the EA and decision document adequately assess potential impacts and properly concludes no significant impacts.

Excerpt from the transcript of the 5/10/2010 Missoula City Council Meeting concerning the Kearl Module Transportation Project

Public Works Committee
05/05/2010

- Resolution—Adopt a resolution of the Missoula City Council commenting on the Montana Department of Transportation's Kearl Module Transportation Environmental Assessment and requesting the heightened level of scrutiny afforded by an environmental impact statement conducted under the Montana Environmental Policy Act and the National Environmental Policy Act.

Alderman Wiener said, I move that we adopt a resolution commenting on the Montana Department of Transportation's Kearl Module Transportation Environmental Assessment requesting the heightened level of scrutiny afforded by an environmental impact statement conducted under the Montana Environmental Policy Act and the National Environmental Policy Act, and I'd speak to the motion.

Acting Mayor Childers said, continuation to speak to the motion.

Alderman Wiener said, just very briefly, the resolution here is an effort to encourage the Montana Department of Transportation to adequately review what is intended to be a permanent high and wide corridor through the state of Montana. It highlights the ways in which the scope of the impact examined are underestimated, specifically because of the improper segmentation of the process which is to the benefit of the applicant and to the detriment of Montanans, and also because of the poor quality of the alternatives examined, namely the exclusion of the existing route from the Port of Houston to Alberta. And the resolution offers an adequate…a path to that adequate review which Montanans deserve.

Acting Mayor Childers said, thank you.

Alderman Wiener said, I'd just note that MDT Director Jim Lynch is kind enough to come down and answer questions. We had members of Public Works Committee request that he do so.

Acting Mayor Childers said, we thank you for coming, Director. Questions and comments from the Council? Anyone from the Council have questions or comments? Ms. Mitchell? By the way, I did have you on the last list, you were next.

Alderwoman Mitchell said, I had my hand up several times, but that's okay, that's water under the bridge, so to speak. Now since Mr. Lynch is here, I would like to ask him a question or two.

Acting Mayor Childers said, hi, Director, please introduce yourself. Make sure the microphone is on.

Jim Lynch said, I think it's on.

Acting Mayor Childers said, it's on.

Jim Lynch said, my name is Jim Lynch and I'm the Director of the Montana Department of Transportation.

Alderwoman Mitchell said, thank you for making the time to come over here for our meeting tonight. The questions I have pertain to the Environmental Assessment that was done and whether it included any consideration of other alternative routes? Whether it concerned the creation of a permanent corridor? To me it sounds like we're going to try to land a 747 on the freeway.

Acting Mayor Childers said, Ms. Mitchell, would you like to ask one question at a time?

Alderwoman Mitchell said, yeah. The first one will be is, have we considered other alternative routes ar examined those very well?

Jim Lynch said, members of Missoula Council, for one, the action that is under review, under the Environmental Assessment, is the issuance of a 32J. That's a permit that is required by law in the state of Montana for anyone that wishes to haul an over-dimensioned load, which is what these would be, an oversized load. A 32J permit under Montana laws are issued to those that requested the issuance of th permit under the Montanan Environmental Policy Act, is an action that needs to follow the act. So what the Environmental Review established was the movement into an Environmental Assessment to discus the act or look at the impacts to the act and that's the issuance of a permit and only a permit. And the reason that it was, the corridor is actually selected by the entity in which the direction in which they wan to move. Whether they've looked at other corridors or not, I believe they address it in the EA but the action that the Department of Transportation is being asked to do is an issuance of a permit.

Alderwoman Mitchell said, have you had a chance to thoroughly read the EA that was submitted?

Jim Lynch said, members of the Council, yes, I have looked through the EA and we're still accepting comment on that EA until May 14th.

Alderwoman Mitchell said, and that was another question I have, do you think that May 14th is adequate to, for the public, to submit comments and questions on this? [inaudible]

Jim Lynch said, Ms. Mitchell, under the Montana Environmental Policy Act, that's the time period allowe and how it works is comments come in and there's no decision made until the comment period is closed the comments then are analyzed and answered. At that point, a determination is made. You can't predetermine that at this point under the Montana Environmental Policy Act.

Alderwoman Mitchell said, I guess I don't know if I should ask this or not but do you have any personal feelings about how practical this might be or not?

Jim Lynch said, yeah, I can't answer that, personally or as the Director of the Department of Transportation. I'm representing the integrity of an environmental document in process called Environmental Policy Act and just as I couldn't ask you that question.

Alderwoman Mitchell said, okay, I understand. Thank you.

Acting Mayor Childers said, might as well stay there, I'm sure we'll find more people to ask you questior Anyone else down on this end, oh, did you have one more? Okay, Renee.

Alderwoman Mitchell said, are there any provisions in place in case there is some kind of a snafu or something happens that isn't anticipated? Right now we're trying to figure out how to stop oil from the Gulf and we could have unforeseen things or we could even have a protest. This is Missoula and we've seen it before and I could envision 100 people up there lying down on the highway to stop these rigs, nc that I would say that people should do that but I think we need to be ready for anything that…this is a highly, highly hot issue, very controversial and I just wondered what provisions are in place for some kir of an accident, a road giving away, axels breaking, a load dumping off into that canyon. I drive that canyon quite often and I just have nightmares thinking about this going on.

Jim Lynch said, Council person, I don't know what's appropriate protocol here, Mitchell and members o the Council, that was a question that was asked and a comment was made so under the environmental document the Imperial Oil will have to answer that question. As far as the other question, what are you going to do with civil unrest; I think you have your law enforcement officers that probably can answer th question. That's not my protocol or forte.

Alderwoman Mitchell said, well, the money that the state will receive to allow these trucks to pass throug here, how much of that money is going to be spent shoring up the road and doing the provisions that need to be taken to allow this to even happen?

Jim Lynch said, the Environmental Assessment covers those, it covers all of the areas in which they're going to either have to build new pull-outs or modify new pull-outs and the costs associated with it are in the document. Those are all paid for by the permittee, the person that's actually acquiring the permit. They have to pay that. The taxpayers aren't paying a dime for that.

Alderwoman Mitchell said, and if there's any damage, is that in the assessment too and who would be responsible for that?

Jim Lynch said, yeah, that's a good question. What they'll have to do, prior to the issuance of a permit, they'll have to provide a bond to cover any repair and damage. We'll have to enter into an agreement with them that they will repair any damage that they cause. Keep in mind that we're going through the process now and the size configuration, the number of axels to put underneath the load, not to have any damage, but just in case there is, there are provisions that will require the permittee to pay for those damages and there will be a bond to protect that. Secondly, probably more importantly is the Departmer of Transportation, if the hauler, let's just assume because I can't…we're not done yet with the comment period where we're way ahead of ourselves, but let's just assume as we walk…if we walk further and someone has issued a permit, that permit can be revoked at any time if the conditions of the permit aren being upheld. It's not a permit that's given forever.

Acting Mayor Childers said, alright. Thanks. We'll go to the other side. Roy?

Alderman Houseman said, last week an individual commented that you had said that this is for about 20(loads in total but I guess a year before you had mentioned that this would be a permanent corridor. Could you clarify a response to that or…

Jim Lynch said, yeah, that…someone made that comment. What had happened, that was a comment made in front of the Revenue Transportation Committee. This was long before we even got to what we have here today. There was all sorts of requests of establishing a corridor in Montana. That's not what this action is. This action is from Imperial Oil, Exxon to receive 200 32J permits, permits to haul dimensional loads but not to establish a permanent corridor.

Alderman Houseman said, okay, a follow-up. When MDT decided to issue these permits, why did they feel that it was not necessary to do any EIS or any contact those federal regulatory agencies?

Jim Lynch said, members of the Council, Mr. Houseman, actually MDT has not issued any permits. Okay? We've been requested by the company to receive 32J permits and under that action, under the Montana Environmental Policy Act, that requires an environmental review. The environmental review then drives the extent of the document. It isn't something that I can arbitrarily pick or anybody can arbitrarily pick. You have to work through the process that we have in the state of Montana. It's a state action and that's why it's under the Montana Environmental Policy Act.

Acting Mayor Childers said, Lyn and Bob and Jason? Lyn?

Alderwoman Hellegaard said, thank you for coming, Director Lynch. A question I have for you, is there any let's say triggering mechanism that would require either a NEPA or an EIS other than the involvemer of federal dollars in this project?

Jim Lynch said, this is a state action and so it doesn't qualify, it doesn't fall under NEPA. It falls under th Montana Environmental Policy Act. Now we still are in the comment period so we don't know what the comments are going to be or what may come out of that but as the process we're in right now, we're under the Montana Environmental Policy Act. I can't predetermine or assume or guess or look into a

crystal ball what the comments may be by the time the comment period may comes. So, there's no way I can give you that answer.

Alderwoman Hellegaard said, so, you're saying that there might be a comment in there or a group of comments that would trigger an EIS on this?

Jim Lynch said, no, I'm not saying that. I'm saying we have to wait until the comment period is over. Right now we're under…I know the question you want to ask, is there anything that can push this to a NEPA? Under Montana law, what we've see and what's been requested of us in the action that we're taking, we don't see anything.

Alderman Jaffe said, okay, a similar question I want you to elaborate a little bit more on that, that's a point of confusion for me as far as what, how it's decided when one activity would be a, you know, in the EA instead of an EIS, where the line gets drawn, and I understand inclusion of federal dollars in the project is one of those things but what are the other things that do that? Why are the comments even relevant at al in the answer you gave to the last question? You know, is there some…how does that decision get made, by who?

Jim Lynch said, under the request, if you look at, if Montana did not have a Montana Environmental Policy Act, there wouldn't be an environmental document. That's what's going on in Idaho right now. But Montana has an Environmental Policy Act which governs actions taken by states and they identify those actions, and one of those actions is the issuance of a permit, so that's why we're in the MEPA process. You, as a City Council or a city action amongst yourselves, I'm not an expert in this but I don't believe you have to abide by MEPA but the state does. So this is a state action.

Alderman Jaffe said, I understand this is a state action. My question is, what makes something a federal action?

Jim Lynch said, for example if we were to rebuild a highway that involves federal dollars, that would require a federal action.

Alderman Jaffe said, so that's the only thing that ever becomes a federal action is…

Jim Lynch said, I don't know if that's the only thing but in our business and in our world, under the Department of Transportation, the building of a highway with federal dollars would be a NEPA process.

Alderman Jaffe said, okay, and my other question is back again to one that was asked earlier about the difference between this being a permanent corridor and now being just the 200 loads, what actually changed in the proposal? I mean is it simply they filled out a different document, you know, a form for their proposal? I mean what's different about what they were proposing before and what they're proposing now?

Jim Lynch said, well, let me make it real clear. They never proposed it before. What they…the only action that they've asked the Department of…they may have discussed it, they may have talked about the benefits of a corridor, but what the action the Department of Transportation is taking is the request for a 32J permit. That's the action we're…that's what we're acting on. We're not acting on a permanent corridor.

Alderman Jaffe said, okay, and there's no provisions for the Department to look beyond what a permit request is? I mean, as far as…it sounds like you're extremely…your hands are just completely tied when someone tells you what it is you're allowed to look at, that's what you look at and you don't think outside of that. And is there a broader process? You've got something going on here, we all know what's going on, is there anything beyond which permit they apply for that you're allowed to even take into consideration?

Jim Lynch said, yeah, well we have to work within laws of the state of Montana and that the action was they want…they would like the state of Montana issue a 32J which is in law. We have to issue a 32J. That action requires a Montana Environmental Policy under the Montana Environmental Policy Act and environmental review. That drives your environmental document. That is it. I can't, as a state official nor can any state official, assume or presume something beyond what is being asked of us and the action that we're taking.

Alderman Jaffe said, alright, thank you.

Alderman Wiener said, what's the amount of the bond that's going to be required for road damage?

Jim Lynch said, we don't have the total amount yet. That will be determined.

Alderman Wiener said, okay. Under what conditions will the bond be returned?

Jim Lynch said, that we can do, we have a capability, the Department of Transportation, is we can actually analyze a road, go out and take a look at the road condition prior to the movement of loads. We can calculate what impact that load would have under the normal traffic, average daily traffic count that that road has and then look and see after the haul has been done if damage to that roadway is greater than what would normally been decided, it would normally have operated under normal condition without these 200 loads at which time then we would make a claim to the company. Keep in mind that if we see damage prior to that, we can revoke the permits. We don't have to wait until 200 loads have hauled across the roadway.

Alderman Wiener said, sure. So what affect does a half-million pound truck have on a bridge that's built for regular traffic?

Jim Lynch said, actually what you…when you look at the bridges across the state…first of all they have to give us that information as far as what the weight is going to be, how many axels they're going to have, what tire width and what weight per square inch is going to be on that load as it crosses the bridge. It goes to our bridge engineers to calculate whether or not that structure can handle that load that goes over there. Bridges are built…a lot of the bridges that are built across the state are built for a continuing flow of traffic and continuing size. There are oversized, overweight loads that cross our bridges in the state a lot of times. I mean, this is not something that is new, never done before and none of those loads can cross the bridge if it's detrimental to the bridge. That's something we, our engineers have to calculate.

Alderman Wiener said, sure. Well, I don't hold my breath for getting bridges built around here. I'm more worried about the pavement, the roads themselves. So in July, 2009 you presented to Revenue and Transportation and you titled your presentation "Proposed High Wide Corridor Briefing." So what was the entity that was doing the proposing there?

Jim Lynch said, actually what I was advising the Revenue and Transportation Committee, and it was given to them as an advisory that this is a proposal or an opportunity that has been placed to the state of Montana, something that we in the Department of Transportation, between now and the next legislative session is going to have to deal with. There was actually four different meetings so without actually seeing which meeting you're talking about, there's actually four different meetings in which this was discussed from the Revenue Transportation.

Alderman Wiener said, well, as it happens, I've been on the Internet and I brought some clips from the meeting. Oh, the Internet. "Put it back into its original position so they'll do that once prior to moving all this equipment. And I think the idea here is…and when we make this decision at DOT and I think this is why it's very important to involve the communities is we are actually setting the stage for a high wide corridor through the state of Montana to be used probably for things that we haven't even imagined yet. Who would have imagined this would be proposed? Can we only think what might be coming down the line?" So, when I heard that, it led me to believe that what we're looking at is a high wide corridor that's going to be set the stage for, by these permits, when I was watching the presentation today, I didn't see

any of the specifics of what was being discussed there in terms of the turn-outs or the route or really anything that was different from what's in the 32J permit. So I feel like the people of Montana are kind of getting short shrift on this and that Exxon is getting a pass.

Jim Lynch said, well, Mr. Wiener, actually if you'd look at the…if you'd watched the whole presentation, I actually handed out a document that was…this was discussing. It actually showed their route. This was prior to any request, any official request for a 32J permit or a request from an entity to establish, have the state establish a high wide corridor. The state of Montana is not establishing high wide corridor and that was what I was addressing here to the Revenue and Transportation. It's not an action the state of Montana is taking. We did not go before…we're not…this document isn't the Department of Transportation asking the state to establish a high wide corridor and that's what I was talking about at tha particular meeting which was very early on. The haulers in the meantime have decided they do not want to establish a high wide corridor. Exxon tells us they're interested in moving these 200 loads and that's what they need the 32J permit for.

Alderman Wiener said, if they were establishing a high wide corridor that crossed three state boundaries, two international boundaries and included using federal stimulus money to expand a port, do you think that would constitute federal action that would require review under NEPA?

Jim Lynch said, that's a hypothetical. You talked about federal dollars…

Alderman Wiener said, it doesn't look very…

Jim Lynch said, if you talk federal dollars, you're probably correct but I'm not…I couldn't tell you that.

Alderman Wiener said, yeah, I mean in one sense it's a hypothetical and in the other sense it's what's happening if you zoom out.

Jim Lynch said, yeah.

Alderman Wiener said, and so that's why I have asked the Council and the City to take the position that a NEPA review is required.

Jim Lynch said, and that's a comment that you're more than welcome to make to the process. You can't make comments to me but you can make it to the environmental document.

Alderman Wiener said, yes, sir. Thank you and thank you for coming down.

Acting Mayor Childers said, thanks, gentlemen. Jon?

Alderman Wilkins said, I'd like to thank you for coming too, Mr. Lynch. That was probably a little bit abov and beyond so…

Jim Lynch said, I don't mind at all.

Alderman Wilkins said, my concern is I did travel down Lolo Pass today and I noticed how close the river is to the highway and also noticed where it wasn't really close to the highway was wetlands and the 10-minute rule, so I was wondering how this study when they do the turnouts in that area there, they're going to be close to wetlands, close to the river. Also going down the Blackfoot, you can get pretty close to wetlands, especially when you get through Potomac and you start up on your way to Lincoln there where the trees and everything, the river is pretty close. What did your impact study show when they get close to these rivers and the wetlands in there? Is there going to be impact to the rivers?
Jim Lynch said, in the Environmental Assessment that the engineer, Tetra Tech developed for that particular stretch of roadway, actually for all of it that it does not impact…their proposed modifications existing pullouts or the ones they will build will not impact wetlands. They actually have a detailed map. If you actually…

Alderman Wilkins said, I've seen the map, yes.

Jim Lynch said, you can actually look at where they propose…in fact Lolo from the Idaho state line to I I quickly looked through it, I think they're using 15 existing turnouts and I believe only one new turnout that stretch.

Alderman Wilkins said, well, and I saw that too but seeing those turnouts today I'm not quite sure how they would handle a rig of that size and actually met large rigs that took about their whole lane and a good section of the other lane. And the curb, just for me to pull over to let them pass was only like two three foot and then there was the river right beside me. So I'm not…I'm sure they're going to have to redo those. The ones that are existing, they're going to have to make them a little longer and a little stouter and I guess that concerns me, what it's going to do to our rivers and that, but anyway that's my opinion. But the other question I have is, when are they going to start this? Are these 200 vehicles, ar any of them going to be running during the winter time or during late fall where we could get sudden sn storms and they could be nice and sunny one day and trapped the next day. I'm concerned about that I'm concerned about what they're going to use for traction if it becomes icy and how that's going to affe the…has that been looked at in the study?

Jim Lynch said, yeah, those would be great comments to make to the document. However, to answer your question is, is they are planning to move 200 loads across in a one-year period of time. So, obviously, they're going to take into consideration whether, when necessary, different events. It's addressed in the Environmental Assessment but if you have concerns on whether traction, whatnot, th are great comments to make to the document which then the company will have to answer those comments.

Acting Mayor Childers said, thank you. Dave?

Alderman Strohmaier said, thank you, Director Lynch for making the trek over. While issuance of a 32 permit may require completion of an EA, what if any discretion does the Department or the state of Montana have in terms of, based on the level of controversy or initial scoping to move directly into an E as opposed to simply satisfying the minimal requirements of completing the EA?

Jim Lynch said, we have to follow the Environmental Policy Act so whatever, and we won't know what that is until the comment period is closed and what comments we receive and what…and how they're going to address those comments. So I imagine…I can't predetermine anything but that's what the process works. We start with an Environmental Review, we've moved into an Environmental Assessment, they did their Environmental Assessment, they've noted what impacts there are, if any, w they're going to do to mitigate them and now they're available for the public to comment on. Based on what we receive in comments will drive what we do in the future, but at this point I couldn't tell you that couldn't predetermine that.

Acting Mayor Childers said, thank, Dave. Dave, you just did it. Marilyn?

Alderwoman Marler said, thanks for coming over. It has helped me understand a little bit of what's goi on with this process in a way. I do appreciate you being here in person. I'm absolutely going to vote f the resolution that's before us because I really think that the EA is inadequate even if we could all agre that all they had to do was the EA to get the permit, the EA itself missed a lot of things and so I'm glad that we're making those comments. The project as a whole probably needs an EIS but the EA to get t 32J permits is inadequate. It did not address a lot of things that we had. That's not the question. Are still on questions or are comments okay too?

Jim Lynch said, you can make comments to the document, not to me.

Alderwoman Marler said, oh, I'm asking the Chair. Anything? Questions and comments.

[inaudible]

Alderwoman Marler said, procedural question

Jim Lynch said, I do want to make that very clear .

Alderwoman Marler said, oh, I know

Jim Lynch said, because we have an environmental process here and you and I can't afford to jeopardiz that so the comment period is in place. The comments must be made to the Environmental Document and there's a process for doing that. If you have technical questions of me or the department, those are some questions I may be able to answer tonight or if I can, I can get them to you. That's really all I can do.

Alderwoman Marler said, I understand that. I had a question for our Chair about our procedures.

Jim Lynch said, okay.

Alderwoman Marler said, sometimes we're only allowed questions, sometimes we're allowed both. I guess we're allowed both. So I'm going to vote for the resolution, that the EA is inadequate. It didn't address a lot of things. Also, now that I better understand this whole situation with the 32J permit, I'm absolutely going to be submitting a comment to the document tomorrow, first thing, to recommend that the Department of Transportation deny the 32J permit. That's what I'm going to do and you've mentione that people can do that until the 14th and the comments go to the process, not to you, not to us here on City Council and I was hoping for the record, I have it on my computer here, but for the record could you say where people should submit that?

Jim Lynch said, I think I can do that. Yeah, they can submit it to www.mdt.mt.gov and just submit it as a comment for the Kearl Module Transportation Project Environmental Assessment Overview.

Alderwoman Marler said, wonderful. Thanks for clarifying that. Thank you.

Alderman Houseman said, when you guys go to issue these 32J permits, when did Exxon Mobil come to you and ask for the. ..?

Jim Lynch said, it's approximately been about a year now.

Alderman Houseman said, a year? So once the corridor is established, let's say Conoco Phillips decides to get some 32J permits, will they have to go through this EA process again?

Jim Lynch said, yes, they would.

Alderwoman Mitchell said, when people apply for the 32J permit, it's because what they plan to transport is oversized or overweight or both? Is that correct?

Jim Lynch said, yes, it's covered under statute. It's a non-divisible load so it has to do with width, height and weight. It could be any of those.

Alderwoman Mitchell said, so if it exceeds those limits, then they need to get the 32J permit?

Jim Lynch said, that's correct.

Alderwoman Mitchell said, but there are no upper parameters. It's just they see this, they have to get the permit but the permit doesn't allow them to go ..it has no upper limit.

Jim Lynch said, they actually have to in their application for a permit spell out their dimension and their weight and that's all that…and they can't exceed that. Can I make a clarification? They have to go through the Environmental Review and that drives what doc…I think you said, did you say Environmental Review or Environmental Assessment? Yeah, they have to start with the Environmental Review. The action that we would take, I apologize, I just want to make sure I didn't forget that if someone requests a 32J, the action the Department of Transportation has to take is issuance of the 32J permit and that starts the Environmental Review. That drives the extent of the environmental document. I'm sorry, Ms. Mitchell.

Alderwoman Mitchell said, thank you and one of the comments I hear quite often is that this will provide jobs for people in Montana and as we know jobs are really important, especially around this neck of the woods with our mill closing down, but is there anything in the EA that says Montana people will be employed to do this work? How much…

Jim Lynch said, I don't recall, I'll have to go back and look at it. I do know that they testified in Missoula that they would hire Montana contractors to do the work. I know that was the testimony of Imperial Oil but whether it says it in the document or not, I don't know.

Alderwoman Mitchell said, thank you.

Alderman Wiener said, on the subsequent environment review, if a 32J permit came in and proposed using a corridor in which all the necessary turnouts already existed, would there be any need for any further environmental review?

Jim Lynch said, it would really depend…it would depend…I have no idea…I'm not going to ask, go into hypotheticals with you, okay? If they want to issue [inaudible].

Alderman Wiener said, you answered his hypothetical.

Jim Lynch said, well, his hypothetical was a little bit different. He's asking me if you have to issue a 32J permit, do you have to go through the environmental review. That's not hypothetical. That's the law, yes. You're asking me if all of this took place, I couldn't answer your question. I would be…I couldn't give you the answer to that question unless I know what exactly what they're asking.

Alderman Wiener said, okay.

Jim Lynch said, remember, keep in mind what we're doing here is an action of the Department of Transportation. Okay? And the action that's being asked of us is to issue a 32J permit. That's the action under review.

Alderman Wiener said, and Exxon would probably take a dim view of any wider construct at their request?

Jim Lynch said, say that again?

Alderman Wiener said, I think Exxon would take a dim view of any wider construct of their request.

Jim Lynch said, I guess I don't understand that question.

Alderman Wiener said, I'm thinking they probably would take offense if you said what you're asking for is a corridor and not an oversized load permit. I'm trying to give you the benefit of the doubt here on what the scope of the review is, what it is.

Jim Lynch said, I have to…we have to…the Department of…the state of Montana has to do what we've been requested. We can't predetermine what someone's intent might be. Their intent and their action was to ask us for 32J permits. Okay?

Acting Mayor Childers said, Pam?

Alderman Wiener said, that's their stated intent.

Acting Mayor Childers said, oops, sorry.

Jim Lynch said, that's their request of us, issue a 32J permit.

Alderwoman Walzer thank you for coming in. I apologize if I missed an answer to this question. We have the luxury of having Internet and trying to, you know, search for things so I've been looking at the MEPA, our MEPA policy and the EA, EIS so my first question is, ultimately there's one person who makes the decision of whether or not the EA is sufficient and whether or not an EIS is called for. Am I right on that?

Jim Lynch said, not really. What it is we have to make the determination, MDT, and we'll use all the resources that we have to make that determination but that determination is going to be ours. Now you can challenge that determination, anybody can, but the Department of Transportation is the entity that issues the permit, not a individual.

Alderwoman Walzer said, okay. What I was trying to get to the point is that, you know, ultimately are you the one that's going to be issuing…the EA is sufficient, we do not need an EIS and the preferred alternative is that's laid out with all the mitigation that's laid out in the EA or all of those things that were modified to the Department's satisfaction, that's yours or can you determine that the EA is not sufficient and that an EIS is necessary?

Jim Lynch said, as I said, the Department of Transportation can, I'm not a dictator. Okay?

Alderwoman Walzer said, okay.

Jim Lynch said, okay? Just as your Mayor can't, okay, we have to follow the law and that's what we have to do and that determination will be made by the Montana Department of Transportation. Now am I going to be involved in it? Well, the answer to that question is pretty obvious or I wouldn't be sitting here right now answering questions, or I attended also all three of the public meetings to listen to all the comments, those for or those against. But the decision that is made, the action that is taken, is the State of Montana's.

Alderwoman Walzer said, okay. And, unfortunately, I did something to my computer and lost the page I was on but it does…there was a very simple trying to describe when an EA is appropriate and when an EIS is appropriate. An EIS is appropriate when the EA calls for it or, and they had in quotations "common sense" says that, you know, higher scrutiny is necessary. And so from what we've seen, that the EA says that we don't need to do an EIS but I guess some of us are arguing that common sense from what we have, what we're seeing is that it looks like the EA is insufficient and we need to have somebody step up and say we need more because…appreciating that the Environmental Impact Statement may have enough mitigation put in there that we still, the end result would be the same, maybe with additional mitigation. We don't know the end of what the Impact Statement would put in there but I guess that is kind of what we're…a lot of people are asking for is like what I'm trying to beat around and see if I can get anyone to appreciate that an EA that is being prepared doesn't seem to be sufficient.

Jim Lynch said, and you can make that comment.

Alderwoman Walzer said, and we have and we will. Okay.

Alderman Jaffe said, I thought I was being clear before but maybe I wasn't. So the…what I was trying to just confirm is if there is within the scope of the possible outcomes of the EA, the recommendation that there should be an EIS, whether that's even within the scope of possibilities of the department's authority in the assessment.

Jim Lynch said, actually that's in the guidelines of the Montana Environmental Policy Act, but you can't be arbitrary, there has to be some real reasons for doing so.

Alderman Jaffe said, okay. Can you…?

Jim Lynch said, no, I can't.

Alderman Jaffe said, …fill out what sort of reason…like what are the types of things that are reasons?

Jim Lynch said, oh, maybe I can. I thought you were going somewhere else, so yes. Say that you, they identified at impact that couldn't be mitigated within the area in which they want the permit, it could be a major impact that it would be substantial. Substantiating impact would drive it to another level.

Alderman Jaffe said, so if the impact was something larger than what was taking place in Montana here? Okay.

Jim Lynch said, no, no, no don't put words in my mouth. The action the state is taking is issuing a 32J and through the Environmental Review process if there was a significant impact identified with the issuing of that permit under that stretch, that could, not would, but could depending on what that impact could be, if it could not be mitigated.

Alderman Jaffe said, okay. The other concern I have…one of my biggest concerns is that they'll just screw things up here and then we'll be left holding the bag. That's ultimately where I'm…what makes me uneasy about the whole thing. So the amount of the bonding is something important for me. I see in the document where it talks about they're responsible for damage to the roadways but is the intent that the bonding or is there even bonding, I guess I haven't seen anything that specifically says that maybe it's in there, but first question I guess is, will there be bonding and if so is it intended to be potentially, you know, for the potential of the destruction of the entire corridor? I mean, like where do you gauge it?

Jim Lynch said, the answer to your question is yes on both accounts and the amount that we'll require will be something that DOT determines is an appropriate level for risk. Keep in mind that, you know, if something happens in load number one and load number two, they don't live up to whatever the conditions were, now I don't want to be pre-assuming anything because we haven't made that decision yet…

Alderman Jaffe said, sure, of course.

Jim Lynch said, okay, you guys are trying to get me in trouble here. If we go all the way to the end and that's what ends up happening, those permits can be revoked.

Alderman Jaffe said, yeah, the thing that I see more…I have confidence in the DOT engineers to measure load, you know, point loads and all that other kind of stuff, do the engineers know that the bridge isn't going to collapse under this thing. What the concern for me more is that the key mode of effects of having these heavy loads, that you, you know, our roads are built and eventually they slowly wear down as we drive on them but, you know, are we causing 25% faster wear and that kind of thing, where it's not immediately obvious that the road has failed but we've sped up the deterioration of our roadways and, you know, ten years from now is when we may have to replace those roads because of the damage. That's more my concern is that there's long-term cumulative affects which will accelerate the deterioration but not outright failure of the roadways. And then also in my hope when considering the effects is looking at some of the secondary things, you know. If we're blocking up the one road, traffic is then going to go to the other roads and those kind of impacts that we'll see at least within Missoula where there are alternate routes. Some of those kind of problems that we might have that we're increasing wear and increasing traffic and increasing, you know, the deterioration of other roads, not just the ones on the corridor. So that's a concern of mine that I'd like…I guess I'll make it as comments later but those sort of secondary impacts are actually being addressed, because it doesn't look like they are, in the document.

Jim Lynch said, well, if you review the document, I mean those are comments you can make and I encourage you to make them, but review the document, when you're talking about loads at 12 o'clock at night, 2:00 a.m. in the morning to 5:00 a.m. in the morning.

Alderman Jaffe said, it's something that's also come up in questions is what about the return trips? Because those would be in the day, right?

Jim Lynch said, that's in the document also and the return trips they aren't carrying as wide of loads so they actually, they have a route and they're coming down Interstate 15 on the return trip and then, of course, they'll come back into Missoula back up over Lolo and over to Lewiston, Idaho.

Alderman Jaffe said, do they need a 32J permit on the return trip?

Jim Lynch said, you know, they may because it depends on what the trailer configuration is when they break down.

Alderman Jaffe said, okay.

Jim Lynch said, if they happen to be wide. They certainly wouldn't be heavy but they could be wide depending on what trailers that they use.

Acting Mayor Childers said, are there further questions or comments from the Council? Questions or comments from the Council? Dave, must raise hand.

Alderman Strohmaier said, I comment not for Director Lynch so if…I'll wait until folks are done.

Acting Mayor Childers said, perhaps we could let the Director sit. Thank you very much for being here and being a good sport.

Jim Lynch said, not a problem. Thanks for inviting me and I encourage you, if you have comments, to make comments by May 14th.

Acting Mayor Childers said, alright. Dave?

Alderman Strohmaier said, so first off, I want to thank Jason for his work on this comment that I am fully confident will be submitted. In 1943 Joseph Kinsey Howard wrote his history of Montana or published his history of Montana, titled "Montana: High, Wide and Handsome." In my estimation this proposed undertaking is certainly high and wide but it's absolutely not handsome. I think if anything is befitting of intense scrutiny and the level of analysis required by an Environmental Impact Statement it is a project like this that certainly has the potential to create significant impacts for our community here in Missoula and throughout the state, both short term and long term, so I will fully support this resolution tonight.

Alderwoman Walzer said, yes, I'm going to support both the resolution and for those many who have already provided a comment to us as a City Council and who will be providing, I really urge you to follow the one step farther and make the official public comment to the MDT on this. You can get it through the state website; it's easy to navigate through, through the Department of Transportation's website in commenting on environmental things. I can't remember what the exact terminology was but anyway, but please commenting to us is not official and it helps us make our decision, our resolution will act as one comment, but I hope you all will follow through and go directly to MDT. I'm very glad Jason brought this to us and also included the extra language that I asked him to include about the economic impact that this would have potentially economic impact on our community which al of the same data that I grabbed for that he condensed to something much easier. It just happened to be also repeated in today's proclamation about tourism and travel in Montana. We got it from the same source. It's all available out there for anyone to grab from the Convention and Visitors Bureau, and I'm kind of surprised that's just be ignored in the EA so I certainly hope this goes forward in one that my preference is, is that everything

returns to the normal route that would be normally going through from the Port of Houston but at a minimum that this progresses from an EA to an EIS that better identifies issues and what mitigations there might be. I'm hopeful that in the end the decision would be that there's no good alternative through Montana, that they cannot properly or the cost of mitigating all of the concerns are high enough that the company would decide that the existing route from the Port of Houston is more economically feasible. And I don't want to give away Montana's great resources of our scenic views and the economy that we get from all of that, I don't want to give that away for cheap. And, you know, Lewis and Clark had a hard time going over Lolo Pass and using that as the attempted corridor from the east to the west and they couldn't find a good way through. And I just have a really hard time thinking that these trucks are going to find it just as easy…suddenly decide that it's an easy route to take when in reality it is quite difficult.

Acting Mayor Childers said, Roy, did you have a comment?

Alderman Houseman said, actually I have a question for Chief Muir.

Acting Mayor Childers said, gee, Roy, I thought we were done with questions. Go ahead.

Alderman Houseman said, out of curiosity, how many officers do we keep on patrol from midnight to 4:00 a.m. and has the state or anyone contacted you about policing that corridor…Reserve Street during that period of time?

Police Chief Muir said, depending on the night of the week, you're likely to have between five and ten. The only information that I've had to this point is that all expectations of the Police Department would be with respect to any contract work if they were to…so as to a general impact on the City's budget, we've not been asked to provide anything.

Alderman Houseman said, okay, thanks. Overall I support the resolution. I think that it's good that the City of Missoula will make the comment as a city and I encourage citizens to go out and do that comment individually as well.

Acting Mayor Childers said, thank you. Are there more comments? Further comments? Mr. Haines?

Alderman Haines said, I was just running down through the whereas's here and I think Mr. Lynch laid some of them to rest but this Council, I always thought when we do something stupid, we like to tell everybody it's leadership. I think to continue to vote for this resolution after what we've heard from Mr. Lynch is ridiculous. Talking about addressing the creation of a permanent corridor. If that were proposed, that would take a much greater study and much greater depth than anything that's contemplated here, impacts or otherwise. It talks about doesn't have an adequate consideration of alternative routes. If the company wants to move it, the state has no authority whatsoever to tell them that they have to incur more costs by going a different route. It just is not in our laws to do that. We can analyze what they propose to do, but we have no right to tell them what to do except as may modify the impact on the route they want. And the scoping of the EA was conducted without formal public comment. Well, I then you've heard tonight several times, make your comments and they'll be answered. If the EA fails to weight the cumulative impacts that oversized loads and a high wide corridor, again, I go back, if you're going to have a permanent high wide corridor, that's going to take a lot more study and a much greater in depth analysis. And by the way, the minute that the Lewiston Port came into existence, we started moving an awful lot of traffic over that road and down the Lochsa just hauling wheat. There's an immediate increase in that type of traffic. And the whereas, the EA fails to adequately weigh the incremental loses to Montanans and Missoulians from additional traffic delay. Make your comment. Make them show what will or will not happen. It says the EA does not address where the proposed project intends to direct project employment. There's no law that can do that. You can't pass a law that's going to tell them they have to hire people in Montana. Whereas the EA fails to consider the economic impacts of developing a permanent high wide, that goes back…that's not contemplated. I don't see how you can keep talking about it when it's not what's being asked to do. The proposed high wide corridor cross three state and two international boundaries. The scope of the EA is limited to only one segment of corridor. That's all we can look at because the 32J in the state of Montana we have no authority

whatsoever to analyze what might be the impact on Washington or Idaho or into Canada. And I…whereas, due to the improperly limited scope of the EA, it's not improperly limited. It isn't done yet. You can put all your comments you want of this thing and be heard and get an answer back. Whereas MDT is required to cooperate and coordinate with other state and federal agencies to prepare…no, all they have to do is analyze what's on the roads that Montana has jurisdiction over in order to issue a 32J. So you're not going to get any more than that. And then I think it's based on inadequate scope under-evaluator, under-evaluated impacts and failure to coordinate with effect to…you have to prove that or at least bring it out by a question that they are inadequate in scope, that they're under-evaluated. You have the right to do that and perhaps if you're that concerned, you have a duty to do that, but I think tonight we've heard enough about this stuff and how ridiculous some of the concerns are that we have.

Alderman Wilkins said, well, the way I look at this in the EPA study that's being done and the comments, I will be making my own private comments myself but I will support the resolution on principle because on principle I feel a little like that guy must have felt that, in China, what's the square type, I can't say the word but I feel a little like him standing in front of that tank. And, you know, my comment isn't really on the study though I think it is lacking on maybe about what our water ways and stuff along these scenic highways is. And I really had to deal with this because I belong to a labor's Union 1334 and I'm a retiree from that union and it would be my brothers and sisters that would be doing the flagging. They're the ones that do the flagging in the state of Montana. They're trained to do it and hopefully that would be the ones that would be doing the flagging. But when I went up here today and looked at all that and I tried to weigh in my mind so, alright, maybe 20 or 25 of my people will get to do the flagging but what is this really doing to that corridor along there? And so that's why I'll support the resolution on principle. I think there's things in the resolution that are going to be meaningless of the comment because they don't really address the EPA part of it but as long as we're making comments, you know, I just can't understand them coming down that road. And, you're right, there's been green haulers for 20-30 years going over that road. I guess my biggest fear is, yeah, we do this just for this one outfit, 200 vehicles and that's all this EPA thing talks about is 200 vehicles, but it's a start to something else in my mind, and that's what I would be against. And, you know, the City, the river runs through it and that river happens to be the Blackfoot that they were talking about and all the way up 200 you're close to the Blackfoot and that worries me too, some pristine fishing that could come out of that area. So, I don't agree with everything in our resolution. I'm not sure how good our resolution is; it's just a resolution but I will support it because I do agree with some of it and I'm really worried what's going to happen in the future. So, I'd like to call the question on this so we can get to public comment.

Acting Mayor Childers said, okay, Jon, thanks for your comments. Question has been called. That is non-debatable.

MOTION

Alderman Wilkins made a motion to call for the question.

Upon a voice vote the motion failed.

Acting Mayor Childers said, you know, I think it did not pass. Do you need a show of hands? No, it did not pass. Allright, Jason?

Alderman Wiener said, permanent high wide corridors is what we're getting and that's why that's what the Environmental Review ought to address. It may just look like a camel's nose in the tent I suppose, but we all know what follows that. It's a metaphor you taught me.

Acting Mayor Childers said, further comments? Ms. Mitchell?
Alderwoman Mitchell said, I plan to be making my own questions and comments. It won't have the fancy whereas's and the therefore's. And I think that Mr. Lynch made it clear that the scope of the EA is limited so when we say it's improper limited, that isn't necessarily true. So I guess I would like to amend the whereas on the fourth one down on the second page for it to say: "Due to the limited scope of the EA,

MDT cannot properly, instead of possibly, determine impacts" and finish the sentence. Because the scope of the EA is doing what it's supposed to do and for us to say that that's improper, I don't think that's necessarily so. It's doing what it's supposed to do, it just isn't…it's just a little bit too limited and MEPA or NEPA would probably be more in order. So that's my motion to amend.

Acting Mayor Childers said, we have a motion to amend. Jason, would you like to respond to that?

Alderman Wiener said, can you restate it or I can try to restate it as I understand it, would then read: Due to the limited scope of the EA, MDT cannot properly determine…I'll accept that.

Acting Mayor Childers said, that's been accepted as a friendly amendment to the motion. Renee?

Alderwoman Mitchell said, and then I just want to say that by submitting this, basically we're submitting a comment so I think what we need to do individually, if we have questions, are to submit questions more directly and more specifically.

Acting Mayor Childers said, does the Council have any more comments to make? Lyn, who I wrote down, I forgot.

Alderwoman Hellegaard said, I'm not going to support this and the reason I'm not going to support it is I find that there's many misleading statements in this so I'll be submitting comments on my own that more adequately affect how I view this.

Acting Mayor Childers said, anyone else? Alright, I've asked the City Clerk to submit the comments, questions and responses from the Director this evening made by the City Council to the Department of Transportation. Is there any opposition to doing that? Alright. Is there anyone who wants to, in addition, add the public comments to this resolution? I see one or two bobbing heads. I'd like to do that separately if that would work.

Alderman Wiener said, that'd be fine.

Acting Mayor Childers said, but the City Clerk wouldn't like that so fine.

City Clerk Rehbein said, well, it's kind of hard to separate your record.

Acting Mayor Childers said, okay.

City Clerk Rehbein said, it's either your record or…it's not a complete record, the entire conversation because it influences your vote. The public testimony you're going to hear tonight will inform your vote and will inform your resolution.

Acting Mayor Childers said, all right, let's do the complete record. Bob?

Alderman Jaffe said, I'd like our resolution, if passed, to be submitted as a resolution from the City Council and then if you also wish to submit, you know, the record of the proceeding it's a separate item.

Acting Mayor Childers said, and they'd be separate items of course. Of course. Alright, Council has chewed on this for awhile. Now if the folks in the audience would like to make brief comments on this, I think that would be wonderful and there's plenty of you so come on, let's get started and maybe you'd like to cue up. Whatever you'd like to do. Please.

Steve Seninger said, I live in Missoula County. I'm a professional economist. I mention that because as I look at the Environmental Assessment, most of the comments that I have to make are in the context of the economic impact and cost analysis in that document which basically I find totally inadequate. I've carefully reviewed the Environmental Assessment document and have looked at it and related it to my 40 years of experience in economic impact and cost analysis and essentially find it to be as a decision

document, which is what MDT is using it as, a totally inadequate document that does not address all the costs and all the impacts for this transportation of equipment to the Tar Sand Projects in Canada. In particular, and I'm not going to go through every point in great detail but just to give you an overview, the documents were really basically inadequate and incomplete by professional standards of cost analysis and impact analysis, and essentially they are inadequate because they assume no job or business revenue loss in Montana's outdoor recreation and tourism industry. The Environmental Assessment is inadequate because it assumes no costs due to big rig accidents. The Environmental Assessment as a decision document is inadequate because it does not go into any kind of long-run cost for MDT's review of supervisory and road maintenance expenditures on the project and it's inadequate because there's no mention at all of any kind of federal dollars that might be used in any of the highway modifications and renovations. I have more detail on those points but rather than take up important time tonight, I would just submit my written statements to the Council's Clerk so that you can have those in the record. In general, I conclude that basically what is needed is a comprehensive Environmental Impact Statement that looks at all the costs to all Montanans, taxpayers, employers, workers, wage earners, etc., all of which is not really addressed in this document. Thank you for your time and I will submit these written comments.

Acting Mayor Childers said, thanks, Mr. Seninger. Would you give them to Dave on the end and we'll pile them up. Would someone else like to comment? Any further comments? Do we have…how many people out there are hoping to comment on this? Great. I thought there was more than two. Would you like to form a line so we can get you up here, please. There's lots of you. Hi.

Michael Phelps said, resident of Ward 4 in Missoula. And first it's a shame that Mr. Lynch has chosen to leave the room already because I would hope that he could hear that he's incorrect in saying there's nothing he can do as a public official to think outside the box on this one. There's at least one thing that lots of public officials have done throughout history and that's resign in protest. In regards to the resolution, in 1989 Exxon Mobil spilled 11 million gallons of oil near Valdez, Alaska causing environmental damage that we're all still dealing with today. And a court ordered the company in 1994 to pay $4.5 billion in damages to the 33,000 Alaskan natives and non-native fishermen harmed by the spill. Exxon has still not paid up despite posting over $250 billion in profits in just the last 10 years. Since the ruling over 6,000 of those plaintiffs have died while awaiting compensation. Exxon Mobil flagrant disregard for its responsibility to the people that are affected is merely a part of a long precedented as set. In 1990, a month after Exxon Mobil spilled over a million gallons of oil from a pipeline into the waters between Staton Island and New Jersey, the company was sued by the City of New York for falsifying statements…safety reports after Exxon admitted that the pipelines leak detection system had not worked for 12 years. In 1993, Exxon was sued for knowingly bypassing air pollution control equipment at its Linden, New Jersey Byway Refinery. The same year Exxon heavily publicized a petition…oh, forgive me, I've cut something out to save time. In 1998, Exxon heavily publicized a petition supposedly signed by 17,000 scientists that dismissed the scientific consensus on global warming. The petition was supposedly endorsed by the National Academy of Sciences but the NAS itself later condemned the petition as a fake. In 2000, Exxon was convicted of defrauding Alabama on royalties from gas, wells and state waters and they settled the suit against it and the other nine companies for underpaying the government hundreds of millions of dollars in drilling royalties for federal lands leases. In 2001 they were sued by Texas for extracting oil and gas from state land without permission. And this is the same year that they were sued by the International Labor Rights Fund due to the corporation's complicity in human rights abuses in Indonesia during the Suharto regime. The company contracted the army to provide security for gas projects on Sumatra and villagers were subsequently murdered, tortured, kidnapped and raped. Exxon supplied the barracks as well as the excavators used to dig mass graves. Exxon has given high paying jobs to former White House officials who falsified government reports to favor the oil industry's position, has engaged in practices of union busing around the globe, has violated clean air and clean water acts, it has traded illegally with countries such as Sudan in violation of official sanctions and is responsible for 41 Super Fund sites in 17 states. Exxon Mobil lies, cheats, steals and kills. It does not care about Montana's environment, Montana's economy or Montana citizens. It cares about only money, profits for its shareholders. It cannot be trusted. Companies contracted by Exxon such as Tetra Tech to draft EAs on its behalf cannot be trusted. And if MDT is willing to engage in backdoor talks with Exxon for almost a year before publicizing its plans and is denying and contradicting its own past concerns about

these plans, then MDT cannot be trusted with the public good either. We need more time to review and comment on this EA. We need this assessment to move to federal EIS level. We need to stand our ground against Exxon Mobil. Please approve this resolution. Thank you.

Acting Mayor Childers said, great, thank you. I think I mentioned that we'd like to keep comments to three minutes and must…because people are pretty much doing it. Hi.

Robby Levin said, I'm from…live here in Missoula. And I wanted to address your concerns, Mr. Haines, if you have an ear to spare? Mr. Haines?

Acting Mayor Childers said, and you should address the Chair.

Robby Levin said, okay. To all of us. Okay. In any case you'd brought up some questions about whether this is just a limited un-environmental assessment about 200 loads or if it is actually the initiation of a high wide corridor for the foreseeable future. And I would point out that the infrastructure changes themselves are the corridor. Beyond that it's just a matter of saying okay, we're going to approve these few loads or those few loads or those few loads but the real impact is going on right now of the creation of this corridor. Looking at it in a peace meal fashion as the Environmental Assessment is doing, is in itself inadequate because it is only looking at that when the infrastructure is pointing in that direction. Further, the Port of Lewiston is making its current infrastructure changes under the assumption that this will be going on for the foreseeable future. I'd like to ask again if, Mr. Lynch is unfortunately not here either anymore but if this is only infrastructure changes for a limited number of loads, would they be removing the infrastructure when it's done? I don't think so. The other think is about the adequacy or inadequacy of this particular EA is I did ask them at their public hearing here in Missoula a week and a half ago if they had any plans for what had to remediate an emergency if a load…if a trailer loses its load or falls into a creek or something like that, and after many, many questions they finally had to admit no, we don't have a plan. That is not part of the plan and they said something like, well, we'll amend the plan for that. Well, that's a fairly significant amendment. He said something, we'll hire a crane and I assume cranes that can hold…that can handle 335,000 pounds aren't the sort of things that you just go down to Lowes and pick up, that they need to be on call significantly in advance, if they exist at all in western Montana, which I don't know if it's clear that they do or not. If they do…if a trailer does lose its load, it could take several days, if not longer, to get a crane to the site. It could take several days to assemble the crane, several days for it to do its job and several days for it to disassemble and move out of the way, affectively, closing certain roads for several days or several weeks or longer and so the Environmental Assessment didn't address any of those possibilities, not to mention which it did not mention any of the liabilities that could come out of that. Again, we don't want to be caught holding the bag if there's any major disasters like that. The Environmental Assessment didn't even ask the questions let alone answer them. Obviously if they run over a light pole or an electric line, they would probably pay for it but what happens if they shut down a road for several weeks, say between here and Potomac? What happens to the commuters from Potomac who can't come through, who can't get here? What happens to the businesses that employ them? None of this was addressed in there. The closes, when Ken Johnson at this…the representative from Exxon was asked at the public hearing last week well what happens if we have other incidental injuries like that? And his response was, you can take us to court if you want to. In essence, he was saying sue me. And after the gentleman before me, his record of Exxon's dealing in courts, we can understand what a bad plan that is we are dealing with liabilities. So sue me is not a good plan. Lots more comments but I'll leave it at that for now. Thank you for…I really support this bill. Thank you, you folks, for bringing it up and I urge you to pass it. Thank you.

Acting Mayor Childers said, thank you very much. Howdy.

Cliff Bradley said, thank you for taking public comment on this. I'm a resident of Missoula. On Friday this week I had an occasion to have lunch in Grangeville, Idaho and read the Idaho…the *Lewiston Morning Tribune* discussing the changes at the Port of Lewiston and how this is going to be a high wide corridor for transporting everything from drilling rigs and supplies for the Tar Sands to wind generators and everything. A long editorial. I'd recommend going to *Lewiston Morning Tribune* and reading the plans for this. So I really do support this resolution. This is much, much broader implication than a simple issuing

of a permit to transport a large load. I think there needs to be coordination between the state of Montana, the cities on the route, tribal authorities because this goes across several tribal lands, which I think may make it a federal action. Certainly it can be requested by tribes. So I really support this resolution. We have a habit in this country of reducing things to this permit or that permit and pretty soon they add up to the largest environmental catastrophe on the planet and there needs to be some way that the citizens of this state and the citizens of this country can address these things, so I really appreciate your bringing this resolution because moving this to an EIS does give us at least some broader way to deal with the much larger implications of this. This is not 200 loads. The Port of Lewiston is not being rebuilt for 200 truckloads of supplies. Thank you.

Darryl Armstrong said, from East Pine Street. I was at the Meadow Hills School meeting and I heard had what Jim had to say and I heard what Imperial Oil, Exxon Mobil had to say and it seems they were working very tightly together. In fact, I don't know how many of the others that are still here, that were at the meeting got the same impression but we definitely got, we are not going to be able to vote as citizens of Montana on this. We are not going to be able to even, in that meeting, make any statement that goes beyond the narrowest interpretation of the project. We got the overall impression or at least I did, and I got the feeling a lot of other people did too, that as citizens we would be entirely ignored and that includes our comments on the EA. I don't know if that's true or not, I certainly intend to make some but I'm very glad that the City of Missoula is choosing to. We need your official status. As a citizen I will state very clearly on the record, Chief, you should pay attention now because, yes, there will be people that sit down in front of those trucks and I intend to be one of the very first ones, peacefully, quietly but firmly. Okay. To switch hats. I am a veteran of the Missoula Historic Preservation Commission. I was the professional seat on that commission while I was there. I am an archeologist. I have been a federal archeologist and there are significant national preservation acts concerns in this. I talked to Jim about that there. I asked him a public question, he referred me to the Exxon Mobil people who told me that this had been done. I got a chance later on to look at the actual document. It says there are concerns but it doesn't really lay out how the survey was done, whether it was just a record search or if it was on the ground. This is important to be able to determine whether or not adequate archeological work was done. There are historic. There are scenic river corridors here. There is the Lolo Trail. There is historic after historic property including Fort Missoula. We have not got adequate information to look at this and going agency by agency it could be an awful mess. The biggest sections of land as far as I can tell that have federal concerns on this and natural historic preservation acts certainly does that as well, as federal monies laid out but national historic properties and perhaps known sites would be present on the National Forests, it would be present on BLM land, perhaps river corridors, I don't know, it's not my level of expertise but these things really do need to be taken a look at. I have no official standing right now. I'm just a citizen and I really do intend to make some comments and I really would like them heard because I am very concerned about this. Thank you very much.

Zach Brown said, I'm a student at the University of Montana. First of all, I just want to point out that and I think it's prudent to point out that the engineers who drafted this document were in the pocket basically of Exxon Mobil, the richest corporation in the world. This was not some third party and this was not the state of Montana. This was Exxon Mobil telling you what we're going to do and their funding the engineers who came up and made this Environmental Assessment. I do not trust Exxon Mobil to make that decision about Lolo Creek and the Lochsa and the Blackfoot River. Not even one bit. And so then referring to turning this into a public…I've already made my public comments but in short we need an EIS, Public comment needs to be extended and things like this becoming a permanent corridor unless we just want to keep our heads in the sand as the state of Montana, that needs to be addressed. I can't even understand that argument. It's putting yourself into a little tiny box about this is just the law, this is just a permit. The reason that Exxon Mobil is making this a corridor is so they can make millions and millions and millions more in profits. Do you think Conoco Philips is going to say, oh, no I don't want millions and millions more? It's going to become a permanent corridor. Other companies will use it. Trucks will be coming through permanently. This is not a 200-truck deal. I'm a simple guy but I understand that. Lastly, I just wanted to thank you, Mr. Wiener, for bringing this. As a student, I believe you are a representative, right…at the University. You're very, very representative of the student body and you're speaking on behalf of many thousands of students, so we really appreciate you bringing this up and fully encourage you to support this. And just as a second side note, the MDT apparently has put themselves inside a tiny

little box that is this law and this permitting process. You guys do not have to be limited to that box even if it is some sort of a symbolic measure saying that we do not support this and this is not right and this project doesn't make any sense, if it's a symbolic measure, I would certainly appreciate it as a citizen of Missoula because we're not necessarily in a position to make that sort of a high profile far-reaching statement but you certainly are. So I would encourage you to go above and beyond this resolution in the future as well but for now certainly support this resolution. Thank you.

Suzy Rosette said, I am a…I live here in Missoula. I just wanted to commend you first on bringing this resolution to the table, I really appreciate that. I think we all know that Exxon is known for their empty promises and I don't think that we can expect them to keep them up after they've done what they want to do. Also, I wanted to say that I heard that last year Director Lynch made a comment to whatever committee that he had to talk to about this project saying that this will cost Montana taxpayers money and he also said himself that this needs an EIS. I question his motives at this point changing completely what he said just last year to Exxon Mobil's view on this. Also, I wanted to say that I have actually personally talked with one of the truck drivers from the Dutch Trucking Company Mammoet which is the one that will be bringing these trucks through Montana and from what him and his comrades have talked about is that this is not just the 200 trucks. They plan on bringing more than 200 trucks through. He actually said something along the lines of 2,000 trucks that just Mammoet is discussing with other companies to bring through Montana on this corridor. I also wanted to comment on the EA's weight of these trucks and actually the weight of the trucks is significantly more because they're only weighing in on the actual module; they did not include the weight of the module, the trucks that will be pushing and pulling this as well as the trailer. I believe the actual weight is more closer to like 580,000 pounds as opposed to the 300-something thousand pounds that they had originally discussed. So I really…I would really appreciate it if the City Council would pass this resolution, even if it is a symbolic thing. I think that we can take it another step further afterwards and show MDT that, you know, that it's not okay with Montana. We need to do something more and we should allow Montana to stay beautiful and clean and not make this a huge corridor for these trucks. Thank you.

Rita Jenkowski Bradley said, I'm a citizen of Missoula and I thank you for bringing this resolution forward. And I think a second truly independent assessment is needed. The potential adverse impacts are significant. An immediate red flag goes out when I read that the impact listed in the EA overview are predetermined as minimal or no environmental impacts. This should be challenged. Exxon has a history of mishap and contamination of water ways and fragile ecosystems. To state there is only a slight risk of spill of contaminants or hazardous waste with minimal impact, this is also questionable. A load this large over mountain passes and river corridors has a high risk of an accident. Mr. Lynch says that we have to follow the Environmental Policy Act. Well, I would like to look to Montana's constitution which guarantees a right to a clean and healthful environment for Montanans for present and future generations. I think this is being jeopardized. There are other routes available. When Exxon Mobil says this is the least expensive it is because they are not weighing the long-term externalities. Montanans should not be subject to such potential loss when other alternative routes in energy technologies that are less dangerous are available. I encourage the City Council to add an amendment to deny the permit altogether. Thank you.

Sarah Anderson said, a resident of Missoula. I just want to thank you guys for taking the time to consider this resolution and I encourage you to pass it. Thank you.

Beth Judy said, I also want to thank you very, very much for proposing this resolution and I applaud your thoughts, questions and concerns that you've voiced tonight. A few thoughts that I had, I really appreciated Bob Jaffe's point that it's not so much what we're looking at now but it's ten years later and that we discover consequences and then we have to pay for them. I thought that was excellent and that's kind of the pattern that has often afflicted us here in Montana in some of our decisions with industries. I also wondered how many times has or does the Department of Transportation actually revoked permits. That would be something to look into. Do they actually do that ever? And I do think, I do agree…I disagree with Dick Haines about the permanent corridor. His thoughts that that's not important, on a positive note when you make a path, you see it all the time in Missoula, when there's a new bike lane or something and you think, well, that's just out in the middle of nowhere. All of a sudden there's bunches of

people on it and you make a path, people use it and this is going to be a permanent…these changes are going to be in place and there's a lot of activity in the Tar Sands; it's not just the Kearls. There's many other projects. They've got lots of plans up here. This is going to be a road that will be open to use and will be used. Let's see. I also was wondering how can we…it sounds like DOT will decide on the bond amount by kind of looking at the road and kind of just looking at the engineering of the road but there are lots of other economic values that I wonder if they will be taking into consideration, the value of wilderness, the value of tourism and all of that. And I don't know how we can support this without knowing how much they will make that bond for. And I also just feel like this is how Montana always loses. We want to help people to do business. We agree in the short run. We're interested in jobs but in the long run we always end up paying. Thank you.

Zach Porter said, thanks again for holding this public comment period. I'm a student at the University of Montana, President of UM Climate Action Now student group and a resident of Missoula. And I've made public comment at the hearing a week and a half ago, made comment at the Public Works hearing recently and I'll be submitting written comment as well, so I'll keep this very brief, but I just wanted to say thanks again for introducing this resolution, Jason, and to everyone who's supporting it on the Council tonight. I hope that we can extend the public comment period. This project requires an EIS under the Montana Environmental Policy Act, much less full EIS review under NEPA, the National Environmental Policy Act. Again, there is no need for these trucks to come through western Montana and Missoula. A route already exists. If economic reasons are the only major factor here, why couldn't we modify I-90 for that matter to allow these trucks to pass through? Clearly that's the only prohibited factor. It's not any matter of geography that prevents these trucks taking another route, it's a matter of economics and there's no reason it has to come through such sensitive corridors as the Lochsa River, Lolo Creek, the Blackfoot, over Rogers Pass and up the spectacular Rocky Mountain front. I really just wanted to say thanks again and like everybody else who's here who won't be speaking tonight, just to raise their hand who came here to oppose trucks coming through Missoula. Would you just raise your hand real quick? Thanks.

Anton Giblinson said, I'm a resident of Missoula in Ward 5. I'm a UM student and I support this resolution. I have already submitted written comments and may submit more but as the resolution points out, the Kearl Module Transport Project opens the door to indefinite use of the Montana corridor, raising questions that a simple MDT Environmental Assessment does not answer. And the EA itself points out that having the infrastructure in place will make it much easier for them to get more 32J permits. As Montanans and Missoulians, most of us don't ask for much. We are content with sub-marginal financial situations as they are parents, because our state's beautiful environment more than compensates. However, when something significant wants to happen, something that could indefinitely impact our streams and our wildlife, our drivers and our transport infrastructure, our tourism and our scant economy and even our glaciers and snow-packed in the long term, we ask for a bit more discretion, a lot more education on the issue, a lot more detail, a lot more science and we ask for a wider scope of investigation, an EIS under MEPA and NEPA for sure. I and we thank all of you for considering this resolution and if there's one thing that we all share it's the future so it's good that we're actually thinking about it. Thanks again.

Carla Abrams said, I'm a homeowner on the west side and I urge you to pass this resolution. Thank you.

Acting Mayor Childers said, you're quite welcome.

Zach Creedy said, I'm a aquatic ecologist and I work extensively on Lolo Creek watershed doing research there. There's…it's kind of beyond me how there isn't an EIS done on this already. It's going to get highway money from the federal government to maintain these huge pull-outs on Lolo Creek regardless of what the Montana Department of Transportation thinks. Lolo Creek can't take any more improvements. It's already got tons of problems and I'm here to say thanks for drawing this resolution and I support it.

John Wolverton said, I'm a resident in the Franklin neighborhood which is in Ward 6. I want to particularly thank Councilman Wiener for bringing this up. I urge you to support this and approve it and please do the

right thing. This is a big concern for a lot of people. All the concerns that have been brought up before me I want to second those and there's a lot of global concerns that go along with this also. Thank you.

Acting Mayor Childers said, thanks. Further public comment? Hi.

Patricia Hogan said, I live in Franklin-to-the-Fort Neighborhood too, which is in Missoula and I support this resolution. I appreciate you bringing it up and I've heard a lot of good stuff here tonight so I don't have anything to add to it but I would just like to say that I take Council member Walzer's point about common sense being sufficient to bump this up to an EIS from an EA. If it wasn't for that, we wouldn't need an environmental review, we could just attach the EA as an exhibit to the permit. So let's have an EIS.

Acting Mayor Childers said, thanks. Any further comment?

Barbara Hall, Clark Fork Coalition, said, thank you for taking public comment and thanks for staying so late and I'll be really brief. My name is Barbara Hall and I'm with the Clark Fork Coalition and I'd like to thank Mr. Wiener for bringing this resolution to the Council and I appreciate that you are also well informed on both the project and the EA, so it leaves me really little to say except I think MDT really does need to hear from us that they do have the discretion to do what they are legally required to do under both MEPA and NEPA to take this to the next level and conduct an environmental review under an EIS. And we actually commend MDT because they did take this project a next step initially, even under pressure from Exxon attorneys to do a categorical exclusion on the project, and so we commend them for that to go at least to the EA route and we do think now it's time to go to the next stage. So thank you and I really urge you to pass the resolution.

Acting Mayor Childers said, thanks. Further public comment? Hello.

Reggie Herbert said, I'm a resident of Missoula. I would just like to briefly mention that when asked directly Mr. Johnson, representing Standard Oil or Imperial Oil at the public hearing at Meadow Hill Middle School last week when asked if he would…or if this project would exclusively hire Montanans, and asked if that was a guarantee…or if there was a guarantee that Montanans would be hired for this project, he said that there was in fact no guarantee that Montanans would be hired for any of these jobs involved in this project. He said that they were repeatedly over and over that they were committed to hiring Montanans however there's no wording or any contract anywhere that requires them to do so, so I think it's important that folks take that into consideration. Thank you.

Acting Mayor Childers said, thank you. Anyone else wish to speak? I'd like the record to show when a gentleman asked how many people were here to oppose the Kearl Modules, dozens of hands went up in the audience. Did you wish to speak, ma'am? Well, yeah, I just need to know when we're done is all. Go ahead.

Neal Bennett said, I'm a student at the University of Montana and a member of UM Climate Action Now, and I'd like to say that I would urge a vote, a yes vote, on this resolution so, yeah. Thanks.

Acting Mayor Childers said, thank you. The floor is still open. Anyone else? Alright, the floor is now closed. City Council members, more questions or comments from City Council members? I see no more questions or comments from City Council members. I'd like to have a roll call vote on the resolution.

RESOLUTION 7528

MOTION

Alderman Wiener made a motion to adopt a resolution of the Missoula City Council commenting on the Montana Department of Transportation's Kearl Module Transportation Environmental Assessment and requesting the heightened level of scrutiny afforded by an environmental impact statement conducted under the Montana Environmental Policy Act and the National Environmental Policy Act, as amended.

Upon a roll call vote, the vote on Resolution 7528 was as follows:

AYES:	Childers, Houseman, Jaffe, Marler, Mitchell, Strohmaier, Walzer, Wiener, Wilkins
NAYS:	Haines, Hellegaard,
ABSTAIN:	None
ABSENT:	Rye

Resolution 7528 carried: 9 Ayes, 2 Nays, 0 Abstain, 1 Absent

Acting Mayor Childers said, thank you. That resolution is passed. It will be forwarded to DOT for inclusion in the record as will, are we going to make a transcript of this whole thing, Marty?

City Clerk Rehbein said, there's City Council meeting minutes are transcript of the proceedings.

Acting Mayor Childers said, as will a transcript of this meeting. I want to really thank you all for comir Thanks. And there were some handouts. They should be included as well.

Below is public comment submitted to the City Council during the 5/10/2010 meeting on the Kearl M
Transportation Project:

May 10, 2010 Missoula City Council Meeting
Mr Childers
Mayor Engen, Members of the Missoula City Council, Director Lynch of MDT

Thank you for this opportunity to comment on the Kearl Module Transport Project.

My name is Steve Seninger, a resident of Missoula County and a Ph.D. economist with more than 40 years of experience in economic impact and cost analysis.

I have carefully reviewed two documents: a) Kearl Module Transportation Project Environmental Assessment, April 2010 and b) Montana Transportation Plan, March 2010 which represent the Documents of Decision upon which MDT is basing it's decision to open western Montana highways to module transportation of tar sand extraction equipment for ExxonMobil/Imperial Oil operations in northern Alberta, Canada.

I find these two documents totally inadequate and incomplete by professional standards of economic impact and cost analysis and, therefore, should not be used for making a major decision that the Kearl Module Transport Project represents.

In brief, the environmental assessment:

a) It assumes no job or business revenue losses in Montana's outdoor recreation and tourism industry; b) no costs due to Big Rig accidents; c) no long run costs for MDT's review, supervisory and road maintenance expenditures on the project and d) no utilization of federal highway dollars in any of the road construction/modification activities involved in this project.

The State of Montana and MDT needs to conduct a comprehensive environmental impact assessment and open up the findings to a full public discussion with input and involvement from Montana counties, cities and communities due to the following major deficiencies and inadequacies in the documents of decision:

1) MDT is touting this proposal as a job creation stimulus; however, the environmental assessment (Kearl Transportation Module Project, www.mdt.mt.gov) lacks credible, systematic analysis of the actual jobs that would be created for Montanans. The assessment estimates 150 Montana jobs from one-time-only modifications to highways and auxillary shipment activities. The other job estimates are for already employed workers including those employed by out of state firms. The MDT report assumes there will be no adverse effects on Montana's streams or on the state's outdoor recreation and tourism industry. Potential reductions in out of state visitors from the project would lead to job losses in this $4.3 billion industry.

   In Missoula County alone, outdoor recreation/tourist spending represents more than 3000 jobs. Such jobs and wages are assumed by MDT to be completely unaffected by the big rigs. A reduction in out of state tourists and recreationist would cause job losses in our local economies far greater than the 150 jobs being touted in MDT's assessment.

Note to reader: This comment is addressed to the city of Missoula City Council. As a result, MDT has not provided a specific response but instead is requesting the reader to reference the responses provided to the city of Missoula City Resolution.

2) MDT assumes a zero accident risk for the 300+ ton big rigs -- particularly questionable since the 200 shipments, slated to begin this September, will run year long at night over Lolo Pass, through Missoula, up the Blackfoot, over Rogers Pass and up along the Rocky Mountain Front to the Canadian border. A credible and comprehensive analysis would allow for potential mishaps including major accidents that would adversely affect human life, wildlife and the environment. Such accidents would entail cleanup costs along with law enforcement and emergency medical costs and traffic routing issues on the two lane highways. Many of these costs would fall on local governments, communities, and taxpayers. As a footnote, Western Montana highways are not "empty" at night—Missoula County has on average of 300 single vehicle accidents at night, between 8pm and 4 am every year

3) A third omission in the assessment document is an absence of explicit cost accounting for MDT's resources provided in the planning and implementation stage of the project and a reasonable projection of such costs over the life of the project. The Montana Department of Transportation is already spending taxpayer dollars which are not calculated in the environmental assessment. The analysis states that "MDT will cover costs of review of permit applications, review of the EA, construction oversight and normal obligations for road maintenance." These costs are ultimately paid for by Montana taxpayers with the 'normal obligations for road maintenance' potentially becoming quite significant. The omitted costs to Montana taxpayers would, indeed, be a subsidy to ExxonMobil's tar sand operations in Canada.

4) MDT states (Public Hearing Missoula April 29, 2010) that not a single Federal Government highway dollar will be used in any of the highway modifications and renovations required for shipment of tar sand equipment. The absence of federal highway dollars needs to be completely documented and cannot be accepted on face value.

The impending decision by MDT to allow creation of an industrial transportation corridor in western Montana does not address impacts and costs to Montana taxpayers, businesses, and communities. A comprehensive programmatic review of all social, economic, and environmental impacts and their costs should be conducted. Such a comprehensive impact analysis showing the costs and gains to Montana taxpayers should also include the costs of alternative transport routes through Canada. The inadequate assessment conducted thus far does not answer these questions and is insufficient to make a decision with such far reaching effects on our economy and environment.

Respectfully submitted, May 10l, 2010
Steve Seninger, 9601 Cedar Ridge Road, Missoula, MT 59804

1 I have seen in the news lately that a oil company wants permison to move oversize drilling equipment accross ("our hiways") and we the taxpayer haver no say about this so i ask who pays for any damages they cause not just during the move but long term after the final move??? will the permit cost be adequit top cover (lost tourism bussiness due to delayed detour to another main hiway as well as just plain lost tourist because of them changing plans because of delays and detours???)

MISTER-GAR@HOTMAIL.COM

1. See responses to Common Comments L and M.

From: montagne@mcn.net [mailto:montagne@mcn.net]

Sent: Thursday, May 06, 2010 2:32 PM
To: MDT Comments - Kearl EA
Subject: Tar Sands transport

1 I wish to comment on the proposal to truck the massive equipment from Lewistown, ID to Alberta. Is this what all the new construction on the beautiful Lochsa River road was all about last summer?!

2 What a horrible thing to have disrupt Montana! And all for JOBS as our Governor has explained. Once the burning of tar sands has happened contributing to green house gases, the proposed pipeline with its thin walls across Montana will only pollute our State of MT further when (not if) it leaks.

3 Please prepare a full Environmental Impact Statement - an EA is not enough when all the cummulative effects are considered.

Sincerely,
Joan Montagne
1105 S Tracy Ave
Bozeman, MT 59715

MONTAGNE, JOAN

1. See response to Common Comment E2.
2. Comment noted.
3. See the response to Common Comment B.



Montana Audubon

P.O. Box 595 • Helena, MT 59624 • 406-443-3949 • http://mtaudubon.org

May 13, 20010

Tom Martin and Dwayne Kailey
Montana Department of Transportation
2701 Prospect Avenue, PO Box 201001
Helena, MT 59620-1001
mdtcommentskearl@mt.gov
Re: Public Comment on Kearl Module Transportation Project Environmental Assessment

Dear Mr. Martin and Mr. Kailey:

1 Montana Audubon appreciates the opportunity to provide the following comments to the Montana Department of Transportation on the draft Kearl Module Transportation Project Environmental Assessment (KMTP EA). First, we respectfully request and extension of this comment period.

2 We have many concerns with the KMTP EA. A primary concern is with the failure of the Department to coordinate with federal entities to require a comprehensive review of this project under the National Environmental Policy Act (NEPA).

3 We believe the Montana Department of Transportation (MDOT) needs to take a much closer look at this project by requiring an Environmental Impact Statement (EIS) on the creation of this industrial corridor in Montana.

Specifically, we ask that through the EIS process, the MDOT:

4 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

5 • Require feasible alternatives to the proposed action;

6 • Employ the best available and detailed science in analyzing the potential impacts to birds, wildlife and water resources;

• Sufficiently analyze the effects to threatened and endangered species and Montana species of concern;

7 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

MONTANA AUDUBON - AMY CILIMBURG

1. See response to Common Comment F1.
2. See response to Common Comment A.
3. See response to Common Comment B.
4. See response to Common Comment C2.
5. See responses to Common Comment D1 and Common Comment D2.
6. See the EA Sections 3.10 and 3.11.
7. See response to Common Comment M.

8 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

To be clear, this project is integral to implementing what Imperial Oil refers to as its "global execution strategies" to develop inexpensive oil in North America. However, despite statements to contrary, the MDOT and Imperial Oil have recently insisted this project is a one-time and routine transportation project that does not establish a permanent high and wide corridor along the proposed route. We find this difficult to swallow. Once the proposed highway and utility modifications are in place via this project, other entities will be utilizing this route for high and wide shipments for the indefinite future. Therefore, a more thorough review is warranted.

9

Because the KMTP EA does not even consider the direct, indirect or cumulative impacts that will result from the future use of this corridor, it is impossible for citizens, elected official or MDOT to make an informed decision on this project.

We request that the MDOT initiate public scoping under NEPA and engage key constituents in a meaningful environmental review of this project under a joint programmatic Environmental Impact Statement (EIS). This will allow for MDOT to make a well-informed decision on whether and under what circumstances to proceed with this project.

10

The Public Comment Period Should Be Extended. Given the massive interest in this project and the short time-frame available to interested parties, Montana Audubon requests that the public comment period deadline be extended for at least 60 days. MDOT did not choose to engage the public in an early formal scoping process to define the scope of the environmental review of this project. A central tenet of MEPA is the opportunity for public participation so that the responsible agency can make an informed decision. The approximately 30 day comment period is insufficient for Montana Audubon and interested parties to thoroughly digest this information and provide meaningful and substantive comments.

11

The Real Issue. Finally, in these days of extreme risk from catastrophic climate change—placing Montana's natural resources and economy at significant risk—ignoring carbon pollution is unacceptable. Our Montana Constitution guarantees a right to a clean and healthful environment, and this plan flies in the face of that right. By providing easy and least-cost access to the tar sands of Canada, we are part of the carbon pollution problem. Developing tar sands is egregiously carbon-intensive, and we have to consider the impacts of carbon pollution for Montana.

12

Thank you,

Sincerely,

8. See response to Common Comment A.

9. See responses to Common Comments K and S.

10. See responses to Common Comments A and B.

11. See response to Common Comment F1.

12. See responses to Common Comments R and P.



Amy Cilimburg
Director of Bird Conservation, Montana Audubon
amy@mtaudubon.org

Tom Martin

Montana Department of Transportation

Mr. Martin,

On behalf of the Board of Directors of the Montana Contractors' Association, I would like to offer comments on the Department's environmental assessment (EA) for the Kearl module transport project.

1 First, we would like to reiterate previous comments that we believe it was unnecessary to conduct an EA for this project, and we urge the Department to not use this experience to establish a precedent for future oversize load permit applications. Once the decision was made to perform a formal MEPA review of this proposed permitting action, the door was opened to the usual litany of environmental concerns expressed by those who simply oppose industrial activity.

2 Environmental activists have long tried to allege the "cumulative impacts" of proposed State actions should be analyzed in a MEPA review. In this case, the notion the Department should consider the ultimate use of the equipment moving through Montana to its destination in the Canadian oil sands, is nonsense. The scope of the (unnecessary) EA should be solely on the environmental impacts in Montana, which are negligible.

The project will involve several Montana construction companies and will generate numerous high-paying jobs that are desperately needed in our state. We request that the Department grant oversize permits to the vehicles involved in the movement of these modules as soon as possible so people can go to work.

Thank you for the opportunity to comment.

Respectfully,

Cary Hegreberg

Executive Director

MONTANA CONTRACTORS' ASSOCIATION – CARY HEGREBERG

1. Comment noted.

2. Comment noted.

Tom Martin
MDT Environmental Services Bureau
PO Box 201001
Helena, MT 59620-1001

Re: Kearl Module Transport Project

Dear Mr. Martin,

The Montana Environmental Information Center (MEIC) and Sierra Club appreciate the opportunity to comment on the proposed Kearl Module Transportation Project (KMTP) and the Environmental Assessment prepared by the Montana Department of Transportation (MDT).

MEIC is a member-supported organization dedicated to protecting and restoring Montana's natural environment and has over 4,000 members in Montana and across the nation. The Montana Chapter of the Sierra Club works to protect the landscapes and natural resources of Montana, representing over 1,900 members state-wide. The nearly one million nation-wide Sierra Club members are motivated to explore, enjoy and protect the planet. MEIC and Sierra Club's members are concerned that the full range of environmental impacts associated with widening a transportation corridor, hauling future loads of massive equipment across Montana, and facilitating continued development of the Alberta Tar Sands and impacts of accelerated climate change, are not adequately addressed in MDT's environmental assessment.

1 We believe that the environmental assessment for the KMTP is inadequate and severely flawed because it excluded the public from the scoping process, lacks thorough analysis of reasonable alternatives, and most importantly, does not consider the cumulative impacts associated with creating a permanent "high and wide" corridor that will facilitate movement of massive equipment to develop the Alberta Tar Sands well into the future.

2 There will be significant social, environmental, and economic effects as a result of the KMTP. Therefore, an Environmental Impact Statement (EIS) that fully addresses the depth and scope of all the environmental impacts associated with the entire project is necessary.

<u>EA fails to analyze cumulative impacts</u>

3 Our primary concern with the EA is that it fails to analyze the cumulative impacts associated with creating a permanent "High/Wide" transportation corridor through Montana and facilitating future strip mining in the Alberta Tar (Bitumen) Sands. The EA explicitly states in Section 3.2 that *reasonably foreseeable actions* include "future 32-J

MONTANA ENVIRONMENTAL INFORMATION CENTER - KYLA WIENS, MONTANA CHAPTER OF THE SIERRA CLUB - JERRY NICHOLS, MONTANA CHAPTER OF THE SIERRA CLUB - JOHN WOLVERTON

1. See responses to Common Comments K, D1, and D2.

2. See response to Common Comment B.

See response on following page.

permit loads using any portion of the proposed route similar to this project," but the analysis is narrowly limited to Imperial Oil's (IO) proposal to move 200 convoys through Montana from 2010-2011. MDT's "Proposed High and Wide Corridor's Briefing" from July 2009 also discusses that the KMTP will create "permanent" (emphasis added) "High/Wide
3 Corridors" through Montana (page 12). Predicted future impacts of permanent transports of similar equipment are not mentioned anywhere in the EA and should be included in an EIS. We recommend that the EIS analysis provide as much attention to future impacts as it does to the economic benefits of this project.

3. See responses to Common Comments K, S, and B.

Plausible impacts could include deterioration of highway infrastructure such as bridges and road surfaces due to repeated uses, future travel delays, risk of accidents, threats to
4 natural ecosystems, and acceleration of climate change. These impacts are not just limited to the use of these corridors for a year-and-a-half long period. As it states in the EA, modifications to the existing corridor will be permanent.

4. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs. See responses to Common Comments G, H1, H2, H3, I, and P.

Furthermore, this project is directly linked to strip mining in the Alberta Tar Sands and these modifications will facilitate development of the tar sands at least 50 years into the future. According to MDT's "High/Wide Corridor" briefing, Exxon does not anticipate operations at the Kearl Oil Sands project to be completed until 2060. Therefore, this project will continue to facilitate the irreversible impacts of tar sands energy development
5 on the environment and public health. This includes clearing valuable old-growth forests, severely harming water quality, impairing air quality, and producing 108-125 million metric tons of greenhouse gases each year for the next five decades. The EA completely fails to take into account the economic and environmental impacts of accelerated climate change on Montana, including impacts of pine bark beetle infestations to public parklands and drought on agriculture.

5. See responses to Common Comments E1, K, and P.

The EA also lacks a thorough analysis of the direct impacts of this project on threatened and endangered wildlife species. The area surrounding highways where this large equipment will be transported is essential habitat for grizzly bears and Canada lynx. Mitigation measures proposed in the EA are not adequate to avoid impacts to these species and their habitat. One mitigation measure provided in Appendix D is to provide all highway workers with guidelines to avoid attracting bears to the project sites. These
6 guidelines do not adequately provide measures that will avoid incidental take of grizzly bears or impacts to their habitat. In Section 3.10.2.5 of the EA it says that this equipment will not be moving faster than 30 miles per hour and that the disturbance from these large vehicles will only "be for a brief period of time, and would be only minimally more disruptive that the normal highway traffic light and noise disturbance." If a grizzly bear is crossing the road and the large equipment is moving down the road at the same time, even

6. See response to Common Comment I. The effect determination for grizzly bears as a result of the proposed module transport project is may affect but would not adversely affect grizzly bears. MDT reached this conclusion upon coordination with the USFWS.

at 30 mph, it will be impossible for the equipment module to avoid hitting the bear. Furthermore, this equipment will have to be well lit and will back up traffic in both directions in essential habitat during the middle of the night. The conclusion that this project will not have significant impacts on threatened and endangered species is flawed and requires further examination.

7 MEPA requires that MDT examine the direct, secondary, and cumulative impacts of the proposed transportation project. Cumulative impact analysis includes a review of all state and non-state activities that have occurred, are occurring or may occur that have impacted or may impact the same resources as the proposed action. The EA fails to properly analyze direct impacts and future impacts beyond a narrow geographic area and time frame. MDT should prepare a more robust environmental analysis that thoroughly examines all of the current, future, and permanent impacts that are likely to result from this project.

7. See response to Common Comment S.

8 <u>EA does not comply with MEPA's requirement to analyze reasonable alternatives</u>

MEPA requires that all reasonable alternatives to the proposed action are considered, that alternatives be practical and technically feasible, that the range of alternatives corresponds with the full scope of the issues, and that alternatives receive equal treatment. It is impossible to determine whether the alternative routes listed in the EA are reasonable because there is no comparison between financial or environmental impacts associated with the alternative routes vs. the proposed route. Each of the alternative routes in Canada and the US Interstate System are only briefly described by location and then dismissed because there are no "feasible detours" around overpasses and bridges Also, there is no discussion about the costs associated with modifying these routes compared to the millions of dollars it will require to modify the proposed route through Idaho and Montana. Furthermore, as MDT stated, a reasonable, feasible and presently utilized alternative route already exists as a High/Wide load corridor through Montana. This route starts at the Port of Houston, TX and travels up through Billings, Lewistown, and Great Falls. According to the MDT, a couple of hundred oversized loads a year travel through Montana on this route. At a July 2009 Legislative Interim Revenue and Transportation committee meeting, MDT Director Jim Lynch said that the western route (along Montana Highway 200) did not provide many opportunities to "get out" if there was an emergency or problem, while the eastern (Billings) route did. The eastern route alternative was not even considered in the environmental assessment and should be included in an EIS.

8. See responses to Common Comments D1 and D2.

9 The range of alternatives considered by Exxon/MDT and the cursory analysis of those alternatives does not provide the public enough information to determine whether the

9. See response to Common Comment D1.

proposed action is based on an informed decision that weighed the comparative merits of all *reasonable* alternatives.

Scoping and environmental review process

One of MEPA's primary purposes is to properly inform the public of the environmental impacts of agency decisions. There was no public scoping process to identify all the issues associated with this project prior to the distribution of the environmental assessment and request for comments on April 8, 2010. Although Imperial Oil/Exxon representatives began meeting with Montana state, county, and city agency officials and representatives; Blackfeet Tribal representatives; Montana Highway Patrol personnel; and US Air Force personnel in September of 2009, there was no attempt to involve or inform the public before April of 2010. While a public scoping process is optional if an agency is preparing an EA, MDT was required to prepare an EIS. Moreover, in light of the breadth of this proposal, the complexity of the issues, and the number of people and agencies affected, even the agency's EA scoping process should have been much more comprehensive. During the preliminary meetings it was clear that there were going to be broad impacts associated with this project, but there were no requests for public comments until after the EA was published. MDT and Imperial Oil/Exxon should have sought input from the public early on in the process so they could identify and address all the relevant issues associated with this project and perhaps develop a more adequate EA.

10

In summary, the EA is insufficient for MDT to make an informed decision and to arrive at the conclusion that no significant impacts will occur. Due to the overwhelming, far-reaching, and permanent impacts of the Kearl Module Transportation Project, we agree with Director Lynch's statement to the interim legislative Revenue and Transportation Oversight Committee in July 2009 that this project requires an EIS, not just an EA.

Sincerely,

Kyla Wiens, Policy Advocate
Montana Environmental Information Center
Jerry Nichols,
Montana Chapter of the Sierra Club,
Executive Committee Chair and
Conservation Committee Chair
John Wolverton,
Montana Chapter of the Sierra Club,
Energy Committee - Dirty Fuels Campaign Volunteer

10. See responses to Common Comments S, B, and FI.

1 I am concerned about the huge equipment that may travel over our roads on its way to Canada for the Tar Sands. Dev. Although I love Canada and her people this is a dangerous undertaking. I'm asking that you prepare a full environmental impact statement before proceeding.

Mollie Kieran
Libby, MT
Molly Montana
Molly Montana Real Estate
406-293-2934 office
406-293-3407 fax
molly@mollymontana.com

MONTANA, MOLLY

1. See response to Common Comment B.

1

25 Neill Ave., Suite 202
Post Office Box 1186
Helena, MT 59624-1186

www.montanapetroleum.org
Telephone (406)442-7582
Fax (406)443-7291

David A. Galt
Executive Director

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Brian Williams
Thornhill Consulting, LLC
Lon Wolfe

May 11, 2010

Tom Martin
Montana Department of Transportation
PO Box 201001
Helena MT 59620-1001

Dear Mr. Martin:

The Montana Petroleum Association (MPA) appreciates the opportunity to comment on the environmental assessment (EA) for the Kearl module transportation project through Montana.

MPA is a voluntary not for profit trade association that represents a variety of members involved in the oil and gas industry in Montana. Our membership includes exploration, development, production, transportation and refining companies providing petroleum products and doing business in Montana.

We support a positive finding from MDT and ask that oversize permits be granted to the vehicles involved in the module move.

MPA has a very serious concern that is being expressed in public comment on the module move during the EA process. We believe that the environmental analysis should be limited to the environmental impacts of the actions necessary to facilitate the move itself. Specifically, there will be construction of turnouts, signal changes, utility changes and traffic control challenges during the move and those items should be the focus of the EA. It is my understanding that all the work is done within the existing right of way for the route in use. These are the items the EA should address.

1 Our chief concern is that some comments have tried to shift the focus of the EA away from the move itself to question the ultimate use of the equipment once it reaches its destination in Canada. We do not believe this is appropriate. MDT determined that it was necessary for our permit applications to be subject to MEPA because the oversize permit is an "action of the State". Given that understanding, it would set a dangerous precedent for all permitted moves, which number in the thousands on an annual basis, if the reason for the move was called into question. While the Kearl project is a larger number of individual items being moved, each individual item is no different than any other item requesting an oversize permit to use highways in Montana.

Our members have taken great care to hire a very competent and professional transport company that has given the route considerable analysis. They have visited with all the affected communities, emergency service, and public safety providers. They have worked closely with MDT and taken decisive positive actions on department recommendations.

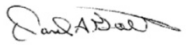
MONTANA PETROLEUM ASSOCIATION – DAVE GALT

1. Comment noted.

Page 2
Montana Petroleum Association
5/6/10

MPA compliments the department on the way they conducted the public meetings. You were very thorough in your analysis and professional in your presentations. MPA asked that a positive finding be found by MDT after review of the pertinent facts without further delay.

Best Regards:



Dave Galt, Executive Director
Montana Petroleum Association

MORRISON, MARY LOU

Tom Martin
Helena, MT, 59620

Dear Mr. Martin:

1 I am just a lowly old lady that came from Kanas to Wy., 50 years ago to teach art. Art teaches all to express themselves with their innate visual/expressive abilities and most of all appreciate what they see and do in this magnificent West. Having skiied, back-packed, hiked, etc etc I became a political/environmental activist. I have never felt I was one of the uninformed wild-eyed enviros blasted by most of the oil and gas reps. I well remember my first statement before then Sen. Metcalf, MT and Sen. Cliff Hanson on the topic of stripmining in Wyoming and thereafter the resulting regs on strip mining.

1. Comment noted.

MORRISON, MARY LOU

1 I now write with the news of the ongoing catastrophe in the Gulf, which I predinct will have devistating effects far from its source, environmentally and financially. As Australian mammologist Tim Flannery says in his book "WEATHER MAKERS", the oceans are all interconnected just as is our air, land and water. I am not a resident of MT but please, please do not allow your state to become interconnected in anyway with tar sands development. I very frankly am hoping for a rise in the price of gasoline so that all vehicles driven for work, common travel, recreation, will have to answer to the wasting mentality and addiction of the US. I cannot imagine the damage to all the highways from these trains with wheels. I find it

1. Comment noted.

1 extremely troubling (to put it mindly) the lack of forced conservation of our natural resources. What always comes to mind when writing, speaking, whatever, is the young man parked, sitting, infront of my house a year or so ago, The stinking, deisel fumes were coming in my front door. I went out and asked him to shut off the motor. I asked him why in this time of needed conservation he was wasting fuel. His answer was: My family has always worked in the oil fields. Needless to say he got a lecture from this former teacher/conservationist.

I have recently returned from a trip to my childhood home in Clearwater, where I grew up on a wheat farm, now being farmed by 3rd and 4th generation family farmers. I saw on my trip only one or two Hummers.....but when I get back to Casper, Wyoming there are Hummers galor...which in the past prompted a bumper sticker.....HUMMERS ARE BUMMERS on my Prius. Enough of this preaching. Tar sands development is devistating.....let Canada screw themselves.

Sincerely,
Mary Lou Morrison, 845 East Third, Casper, WY

See response above.

Dear, Dwayne Kailey.

1 I am writing you to make clear my opposition of the creation of a permanent 'high and wide' industrial corridor along Lolo Creek, the Blackfoot, and other rivers.

It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands.

2 Please conduct a programmatic review for the establishment of this permanent industrial corridor. Also require real alternatives to be considered, as well as provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry.

3 Please coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts.

Thank you,

Ted Morrison
413 Oak Street
Missoula, MT 59801

MORRISON, TED

1. See response to Common Comment K.
2. See responses to Common Comments C2 and M.
3. See response to Common Comment A



May 12, 2010

Tom Martin
Montana Department of Transportation
PO Box 201001
Helena MT 59620-1001

RE: Kearl Project

The Motor Carriers *of Montana* (MCM) its members and Board of Directors appreciates the opportunity to comment on the environmental assessment (EA) for the Kearl module transportation project through Montana.

MCM is a voluntary not for profit trade association that represents a variety of members involved in the trucking industry in Montana. Our membership includes businesses involved in moving goods, freight and machinery through and around Montana including many companies that move equipment and that is classified as heavy haul.

1 We support a positive finding from MDT and ask that oversize permits be granted to the vehicles involved in the module move.

2 MCM is concerned with some of the views being expressed in public comment on the module move during the EA process. We believe that the environmental analysis should be limited to the environmental impacts of the actions necessary to facilitate the move itself. Specifically, there will be construction of turnouts, signal changes, utility changes and traffic control challenges during the move and those items should be the focus of the EA. It is my understanding that all the work is done within the existing right of way for the route in use. These are the items the EA should address.

Our chief concern is that some commenter's have tried to shift the focus of the EA away from the move itself to question the ultimate use of the equipment once it reaches its destination in Canada. We do not believe this is appropriate. MDT determined that it was necessary for the

MOTOR CARRIERS OF MONTANA - STANG, BARRY

1. Comment noted.

2. Comment noted.

permit applications to be subject to MEPA because the oversize permit is an "action of the State". Given that understanding, it would set a dangerous precedent for all permitted moves, which number in the thousands on an annual basis, if the reason for the move was called into question. While the Kearl project is a larger number of individual items being moved, each individual item is no different than any other item requesting an oversize permit to use highways in Montana.

Many of our members are more than competent and professional Heavy Haul transport companies. We believe the companies involved in the project have given the route considerable
3 analysis and have went above and beyond what is required to move such equipment in Montana. This was shown by their willingness to have law enforcement personnel accompany and guide the loads through Montana, which is not required in Montana.

MCM compliments the department on the way they conducted the public meetings. You were very thorough in your analysis and professional in your presentations and would hope that decisions made will reflect on the actual move through Montana and not the political views of those who wish to disrupt the industry that is vital to movement of goods in Montana and the US.. MCM asked that a positive finding be found by MDT after review of the pertinent facts without further delay.

Sincerely:



Barry "Spook" Stang
Executive Vice President

3. Comment noted.

Name: Mick Mulholland

Address Line 1: 208 East Main
City: Missoula
State/Province: MT
Postal Code: 59802
Email Address: mickey@montanalaborers.com
Phone Number: (406) 543-4782
Fax Number: (406) 543-0948

Comment or Question:

1 To whom it may concern, the other night at the Missoula City Council meeting I believe they voted for an Environmental Assessment be done prior to having the Kearl Module Transport Project begin. I was curious if this would hold up this project or if the State of Montana, Department of Transportation already has this in place?

Thank you for your time and attention.

MULHOLLAND, MICK

1. MDT has developed an environmental assessment for the proposed Kearl Module Transportation Project.

Gentlemen:

1 With the recent history of oil company irresponsibility for profit (BP oil spill) it is equally irresponsible for MDT to trust Exxon to travel through Montana without severe consequences. They and their lawyers are better equipped than us to defend against the inevitable damages that will occur from the passage of their monstrous equipment. And as far as creating jobs is concerned, that's a joke. The jobs that will be created will show up over the years as road repairs that Montanans will wind up paying.

2 I could go on with things such as economic losses not covered by anyone's assessment, but as important is the precedent this will set for the future despoiling of the Montana environment and the safety of Montana citizens.

Please use common sense and deny this travesty. Exxon has the wealth to do it another way. Don't let their greed run over us.

Sincerely, John P. Mure (proud Missoula resident)

MURE, JOHN

1. See responses to Common Comments H1, H2, H3, L and Q.

2. Comment noted.

1 Thank you for providing the opportunity to submit comments on the Kearl Module Transportation Project. My primary concerns with the project are limited to ensuring that Montana's road maintenance costs are not permanently increased and that out-of-state travelers have reasonable access to transport information. Specifically, who will determine whether post-transport surface repairs (or repairs to the underlying road structure) are warranted under the agreement? What factors will MDT use to decide which turnouts and other improvements or amendments will be decommissioned? How will MDT ensure that decommissioned features are returned to their prior condition? If some turnouts are retained, what is the expected cost of maintaining them for public use, and will federal highway funds end up supporting the continued upkeep of these additional turnouts? If the described route is used in the future for the transport of additional modules or similar large loads, would the company requesting use of the route be required to compensate the state for the costs of road maintenance and snow removal along all improvements/amendments during the relevant permitting period, even if MDT would otherwise conduct maintenance? Finally, will signage at turnouts or other locations along the route provide a toll-free number so out-of-state travelers can readily access the transport schedule? Thank you for considering these and other comments and concerns.

Alison Mynsberge
Missoula, MT

MYNSBERGE, ALISON

1. See responses to Common Comment L and K See Section 2.2.1.7 of the EA.

My first reaction upon hearing this proposal was "not Highway 12!" I have always loved this stretch of road and think it does not deserve the treatments being proposed.

1 I am aware of the fact that MDT is the responsible authorizing agency and that they recommended an environmental assessment be drawn up. At first glance, the public should at least have more time to consider the proposal and make comments to the EA. I hope that the comment period is extended.

2 If indeed this proposal is approved, I would love to see Exxon / Imperial Oil held responsible for, at the very least, a clear breakdown of the supposed gains to the Montana economy, a comprehensive contingency plan for accidental load turnover or load loss, and a binding agreement as to the future maintenance of roads, turnouts and bridges damaged by this overuse.

3 A more comprehensive and inclusive EIS needs to be written in order to capture all the losses and gains of a project of this magnitude. Thank you for your consideration of my points.

MYQAC@GAYMONTANA.ORG

1. See response to Common Comment F1.
2. See Section 3.6 of the EA for a breakdown by activity of the contribution to Montana's economy, including salaries and taxes. See the responses to Common Comments H1, H2, H3 and L.
3. See response to Common Comment B.

May 11, 2010

Mr. Tom Martin
PO Box 201001
Helena, MT 59620-1001

Dear Mr. Martin,

1 Please deny Exxon's Imperial Oil proposal to allow for oversized industrial shipments through Lolo Pass, the Lolo Trail, and onward to the Canadian border. The beauty and fragility of this area has changed little since the days of the Lewis and Clark Expedition, and the proposal to industrialize what is a National Historic Landmark and a designated National Scenic Byway is entirely incompatible with these irreplaceable assets.

2 The region is also known for its abundant wildlife, quality fishing and hunting, and recreational opportunities. Many of the impacted communities' economies are dependent on ensuring that Montana's spectacular landscapes remain unspoiled. Given that nearly all of the economic benefits of this plan are to be enjoyed by foreign companies, but the environmental and economic impacts would be borne by the residents of the state, the analysis needs to account for the economic hardships that would be created by this proposal.

3 In addition, since the nature of the proposed shipments are focused on sustaining the tar sands mining industry in Canada -- an industry that contributes greatly to global warming -- the analysis should also consider what might be the additional impacts that increased pollution might have on the state.

4 The current environmental analysis should consider a full range of alternatives. In addition, given the breadth of this proposal, the state of Montana should also seek a federal analysis through the National Environmental Policy Act that would consider the full and cumulative impacts of this proposed action. Based on the absence of both these factors, I urge your agency to deny Exxon's proposal.

Sincerely,

NATURAL RESOURCES DEFENSE COUNCIL CAMPAIGN LETTER

See Table D-1 for listing of all who submitted this letter.

1. See response to Common Comment N.
2. See response to Common Comment M.
3. See responses to Common Comment E1 and P.
4. See responses to Common Comments A, D1, D2, and D3.

NATIONAL WILDLIFE FEDERATION; STERLING MILLER, THOMAS FRANCE

National Wildlife Federation
Northern Rockies and Prairies Resource Center
240 N. Higgins, Suite #2
Missoula, MT 59802
406 541 6730

May 13, 2010

MDT Environmental Services Bureau
PO Box 201001
Helena, MT 59620-1001

RE: Kearl Module Transport Project EA

Dear MDT:

These are the comments of the National Wildlife Federation on the above-referenced project.

The National Wildlife Federation was founded in 1936 as the national voice of state and local conservation groups, and has since emerged as the nation's foremost grassroots conservation organization, leading a dedicated network of members, supporters and 48 affiliated organizations throughout the United States and its territories.

1 This office strongly objects to the proposed project and to the adequacy of the EA. We have reviewed the EA. Also, two of our staff attended the hearing at the Meadow Hill Middle School in Missoula on April 29. We are dismayed by the narrow scope of issues MDOT is using to evaluate this project. In response to questions, the representatives of Exxon and Jim Lynch of MDOT dismissed altogether suggestions that the EA was an insufficient response to the serious environmental issues left unaddressed and to the absence of consideration of societal problems associated with facilitation of the development of petroleum production for Canadian tar sand oil fields. There are far more serious issues at stake than a 32-J permit from MDOT for an over dimensional load transportation permit and these impacts must evaluated.

2 The most serious of these considerations involves whether the State of Montana should be complicit in this Canadian development project because of the impact the project will have on the global environment. There is no more serious issue facing society than finding ways to limit and reduce the concentration of greenhouse gases in the Earth's atmosphere. These threats were fully explored in the 4th Intergovernmental Panel on Climate Change (IPCC) 2007 report. In light of the devastating consequences of failure to deal with greenhouse gas emissions, MDOT's concentration on the concerns discussed in the EA is far worse than fiddling while Rome burns; it is fiddling while the planet fries.

1. See response to Common Comment E1.

2. See response to Common Comment P.

3 The Exxon representatives at the meeting asserted that all these climatic concerns were considered when the Canadian Provinces finalized their development proposal and that the only issue left on the table was the transportation issues. We completely reject their suggestion that US and Montana laws and long-range environmental concerns regarding the development project are not valid considerations because the Canadian Provinces have made their decision. It is in our global, national, state, and individual interests to find ways to reduce emissions of carbon into the atmosphere. However, developments like this one, which has a huge carbon footprint for each gallon of petroleum produced, goes in the opposite direction. We should insist on a complete US Environmental Impact Statement to assure that this full range of issues is addressed from a larger perspective than it has been thus far. If I have a sibling doing something seriously misguided, our responsibility is not to enable that activity, but rather to try and stop it by using whatever tools are at our disposal. In this case, Canada is our sibling and is engaged in activities that threaten the entire planet.

3. See responses to Common Comments B and P.

4 The EA leaves open for discussion only the narrow engineering and social issues associated with transporting this equipment and completely takes off the table of whether society should be enabling this kind of development. The self-interest of the developers is clear and has been heard. The self interests of the citizens of Montana need to be heard, as well.

4. MDT is obligated to reach its decisions based on existing laws. MDT reached this decision in accordance to the applicable laws of Montana.

5 In addition to this broad consideration of the need for an EIS, there is also justification for requiring an EIS based on threats to endangered or threatened species during passage of this equipment through Montana, Idaho, and Oregon. Assertions that such threats are minimal mirror those made by developers of offshore oil drilling platforms like the one now spilling 5,000 barrels of oil per day into the Gulf of Mexico. On a more local basis, the likelihood of accidents to trucks using Highway 35 around Flathead Lake were also dismissed by MDOT, but we have learned that accidents can, and have, happen that have serious consequences regarding water purity and wildlife considerations.

5. See responses to Common Comments I, H1, H2, and H3.

6 The EA rejects alternative routes across Canada because these all have restrictions without possible detours and were, therefore, considered to be infeasible. However, the restriction for the Highway 16 route is a bridge with a height restriction about 35 miles east of Prince Rupert. This restriction may be financially infeasible from Exxon's standpoint, but that does not make it generally unfeasible as another bridge could be built. The same is true for the height restriction of an overpass over Highway 1, which is 90 miles east of Vancouver. Modifications to, or detours around, this overpass seem physically feasible and we are not convinced by Exxon's desire to take these off the table for financial reasons. MDOT should not approve a project just because the Canadian routes would cost the Canadians more. Correspondingly, we believe the draft EA does not comply with the MEPA requirement that "realistic and technologically available" alternatives to the proposed action be considered.

6. See response to Common Comment D1.

7 We also believe the EA is deficient in its analysis of the cumulative environmental impacts of creating a new High/Wide corridor along the proposed route. This needs to be considered because it is highly likely that once the infrastructure is in place, that the route will become a permanent or frequent corridor for transportation of High/Wide loads through Montana. The EA fails to examine the ".secondary and cumulative impacts" as required by MEPA.

8 Finally, we found no documentation in the EA about reimbursement to the State of Montana for the costs of preparing the EA. We note that Table 18 (Estimated Value of Environmental Permitting to Montana) appears to indicate that these costs totaled $1.1 million. It may be that the contractors will reimburse the state for these costs, but we could not find where this was explicitly stated.

Thank you for consideration of these comments.

Best regards,

Thomas France, Esq.
Regional Executive Director
Sterling Miller, Ph.D.
Senior Wildlife Biologist
NWF's mission is to inspire Americans to protect wildlife for our children's future.

Sterling Miller Ph.D - Senior Wildlife Biologist
National Wildlife Federation
240 North Higgins, Suite #2, Missoula, MT 59802
Phone: 406-541 6730 | Fax: 406-721-6714 | millerS@nwf.org

7. See responses to Common Comments S and K.

8. See response to Common Comment L.

Mr. Tom Martin
MDT Environmental Services Bureau
P.O. Box 201001
2701 Prospect Ave. .
Helena, MT 59620

Dear Mr. Martin,
I urge you to look very closely at the Kearl Module Transportation Project on Highway 12 and 200 for the following reasons:

1. In past years, when the grain trucks were hauling from the Great Falls area to Lewiston, Idaho, the west bound lane of highway 200 was barely passable for some passenger cars because of the ruts in the pavement caused by the heavy loads. Apparently, the Dept of Transportation had no way to regulate the weights on these trucks or chose not to for what ever reasons. What changes in Department policy have been made to not allow damage to the highways that the US and Montana taxpayers will have to pay for. I still see road damage by trucks and trucks exceeding the speed limits. Look at the damage wrecked trucks are causing along highway 35 on the east side of Flathead Lake. I don't see the State having the power to adequately regulate the oversize and over weight loads being proposed. Let's not open the door to bigger problems, we cannot afford them. 1

2. The weight of the loads proposed by Imperial Oil is far greater than the grain truck loads. The roads are not designed to withstand these kind of loads as evidenced by the grain truck rut problems. The cost to beef up of the highways and bridges to support such weights far out weighs what you are proposing to charge for their use.

3. The environmental impacts of such necessary reconstruction of these highways to support this proposal are enormous. The amount of road base, gravel, and oil required will be huge. New borrow pits, etc will be required. Much of highway 12 parallels Lolo Creek To widen, upgrade the road bed, construct turnouts, and strengthen bridges will be an unacceptable impact on the creek and valley. The same goes for much of highway 200 up the Blackfoot River. 2

4. We in Montana are not obligated to facilitate the use of our highways for over weight over size loads that will have the impacts of the proposal. Other alternatives exist for Imperial Oil to get their equipment to Northern Alberta. There are ports in British Columbia and Churchill, Manitoba. There are Canadian highways from British Columbia to Alberta. Churchill has a railroad connecting it to the south. Grain is shipped out of Churchill. 3

NELSON JR., DONALD

1. See response to Common Comment L. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs.

2. See response to Common Comment O There are no plans to reconstruct Highway 12 or Highway 200 for the proposed KMTP.

3. See response to Common Comment D1.

4 5. The impact of widening and constructing turnouts in Idaho from Lewiston to Lolo Pass will be tremendous. I realize you perhaps don't have to consider this, but the existing drive from Lolo Pass to Lewiston is spectacular and attracts tourists who end up in Montana. Making this a main haul road will have a negative impact on Montana tourism and our economy. People will avoid this route. Triple AAA will wave people off because of the delays.

5 6. To think scheduling these loads at night and allowing in them in the winter time will lessen the impact is erroneous. Navigating at night is hard enough and with huge loads will be extremely difficult and dangerous. The same goes for allowing the loads in the winter time. The possibility of a major accident with just the truck and load is a very real possibility. Imagine one of the loads dumped in Lolo Creek, the Blackfoot River, or off Roger's Pass. The physical damage caused by the load going off the road and the potential fuel spill from the truck will cause significant environmental damage. It won't be like the oil spill in the Gulf of Mexico, but it will have a major impact by the time you fish the debris out of the river, stream, or out of one of the canyons on Roger's Pass.

6 7. Why aren't the Canadians building the equipment in Alberta?

They have the facilities to manufacture it there. Do we have to sustain the impacts and costs just so Imperial Oil can get the equipment manufactured in China cheaper?

8. There are other reasonable alternatives to get the equipment to Alberta. It appears to me that the associated costs and risks to Montana out weigh facilitating Imperial Oils profits.

For the above reasons, I urge the Department to deny the use of highways 12 and 200 for the Kearl Module Transportation Project by the Imperial Oil Co.

Sincerely,
Donald W. Nelson Jr.
P.O. Box 487
Florence, MT 59833-0487
406-273-2049

4. See responses to Common Comments E2 and M.

5. See responses to Common Comments G, H1, and H2.

6. See the responses to Common Comments D1, D2, and D3.

Mr. Martin:

This message is to alert you that the email address - mdtcommentskearl@mt.gov - provided for the public to submit comments on the Kearl EA, appears to be having problems again.

This afternoon, shortly afternoon 3:00 p.m., I sent an email with an attached pdf comment document on behalf of Northern Rockies Rising Tide, and on behalf of myself and Robert Gentry as individual Montana citizens concerned about this project. The email was returned with a message indicating the email did not go through.

I attempted to call you and Valerie Wilson (who I have been in contact with regarding the previous email system failure and public records requests. In both instances, I was directed to voice mail, and left messages.

1

While our comments will be timely filed, as they were mailed this afternoon (May 14, 2010), certified and return receipt requested, we are nonetheless concerned that the email address provided is not properly functioning, and that this may deter members of the public from submitting timely comments. We would appreciate your attention to this matter, by quickly remedying any problems with the email system, and by extending the comment deadline to ensure that all members of the public who are attempting to submit comments are able to do so.

Our comments will also be faxed to your office this afternoon, in order to ensure a copy is received today.

Thank you in advance for your assistance,
Summer Nelson
Summer Nelson Law Office, PLLC
cc
Robert Gentry Law, PLLC
Northern Rockies Rising Tide

NELSON, SUMMER

1. See response to Common Comment F2.

Mr. Tom Martin,

1 Your EA and the MEPA Review of this project were a waste of tax payer dollars and another example that Montana is not open for business. With the economy in dire straits and the highest rates of unemployment in years it is absolutely ridiculous for MDOT to hold this project up, issue the permits and put Montanans back to work!

Thank you,

Mike Newton
Operations Manager ~ Glendive
Fisher Sand and Gravel Co.
PO Box 1246 ~ Glendive, MT 59330

Toll Free:	1 800 775-3383
Office:	(406) 687-3383
Cell:	(406) 939-2188
Fax:	(406) 687-3345
E- mail:	mnewton@fisherind.com

NEWTON, MIKE

1. Comment noted.

Comment Recipient,

1 Please reject the proposal to move oversized trucks on our roadways and through our neighborgoods. Wilder roadways will increase traffic speed endangering travelers as well as wildlife. A full environmental impact statement is needed for this project.

2 Imperial Oil plans on inconveniencing local US communities so it can move forward with it's pollution filled project backed by Exxon Mobile, who has a terrible track-record of accidents and spills destroying multiple ecosytems in it's path.

Keep our communities, roadways, and wildlife safe by keeping Imperial Oil out.

Thank you for this opportunity to comment.

Jennifer Nitz
722 8th St
Helena, MT 59601

NITZ, JENNIFER

1. See responses to Common Comment G and B.

2. Comment noted.

To whom it may concern:

As a concerned recreationalist and citizen of Missoula, I am greatly concerned about the plan of Imperial Oil to transport their pre-assembled modules along the Montana road system.

1 My first concern is that of the environmental impact. For a project of this magnitude, an EA is not enough. A thorough, unbiased EIS should be conducted.

OAKLAND, JENNIFER

1. See the response to Common Comment B.

2 Who will be left holding the expense of this expansive system once this project is completed? I am guessing the taxpayers.

3 There is no guarantee from Imperial that ANY Montana-based businesses will be used for any of the construction. How will this benefit Montanans? It wont! An important tourist industry damaged; local trucking firms that cannot make their delivery deadlines; fishing and raft guides

4 who'll have a harder time conveying the natural and scenic values of their trade; rural emergency services patients that will have a harder time getting to the ER within the "golden hour"; more impaired stream miles due to sedimentation, sanding and salting; our future road dollars diverted to fix the shortened life-span crumbling road and bridges; etc. etc..

There are a tremendous number of problems with this project, before even getting into the list of devastating impacts of Tar Sands mining in Alberta.

5 There are alternatives that Exxon/Mobil could and should consider.

I strongly urge you to restore a longer comment period for the citizens, require a full EIS to be completed, and deny this proposed project, in the interest of concerned and affected Western Montanans.

Regards,
Jennifer Oakland
Missoula, MT

2. See the response to Common Comment L.

3. See responses to Common Comments Q and M.

4. MDT does not anticipate increased salt or sand usage on the roadway. See the responses to Common Comments J, H3, O, and L.

5. See responses to Common Comments D1, D2, D3, F1, and B.

Martin Oakland
Missoula, MT
No Affliliation

OAKLAND, MARTIN

1 I am apposed to the KMTP. Please do not support this project. It is a silly use of resources. We should not support or enable these types of project: short-term gains for long-term costs!

Please consider my opinion.

Thanks,
Martin
Martin Oakland
Hydrologist
FSR Consultants, LLC.
Missoula, MT
martin@fsrconsultants.com
406.531.8189

1. Comment noted.

Do not grant a permit for transport of tar sands oil extraction equipment across Montana. If we use 40 billion dollars per year as a profit figure for Exxon, the 68 million dollars that Montana would get represents about 16 HOURS worth of profit (Exxon gets around 110 million per day). The point is, that if CANADA has decided it wants to trash its environment by digging up the tar sands, then CANADA can transport the machinery and risk the multiple potential money-costing problems that may result from the transport. The potential loss of tourist income, damage to roads, environmental degradation of streams, loss of economy due to delays, and the potential for an accident that would create further hardship is not worth 68 million dollars or any 1 figure. It is laughable to think Exxon will hire Montanans for the work -- and it is not a real sustainable job anyway. It is a 200 trip job. There has been no detailed economic impact analysis of this permit. Additionally, when the 200 trips are over, there is NO contingency to restore the roadways to their previous condition so that we do not see this transport corridor operating into the future.

Exxon is not giving Montana 68 million dollars. It is dangling a bright glittery thing that has the Montana government and DOT grasping at a short-term gain at the expense of our long-term (and short term) economies and environmental impacts. Do NOT allow this permit.

Dave Oberbillig
503 Linden St
Missoula, MT 59802

OBERBILLIG, DAVE

1. See responses to Common Comments M, L, I, O, and Q.

1 I am shocked that the state of Montana would willingly jeopardize one of Montana's greatest environmental, scenic, wildlife, and economic assets--it's riverways---all to help out private corporations develop the Alberta Oil Tar Sands--and that we'd do this without a huge, comprehensive review.

2 If we create a permanent high and wide' industrial corridor along some of Montana's most scenic river ways, the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands.

Our state and our people need to stand up and at the very least give this much much more review--I support the following steps:

Please:

3 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

4 • Require real alternatives to be considered;

5 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

OBERBILLIG, DEBORAH R.

1. Comment noted.
2. See response to Common Comment K.
3. See response to Common Comment C2.
4. See responses to Common Comments D1, D2 and D3.
5. See response to Common Comment M.

6 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

Sincerely,
Deborah Richie Oberbillig
503 Linden St
Missoula, MT 59802

6. See response to Common Comment A.

MDT,

I live in the Blackfoot River valley and am adamantly opposed to the KMTP plan for a number of reasons:

1. **Extend the public comment period on the EA by 90 days:** Having the Imperial Oil responsible for doing its own EA is an extreme example of fox-guarding-the-hen-house. ***Of course*** it will show that all problems will be properly mitigated. Allowing only 30 days for the public to find the flaws that are surely buried within that burdensome document is patently unfair to the citizens of Montana.

1. See response to Common Comment F1.

2. **Imperial Oil should be required to post an infrastructure repair bond:** Much of the Montana highway infrastructure (bridges, highway, shoulders, etc.) proposed for this transit was not designed nor built with these extraordinary loads in mind. Even if these trucks don't do immediate obvious damage to culverts bridges or shoulders, they will clearly be impacting the lifespan of all infrastructure along their route. Should these extreme loads weaken a culvert sufficiently to cause its collapse 20 years before its time but a couple years after the big rigs are gone, we as taxpayers will be picking up the tab. This same logic applies to all the highways to be travelled by the big rigs. Accordingly, Imperial Oil should be required to post a 20-year bond (e.g., $10 million) sufficient to cover these potential costs.

2. See response to Common Comment L.

Tell them to consider taking it through the Northwest Passage: This plan has been underway for many years and their short list of delivery route options was defined several years ago. Meanwhile, in the past 12 months the Northwest Passage has opened up for the first time in recorded history (attributed to long-term global climate change), with several commercial ships already having successfully completed this Arctic Ocean transit above North America. This opens up a new option for Imperial Oil, allowing them to barge the equipment around the northern shore of Alaska to reach northern Alberta. The equipment could then be trucked overland in winter on ice roads and frozen tundra to reach the tar sands region. I

3. Early analysis indicated this route was not feasible.

O'CONNELL, GERARD

3 would like to see Imperial Oil provide a cost-comparison of this alternative, as it would seem to be a very cost-effective option.

Thank you for reading this far..
Gerard "Jerry" O'Connell
35701 Nine Mile Prairie Rd.
Greenough, MT 59823
(406) 244-5612

See response to comment 3 on previous page.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 • Require real alternatives to be considered;

3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

5 All that is being requested is a full analysis of the effects of a plan like this transportation corridor on the route, which to date has not been done and may not get done before approval. Currently, the proposers of this plan have shown little if any contingency planning for problems, much like the well that was drilled in the Gulf at 5000 feet that now is a major issue. There are expected economic benefits to Western Montana with this, but a full analysis is needed. Once this route gets approved for this project, it will be established and utilized in the future.

John O'Connor, Missoula, MT

O'CONNOR, JOHN

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1, D2, and D3.
3. See response to Common Comment M.
4. See responses to Common Comment A.
5. See responses to Common Comments H1, H2, and H3.

Hello,

1 My name is Julie Oldfield and I am a student at the University of Montana. I do not support the Kearl Module Transport System Project. I believe that MDT would be making a mistake by issuing the appropriate permits to begin road construction to establish a "high and wide" corridor through Western Montana. Not only do I think that the current Environmental Assessment fails to appropriately address the environmental impacts of the project, but I think it fails to take into account the larger environmental impacts that the project would have (relating to climate change). I want to keep this comment short, and I'm sure you have already heard information about how Tar Sands Mining contributes to the buildup of atmospheric greenhouse gases which are causing global climate change, so I won't go into detail. However, we do need to have a complete Environmental Impact Assessment of the project.

2 By establishing a high and wide corridor we are opening the floodgates for other oil companies to access the Alberta Tar Sands. The suggestion that because the current plan only encompasses the movement of 200 trucks means that this fact should not be taken into account completely ignores the reality of the situation. I do not want my

3 home to be permanently altered so that oil companies can continue to support one of the dirtiest, most environmentally destructive projects on earth. I believe that the beauty of Western Montana would be forever scarred and that we would simply become a stepping stone, or a means to an end, for oil companies. I want my home tar sand truck free!

Name: Julie Oldfield
Address: 423 West Central Ave Missoula, MT
Email: julie.oldfield@comcast.net

OLDFIELD, JULIE

1. See responses to Common Comments K, E1 and P.

2. See response to Common Comment K.

3. Comment noted.

Hello,

1 My Name is Gavin Oss and I live in Missoula, MT. I am an avid woodland recreational user. I am very aware of how development can impact the enjoyment of nature for us all. My understanding of this proposed change to highway 200 requires a radical redressing of the road to absorb the increased stresses that the movement of such heavy equipment produces. While this may seem like a benefit it also brings a long term potential for altering economic and social patterns as well as the environmental conditions in western Montana. These changes can not be just haphazardly viewed as a wait to see policy; we have a unique ability to plan and focus the trans-formative energies that communities experience however allowing a simple one year

2 forecast done by those who are financially invested in the short term and who have no connection to the people or places it effects seems like a recipe for long term harm. I would like to state that a full environmental impact study done by local forest service, community representatives and other affected people be completed before we act on something that will reverberate for decades from now.

Thank you,
Gavin Oss
Missoula, MT

OSS, GAVIN

1. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs. See response to Common Comment G.

2. See response to Common Comment B.

I would like to comment on the proposal to transport big rigs across Montana for the benefit of ExxonMobil. I see no realistic benefit to Montanans beyond a few short-term jobs. Further it

1 is impossible for me to believe that there will be no costs to Montanans. There will no doubt be increased maintenance cost due to the heavy loads . Your impact analysis seems to assume there will only be minor inconveniences to local businesses as rigs go by. In fact there will be multiple sequential inconveniences all along the route, which will have detrimental effects on Montana residents and certainly will discourage tourist, Montanans and out-of-staters form visiting along these routes for fear of running into one of these things. Additionally you seem to believe there will be no accidents. While this is possible the costs to state and local governments and the potential for disastrous impacts on our waterways and forests, both public and private appear large, uncalculated and should such an event or events occur, likely irremediable.

2 I believe even a cursory read of this proposal by any lay person says that this proposal has few positive effects, clear costs and negative effects, and the potential for multiple disasters. I urge the rejection of the proposal in the strongest possible terms.

I am writing as a private citizen. I work for the Western Montana Mental Health Center and as such have no relevant affiliations.. I have based my opinions on your web site information and Missoulian articles and letters to the editor.

PALMATIER, JAY

1. See responses to Common Comments M, G, H1, H2, and H3.

2. See response to Common Comment N.

Thank you for this opportunity to comment.
Jay R Palmatier
10633 Oral Zumwalt Way
Missoula, MT 59803

1 I believe this issue needs more study, or perhaps a bit more transparency, before allowing these rigs on Montana highways.
Aren't these loads going to be too heavy for our roads?
I haven't heard about how the highways will be impacted or how much damage might occur.
Ted Patten
tedpatten@centurytel.net

PATTEN, TED

1. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs. See response to Common Comment L.

Tom Martin
MDT Environmental Services Bureau
PO Box 201001
Helena, MT 59620-1001
RE: Kearl Module Transport Project Environmental Assessment
Dear Mr. Martin,

1 The KMTP will create a permanent industrial transport corridor through some of America's most treasured scenic areas. The project involves two US borders and four U.S. states. There must be a full Environmental Impact Statement, not just an Environmental Assessment.

2 Routes 287 and 89 traverse the Front country, notorious for powerful wind storms that have been known to knock over truck trailers. The module transporters rely on a complicated real-time hydraulic leveling system for their safe operation. What will be the effect of extreme sidewinds on a 30 foot high, 100 foot long module trailer and its hydraulic leveling systems? I am concerned that the EA makes no mention of this question, and does not address whether extreme winds (and wind gusts) could create instabilities in the leveling system, incapacitating the transporters and/or increasing the possibility of accidents.

3 Additionally, the only reason for this project's existence is to accelerate the development of the Alberta Tar Sands. The Alberta Tar Sands will contribute significantly to global warming, yet the EA fails to account the for the economic and environmental costs to Montana of this increase in temperature.
Sincerely,
Joanne Pawlowski
92 Horatio St.
New York, NY 10014

PAWLOWSKI, JOANNE

1. See response to Common Comment B.
2. Comment noted.
3. See response to Common Comment P.

To whom it may concern:

1 I **do not support** the modification to our highways, trimming of trees, modification of signs or utility wires for the movement of large oil extraction tools and equipment through Montana and my town of Missoula. The reason for this is that this is not a one time move, once they get they go ahead and make all the necessary changes they plan to move more equipment to this huge oil sands project. The tar sands project is the largest such project that has ever been undertaken in the world!!!!!!

2 We need to understand that the use of fossil fuels is contributing to the change of our environment. We can not support this dirty business transaction to take place between imperial oil and other large business at the expense of future generations, just for the short gain of a few extra dollars.

3 Do Not Support large business getting there way, and laughing all the way to the bank.

Troy Payton
1285 River Street Missoula, Mt 59801
Registered voter

PAYTON, TROY

1. See response to Common Comment K.
2. See response to Common Comment E1.
3. Comment noted.

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1 I'm a concerned citizen urging you to please prepare a full environment impact statement before issueing a transport permit for the massive movement of equipment across Mt. to Canada for coal extraction.

PEEPLES, RON

1. See the response to Common Comment B.

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1 unless and until these guys have an effective plan to deal with any unexpected accidents or incidents do NOT approve this. Think Gulf of Mexico, flaming pools of oil, dying animals and economies, do you really believe this Corporation when they say something could NEVER happen? Yes, we need jobs, but not jobs cleaning up a disaster!

bob petersen
bobajabob@gmail.com
2035 South 11th West
Missoula
(406)274-3156

PETERSEN, BOB

1. See responses to Common Comments H1, H2, and H3.

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1 I believe that's what the Highway system was built for. Move people and commerce. Must we complain about everything?

PETERSEN, DAVE

1. Comment noted.

1 Please JUST SAY NO to Exxon Mobile for requesting permission to bring their rigs over our highways and through our beautiful scenery for a year. This company made enough money last year to fly, float and/or drive these rigs around the world and they have the audacity to try to buy their way into Montana to disrupt and destroy our roadways, not to mention our peace, quite and access to our own roads. What's wrong with this picture? Equipment made in Korea bound for Canada travels through Montana. Let Exxon Mobile build the roads in Canada for their need to get this equipment to it's destination. No trade-offs are worth this plan.	**PFLUEGER, HAZEL** 1. Comment noted.
2 I know you didn't ask for this and need input in making a decision. Hopefully, enough people who treasure our state will voice their dissents and not give in to money and a promise of jobs. Please don't let our state be "bought out." JUST SAY NO. PLEASE. Thanks, Hazel Pflueger 214 Pine Ridge Rd. Florence, MT 59833	2. Comment noted.
Hello, My name is Leea Pittenger. I live at 631 W. Crestline Dr., Missoula, MT 59803. I have no affiliations to report. 1 I would like to comment on the project involving transport of equipment through Montana for the purpose of oil mining in Alberta. First, I think Canada's plan to minew an area the size of Florida is really frustrating. We have just witnessed the devastating consequences of a mine gone bad off the coast of Louisiana. The area Alberta proposes to mine will be destroyed. I do not think we should support these efforts by allowing the transportation of the equipment through Montana or any of the Unitesd States. You may argue that this is not your decision, and I would disagree with you. It is a decision to ber made by all of us, individuals and agencies. Why should the DOT not be able to speak out about ethical decisions? The DOT makes ethical decisions based on wildlife and scenery in regards to other projects. This is no different and has far wider implications. 2 Secondly, I think the plan to move the equipment through Montana has too many loopholes. What if there are emergencies? What if the roads can't take the weight? We are all tired of the Hwy 93 construction. Wil we just have to start up on Hwy 12 and 200 after these rigs tear up those roads? What about the delays in regards to tourism and day-to-day life? 3 I think we should turn this project away based on the ethical impications as well as the cost and incovenience it would create. Sincerely, Leea Pittenger	**PITTENGER, LEEA** 1. See response to Common Comment E1. 2. See responses to Common Comments H1, H2, H3, G, L and M. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs. 3. See responses to Common Comments L and G.

May 14, 2010

Zack Porter
President, University of Montana Climate Action Now
519 E. Front St.
Missoula, MT 59802

Thank you for conducting this public comment session. The proposed actions being considered as part of the Kearl Module Transport Project (KMTP), represent *significant* impacts to human and natural environments, and set the stage for the creation of a high and wide corridor through Western Montana – despite repeated claims by MDT that this project is simply for 200 shipments (which while accurate, signifies gross ignorance and negligence on the part of a public agency like the MDT, whose mission is to look out for the public good).

As a resident of Missoula, and as president of University of Montana Climate Action Now, I call on the Montana Department of Transportation to:

1. **Extend the comment period to 90 days, immediately**. As was shared at the public hearing at Meadowhill Middle School in Missoula, Imperial Oil/ExxonMobil has been in contact with MDT for over one year, while the public has only just learned of the proposed actions. Many Montanans who would be most affected by this project are in the dark – they have had little time to gauge the impacts on their communities and lifestyles, and it is MDT's responsibility to ensure full disclosure of project details and maximize public participation to guarantee a wise decision is made.

1

Conduct a full EIS analysis under MEPA. The impacts of this project on riparian areas, local tourism and recreation based economies, road infrastructure, and emergency medical services are significant, and there is extensive public controversy over the issue. The EA is inadequate, and gives lip service to the very real impacts this project will have. Findings of "no impact," "no effect," and negligible impact" to things such as water resources, threatened and endangered species, wildlife and fisheries, noise, parklands, and historical and archaeological sites (as outlined in the EA), are a complete failure in analysis. Noise impacts in the middle of the night to small communities, impacts to historic trees and structures in towns such as Augusta and Choteau (as protected under the National Historic Preservation Act), impacts to wildlife and fisheries with new construction in riparian areas leading to increased surface runoff and decreased riparian habitat, threats to water quality should a truck go off the road (which is a very real threat along the Lolo Ck and Blackfoot corridors), are ***all significant***, and ***warrant challenges in courts*** should MDT fail to consider them.

2

PORTER, ZACK

1. See response to Common Comment F1.

2. See response to Common Comment B.

3

2. **<u>Consider the cumulative impacts of use of this corridor</u>**. It is a blatant lie, that MDT, as Director Jim Lynch claims, has its hands completely on this project, and that it can only consider these 200 trucks, and no others. MDT has the responsibility and the administrative discretion necessary to view this project as it is: the first of likely dozens or more proposals to carry this type of road damaging, bridge bending, equipment through Montana and to Alberta. The Port of Lewiston has been in close contact with several multi-national oil corporations, including Shell and ExxonMobil, and it is clear that the Kearl Module Project is only the opening of the floodgates. ***MEPA requires full analysis of cumulative impacts of proposed actions***. In this case, as opposed to future permit requests, road construction is necessary to allow these trucks to proceed. Once this road construction is complete, it will be far easier for future shipments to receive permits, beginning a decades long high and wide route through the most pristine river valleys in Montana, both of which (the Lolo and the Blackfoot) pass through the largest blocks of protected wildland in the lower-48 states. ***It is only logical to consider this permit in complete consideration of the future use of this corridor, anything short of that is a gross violation of MEPA***.

3. See response to Common Comment S and K.

4

<u>Consdier a full range of alternatives.</u> The alternatives, as currently considered by the EA, are artificially constrained and represent a failure in analysis. At the Missoula Public Hearing, Imperial Oil/ExxonMobil admitted that their motive for choosing the proposed corridor was a matter of economics, and not geography. First of all, the **ROUTE CURRENTLY IN USE** is not considered as an alternative. At the moment, this equipment is shipped through Houston, TX, to Alberta. Other routes between Thunder Bay, Ontario, and Alberta have also been used in the past. Even though those routes are outside of Montana, ***they are required by law to be considered as alternatives under MEPA***. After all, SO IS the route that was considered through British Columbia through Prince Rupert. Alternative routes were disqualified because ***it would have cost more money to modify those routes***, than this one. ***That is illegal under MEPA***. The preferred alternative, the route over Lolo and Rogers passes, similarly requires road improvements to become feasible. WHY THEN are the other routes somehow disqualified? After all, this route is infeasible, and should be disqualified, in that line of thinking. Without the significant road improvements, these shipments would not be possible.

4. See responses to Common Comments D1, D2, and D3.

5

3. **<u>Consider all secondary/indirect impacts as required by MEPA.</u>** MEPA requires analysis of secondary impacts of proposed actions. In this case, the release of greenhouse gasses at the Fort McMurray tar sands, which will be an indirect result of this project, have a significant impact on Montana's economic wellbeing, much less its ecological health. The Tar Sands are the single largest contributor to climate change in

5. See response to Common Comment P.

North America. Montana is dependent on tourism and recreation for more than a third of its economy, and as climate change leads to the loss of glaciers, trout die-off, and the loss of other species, our economy will suffer.

6 **4.** **Consider all economic costs and benefits**. The $70 million benefits of this project are pocket change. Don't insult Montanans by claiming the economic benefits of the project are substantial and much-needed improvements. Relatively few jobs will be created by this project, there is ***no guarantee that Montanans will be employed***, and the jobs are short term only. Meanwhile, recreation, tourism, and other related businesses that utilize these corridors such as outfitters and rafters will suffer significant impacts from delays on roadways, the visual impact of the tar sands trucks, and the awareness from tourists that this is a tar sands related high and wide corridor. $70 million is pocket change compared to the $1 billion plus generated in tourism and recreation each year in Montana. What's more, the EA ***FAILS to consider the significant impacts of the trailers which will be returning DURING THE DAY.***

6. See responses to Common Comments Q, M, G and J. Additionally, the returning trailers will not hinder the flow of traffic as Imperial Oil has decided to breakdown the trailers before hauling through Montana so they will no longer be oversized (see Corrections and Clarifications, Section 4.0 of the Decision Document).

7 **There is absolutely no need for this project in Montana.** What Imperial Oil/ExxonMobil would have you believe, is that the tar sands would come to a screeching halt is this project were stopped. The fact is, A ROUTE ALREADY EXISTS, and this project is simply a way for the wealthiest corporations in the world to walk all over Montana, while hardly sharing ANY benefits with the state. Several jobs are created short term, with no guarantee that Montanans are employed, and meanwhile, WE SUFFER ALL OF THE CONSEQUENCES. Blue Ribbon trout streams like the Blackfoot and the character of Western Montana will be damaged permanently. ***MDT has failed to prove why and how we possibly need 50 new turnouts for the public good***. Could it really be that travelers in Montana need 50 new opportunities to make phone calls on the side of the road? ***Give me a break.***

7. See responses to Common Comments D1, D2, and O.

8 **The only people fooled by this project are those who wrote the Kearl Module Transportation project EA and who are now evaluating it at MDT.**

The rest of Montana knows what we're getting into. Why else, then, would public sentiment be overwhelming in opposition to the trucks?

8. Comment noted.

9 Director Jim Lynch claimed, one year ago, that such a proposed high and wide corridor represented significant impacts to Western Montana – what's changed since he made those comments? What behind the scenes bargaining has gone on between oil executives and the State of Montana.

9. Director Lynch made his comments based on information provided to MDT by Imperial Oil at the time. Since then, Imperial Oil has clarified the proposed action and MDT asked Imperial Oil to commit to specific activities in their project. Also, MDT has made this decision in accordance with Montana law, including the MEPA.

10 I am a "big D" Democrat and I have the utmost faith in our governing agencies, like MDT, to manage our state in the best interest of the public. However, my faith has been tarnished by the recent performance of MDT. Please restore my confidence in the public process and the effectiveness of agency analysis by performing a full EIS and extending the comment period.

If we have nothing to fear in an EIS, as many would have us believe, then let's conduct one and be sure that we're doing right by Montana. ***Anything less would be arbitrary and capricious.***

Please also see the comments below for more details of my concerns:

11 1. DOT regulations require the identification of logical termini for a proposed action. The justification for this appears to be political boundaries, which is an insufficient justification for logical termini. The logical termini needs to be clearly defined.

12 2. While some reasonably forseeable future actions have been defined, those appear to be confined to future MDT actions. Reasonably forseeable future actions need to include ALL actions regardless of what agency undertakes them. The timeframe used for the cumulative impact analysis is undefined as is the study area. For these reasons, the cumulative impact analysis done is insufficent to reach a conclusion that significant impacts will not occur.

13 3. A cumulative impact analysis also requires that both direct and indirect impacts of the proposed action be disclosed. Since it is clear that Tar Sands energy development could not continue but for completion of this proposed action, that energy development must be considered as an indirect effect of the proposed action. For this reason as well, the indirect and cumulative impacts analysis for this project is insufficient to reach a conclusion that significant impacts will not occur.

14 4. The historic property analysis does not discuss whether or not the SHPO or the THPO concurred with the Determination of Effects. Without this information, there is insufficient information to determine whether or not the proper process was followed in compliance with the National Historic Preservation Act or in compliance with Section 4(f) of the DOT Act.

15 5. There is minimal disucsion of the effects of tree trimming on historic properties through the Town of Chotean and adjacent to Bonner Dam and Mine. The analysis needs to address the criteria that resulted in the significance of these properties for inclusion on the National Register. Tree trimming may effect the setting of historic properties. This has not been defined

10. See response to Common Comment B and F1.

11. Montana law, including MEPA, only applies within Montana. See response to Common Comment E1 and Common Comment E2.

12. See response to Common Comment S. Those activities are described in Section 3.2.of the EA.

13. See response to Common Comment E1.

14. MDT consulted with SHPO under the Montana State Antiquities Act to identify where ground disturbing activity was located near a historical or archaeological site. The Blackfeet THPO also was consulted and asked for cultural monitors.

15. Both SHPO and THPO received a copy of the EA. The NHPA and Section 4(f) are not applicable to the proposed state action.

16 6. The parks, recreation areas and wildlife refuge section is insufficient to determine whether or not a Section 4(f) use will occur. Utility relocations do not address all potential Section 4(f) properties. This section has insufficent information to determine whether or not any future planned parks or trails would be affected. The minimal information provided about potential effects to access and parking in the vicinity of Section 4(f) properties. There is no discussion of consultation with Officials with Jurisdiction regarding existing or future Section 4(f) properties, and in fact, compliance with Section 4(f) is not even mentioned. Overall, this discusion is insufficient to determine whether or not a Section 4(f) use will occur.

17 7. Compliance with the Environmental Justice Executive Order is not even mentioned. Ther are likely to be effects to minority and low income communities due to noise (especially since transportation of the modules will occur at night), air pollution, the possibility of spills and other negative effects.

18 8. The assessment in the document of potential effects to wetlands does not meet the requirements of the Clean Water Act nor the requirements of the Executive or DOT Order for Protection of Wetlands. There is no functional assessment of wetlands that has been done. Broad statements are made that "the location will be adjusted or mitigation applied to avoid impacts to wetlands" or that "two of the six locations appear to have wetland characteristics and need to be reviewed." Both of these statements indicate that wetland impacts are likely to occur and yet there is a concluding statement that "the proposed project is not expected to affect water resources including wetlands." This assessment is completely insufficent and does not meet the requirements of the FHWA Technical Advisory, the Protection of Wetlands Executive Order nor the Clean Water Act. Full survey and delineation of wetlands, including functional assessment needs to be completed. Then both direct and indirect impacts to wetlands needs to be done. Practicable alternatives to the impacts to wetlands needs to be prepared and documented and mitigation needs to be fully defined and committed to.

In summary, this EA is insufficient to determine the direct, indirect and cumulative impacts of the proposed action. It is insufficient to determine whether or not significant impacts will occur.

Thanks again for your time and consideration,

Zack Porter

16. See response to Specific Comment C.

17. Section 4(f) does not apply as this is not a federal action.

18. Environmental Justice is not a MEPA issue. Executive Order 12898 is a presidential executive order that requires federal agencies to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Because MDT is a state rather than federal agency, it is not required to comply with EO12898. That said, MDT does not expect this project to have any disproportionately high and adverse effects on minority populations and low-income populations. Please see the EA and Decision Document for additional impacts discussion. Environmental Justice is not a MEPA issue.

The proposed project is expected to comply with the Clean Water Act. Executive Order 11990 is a presidential executive order that requires federal agencies to protect wetlands. Because MDT is a state rather than federal agency, this executive order is not mentioned in the Environmental Assessment. That said, MDT does not expect this project to adversely impact wetlands. Please see the response to Common Comment J, the EA and the Decision Document for additional impacts discussion. See the response to Common Comment I.

1	I myself think that we should alow them here, they have paid lots of money to transport them and has brought in lots of money, and as a trucker myself, I dont beleave all this enviro bull shit, its not going to hurt the highways or the enviroment, these so called enviros have nothing better to do than sue,so let welcome the big rigs Dwight Povsha , po box 324, Florence mt. 59833,,,,,,, 273-0329	**POVSHA, DWIGHT** 1. Comment noted.
	Dear MDT:	**RACHLIS, SANDRA**
1	I hope you will not send those giant trucks through Montana to transport equipment for an industrial technology that is outdated and that is taking such a great toll on our earth's integrity and health. Okay, so the state will receive lots of money as a result, but what will the long-range effects of petroleum and coal technology be on our health and quality of life? I would much rather see precious resources going toward development of clean power. Sincerely, Sandra Rachlis	1. Comment noted.
	Dear Mr. Kailey,	**REMPP, BARBARA**
1	I was shocked to learn that the comment period for this project was ending after only 30 days and I did not hear about this until today, the last day. Please, please extend the comment period for further public input on this important change in the Montana landscape.	1. See response to Common Comment F1.
2	With the current oil spill in the Gulf of Mexico, sympathy for oil companies is at an all time low and this is just another example of how BIG oil does whatever the hell they want to and the hell with the rest of us. Since Exxon Mobile is the major stockholder in Imperial Oil, it is probably fruitless for the public to complain about this asinine plan of theirs to transport god knows what over and through some VERY sensitive watersheds and pristine environmental areas. Was the company that did the EA partnered with Imperial Oil? How can they say that all of this work and transport will HAVE NO IMPACT. What about the people who live along those routes? I am sure they will notice an impact. All they stressed was the money that would be spent on the project. Are we selling out so easily? If they are spending that much money, are they going to stop using the route after one year? I doubt it.	2. Comment noted.
3	I could go on and on, but I guess you know where I am going with this. Please DO NOT let big oil win this round or we will all lose BIG TIME!! If the decision for this has already been made by the Montana government heirarchy, then so be it. I just want to say, though, that the PUBLIC does matter and if you don't listen to us when we speak out against ideas/projects that we see as detrimental to our state and way of life, then don't be surprised when election day rolls	3. Comment noted.

around and your decisions will have to made on a more personal level.

Sincerely,
Barbara Rempp

Barbara Rempp
Office Manager
Montana Office
2120 S. Reserve, PMB #126
Missoula, MT 59801
Phone: (406)745-5119
Fax: (406)745-5130
barbara@drawa.org

May 14, 2010
Tom Martin
Montana Department of Transportation
P.O. Box 201001
Helena, MT 59620-1001

Re: Kearl Module Transportation Project Environmental Assessment (KMTP EA)

Dear Mr. Martin:

1 Thank you for the opportunity to comment on short notice. I echo the entire comments made by State Representative Betsy Hands, House District 99, Missoula, and the comments made by Barbara C. Hall, Legal Director, Clark Fork Coalition. Both Hands and Hall address the state and federal shortcomings of the Kearl Module Transportation Project Environmental Assessment (KMTP EA) prepared by Tetra Tech. I urge the Montana Department of Transportation (MDT) to extend the public comment period on the KMTP EA. My constituents expressed frustration with the short comment period for such a massive project with major long-term consequences. Since this proposal opens the floodgates for a high and wide corridor for decades to come, please allow more time for public comment.

2 Please consider preparing an Environmental Impact Statement because the KMTP EA contains inadequate analysis of impacts to the environment (including fish and wildlife), local economies, scenic river and travel corridors, Montana's tourism industry, and to the safety of travel on Montana's roadways. Montana Department of Transportation has the legal authority to expand the scope of its MEPA analysis and conduct an EIS under its existing administrative rules, Montana Code Annotated, and the Montana Constitution, Article II, Section 3 (the right to a clean and healthful environment). Further, since federal actions are involved, NEPA should be complied with.

REPRESENTATIVE HOUSE DISTRICT 97, MICHELE REINHART

1. See response to Common Comment F1. Responses to the referenced comments are included in Appendix D.

2. See responses to Common Comments A, B and R.

3 The KMTP EA frequently minimizes risks and impacts as non-existent or "slight" without citing data to draw such conclusions. The KMTP EA is a part of a legally questionable piece-meal permitting process that fails to coordinate with other state and federal agencies regarding the scope, actions, and impacts of this project across the Pacific and Rocky Mountain West. After briefly looking over the KMTP EA, I have the following questions, so far. Please address these questions and provide supplemental information.

4 1. What is the proposed economic benefit (cost savings) to Imperial Oil of this new proposed route in comparison to the traditional route from the Port of Houston, Texas to Alberta, Canada via Billings, Montana? Why did the KMTP EA ignore the existing route?

5 2. What is the total projected cost to Montana's transportation infrastructure for one year because of the proposed modifications? What is this cost in comparison to costs of the traditional route? What are the proposed long-term costs to Montana's transportation infrastructure of the traditional route compared to the proposed route? Please calculate cost comparisons from the present time until the 2060, or when high and wide trucks would cease using the corridor.

6 3. Please specify how many miles of river corridors in Montana the current traditional route impacts. How many streams and rivers will the proposed route affect in Montana? How is MDT measuring and quantifying impacts to water quality and based on what data?

7 4. Did Imperial Oil investigate ways to transport equipment within existing legal length, width, height, and load limits? Did Imperial Oil consider assembling modules in Montana (with Montana workers) or in Alberta, instead of being assembled in Korea and transported on vehicles exceeding 200 feet in length? Why must Montana accommodate Imperial Oil's desire to use public roadways for private benefit?

8 5. What are Imperial Oil's proposed accident and spill prevention plans? Does MDT have any say over these plans and the adequacy of these plans? How did the KMTP EA determine that the risk of a spill was slight? Please explain the accident and spill response plans. Please estimate the potential costs of a spill or an accident along the proposed route.

9 6. I found no mention of icy winter roads in the KMTP EA. Please consider the impacts of these massive trucks on icy winter roads and the probability of rollovers and accidents between high and wide vehicles with regular sized cars and trucks. Please consider and estimate traffic fatalities. The KMPT EA does not adequately acknowledge traffic accident data on Montana's roadways. Please address current traffic accident information on each section of roadway, in both urban and rural areas, but particularly in urban areas.

10 7. I found no mention of the potential road kill in the EA. Since travel will occur primarily at night, please estimate wildlife fatalities. How did the EA determine that impacts to wildlife would be slight? What wildlife data did the EA use? The proposed route is through known wildlife corridors.

3. See Section 4.0 of the EA and the Decision Document regarding consultation.

4. See response to Common Comment D1.

5. See response to Common Comment L.

6. See response to Common Comments I and O. MDT does not anticipate significant impacts to rivers or streams (see Section 3.9 of the EA).

7. See response to Common Comment D3.

8. See responses to Common Comments H1, H2, and H3.

9. The modules would not be transported during inclement weather. Also, see response to Common Comment H1 and H2.

10. See response to Common Comment I.

8. Section 2.2.1.2, Financial Responsibility, (KMTP EA, page 6) said MDT is already negotiating the costs and responsibilities for road modifications with Imperial Oil. How is MDT calculating and determining Imperial Oil's costs and responsibilities for road modifications? Why is MDT negotiating costs and responsibilities at this time?

11

Has MDT already made internal decisions to approve the project? Please consider postponing negotiations until after MDP completes the NEPA/MEPA process.

Again, please consider extending the comment period, expanding the scope of the KMTP EA, and drafting an Environmental Impact Statement that fully addresses the costs of the proposed route to Montanans in comparison to the cost of the traditional existing route for the full time period that the proposed corridor could be in use.

12

Thank you in advance for addressing concerns regarding this project and its long term implications for Montana.

Sincerely,

Michele K. Reinhart
State Representative, House District 97

11. See responses to Common Comment L.

12. See response to Common Comment F1.

May 12, 2010
Director Jim Lynch
Montana Department of Transportation
2701 Prospect Avenue
Helena, MT 59620

Re: Public comment for Kearl Module Transportation Project, EA

Dear Director Lynch:

Thank you for meeting with the Missoula delegation on Monday to talk about the Kearl Module Transportation Project. Missoulians are concerned about safety, our rivers and streams, the impacts on tourism and on our roads and the possibility of making this a permanent high-wide corridor which will inextricably change our economy and quality of life in Missoula. Because of these potential impacts, we believe the department of Transportation should have found through the Montana Environmental Policy Act environmental assessment that a full Environmental Impact Statement and extension to the public comment period was necessary..

1

REPRESENTATIVE HOUSE DISTRICT 98, SUE MALEK

1. See response to Common Comments G, I, O, M, L, K, and B.

2 A 30-day comment period for a project of this magnitude is not acceptable. The Kearl Oil Sands Project is expected to be active through 2060; If the Lolo Pass to Canada route becomes an Industrial High/Wide Haul Corridor, it could be used for many years to come. An extended time period would allow people living near the corridor to consider and comment on whether Kearl has sufficiently answered questions about significant impacts on environmental quality, access to recreational and wilderness activities; human health; quantity and distribution of employment; demands for government services; and locally adopted environmental plans and goals in the short and long terms. If this review is confined just to Missoula, access from the Bitterroot Valley and from the Seely/Swan and Blackfoot Valleys are extremely vulnerable. This impact requires consideration and any plan must address how these impacts would be mitigated.

3 If MDT agrees there are significant concerns affecting the quality of the human environment, MDT is required to prepare an EIS from the start. According to MEPA ARM 18.2.237 GENERAL REQUIREMENTS OF THE ENVIRONMENTAL REVIEW PROCESS

(1) The agency shall prepare an EIS as follows:
(a) whenever an EA indicates that an EIS is necessary; or
(b) whenever, based on the criteria in ARM 18.2.238, the proposed action is a major action of state government significantly affecting the quality of the human environment.

I believe an EIS should be required because of the long and short term impacts on Missoula, Seeley Lake, Lolo and Lolo Pass and the associated streams, rivers, agricultural, commercial, and recreational activities essential to these areas.

Respectfully,
Representative Sue Malek
House District 98

2. See response to Common Comment F1.

3. See response to Common Comment B.

RETTENMAYER, JOHN

1 The long-term implications of this project on Montana highways and on the Montana environment call for a much more thorough study and analysis than an EA. There is much more to this decision than approval of a one-year project. The decision should be to turn down the project at this time, pending a much more thorough analysis and public discussion.

1. See response to Common Comment B.

John Rettenmayer
3414B Connery Way
Missoula MT 59808
406-531-2142

From: Rebecca Richards, Missoula (BeckyTRichards@gmail.com; 104 Michelle Court, Missoula, MT 59803)

tel: (406) 721-6107

RICHARDS, REBECCA

Based on my reading of the EA, my main objections to the KMTP are as follows:

1 a) Too little consideration has been given to the wilderness values of the Hwy 12 Lochsa Corridor as a Wild and Scenic River byway by dismissing the risks posed to wildlife, water quality, and general ecosystem integrity. By "too little consideration" I explicitly mean allowing the Keale transportation rigs through the Lochsa as opening the corridor to future "big rigs" embarking at Lewiston. The EA does NOT address the frequency of truck accidents in the corridor nor the weather and avalanche closures that often make the highway empassable much less the inappropriate use of designating the Lochsa corridor as a BOTH a Wild and Scenic River and a major long haul, big rig overland route. This incompatibility extends over the state line to Montana at Lolo Pass and down Lolo Creek to Traveler's Rest. Historically, this part of the Lewis and Clark Trail is incompatible with big rig, long haul transport. And I vividly remember the "microburst" that flatten two hillsides with wild gusts over 100 mph about ten years ago-- what would such events do to a Keale transport truck? The two-lane Hwy 12 is far too narrow now by the creek and traffic is often backed up behind a "normal" semi-truck. Numerous truck spills have occurred on the highway and one year, and wildlife roadkills are numerous.

2 b) Too little consideration has been given to the historical importance of the Hwy 12 corridor as both the tribal buffalo trail and Lewis and Clark exploration route; opening this corridor to big-rig, long haul transport is incompatible with the values residents and visitors attach to the region historically;

3 c) Far too little consideration of the Alternatives Considered but Eliminated (2.3) was given by the consultants; the Keale project would open the route from the Columbia/Snake to Lewiston overland to the interior. In the long-term, modifying the "25 existing overpasses" to allow night time big rig, long-haul transport makes far more sense than moving them up the treacherous and wild Lochsa and over Lolo Pass. In addition, NO consideration was given to considering the proposed route versus the alternative routes to accident mitigation and the availability of fire, police, and other

1. See response to Common Comment E2.
2. See responses to Common Comments H1 and H2.
3. See responses to Common Comments K and N.
4. See responses to Common Comments D1 and D2.

personnel. Moreover, the U.S. states south of Vancouver should not have to bear the externalities of the height restrictions that B.C. has placed on its highways so cavllierly dismissed as "infeasible" in the EA. Let B.C. and Alberta work out transCanadian
4 transportation restrictions and NOT allow Montana to absorb the inevitable highway repair, accident response and cleanup, traffic nuisance and delays, wildlife losses, water quality risks, and all the other impacts inevitably resuslting from this project.

See response above.

d) Finally, this project will both short-term and long-term negatively impact the tourism industry along the Hwy 12 corridor and numerous small communities connected to it. Socioeconomically, it makes no sense to allow the Hwy 12 corridor to be used in this project-- there are NO positive benefits given the problems it poses for traffic snarls, wildlife impacts and water quality risks due to road accidents, long-term road damage, short- to long-term road closures, and general complete incompatibility with the
5 wilderness area that surrounds the Lochsa and national forests around Lolo. I have driven numerous times to Boise and to southern Oregon, in all seasons of the years, and the risk of being stranded somewhere up the highway with a Keale transport rig overturned and no idea of when or how it would be removed is sobering.

There are certainly other routes for this equipment but up the Clearwater/Lochsa on to Lolo and the Bitterroot Valley is NOT one of them.

5. See responses to Common Comments M, H1, H2, and H3.

I haven't even begun to think about the problems from Lolo on to the Blackfoot-- I could add all those but the proposed route from Lewiston over Lolo is so compellingly "NO" that I have my focused my comments on this stretch. Should the project be re-routed
6 from Lewiston over the Interstates to Missoula and THEN up the Blackfoot through Lincoln, I would have numerous, and similar, objections as well. But my most compelling objection in the present proposal is the route up the Lochsa over Lolo.

6. See response to Common Comment O.

I appreciate MDOT's efforts to allow public comment and I urge you to turn this proposal down as it now stands.

Sincerely,
Rebecca (Becky) Richards,
Missoula

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 • Require real alternatives to be considered;

3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

Concerned,
Miriam Richmond
Missoula MT

RICHMOND, MIRIAM

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comments A.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 • Require real alternatives to be considered;

3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

RISTAU, RANDI M.

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

1 Do you work for the government or the oil companies, personally knowing hundreds of people who are passionate recreators of this area; if this gets approved I fear for the safety of those officials involved, and workers involved. Need not even mention the greater intrinsic value the area has crushes and value I'm resources.	**ROBERT, BOB** 1. Comment noted.
1 Please do not use our beautiful Montana to transport these huge destructive pieces of equipment! This is our city, our land, not Canada's to use as they wish! Find a different route! **Shanna M. Robison** | Administrative Assistant Historical Research Associates, Inc. 125 Bank Street | Suite 500 | Missoula, MT 59802 406.721.1958 ext. 200 | fax 406.721.1964 | cell 406.370.1704 srobison@hrassoc.com | www.hrassoc.com	**ROBISON, SHANNA** 1. Comment noted.
Tom Martin MDOT Dear Mr. Martin: 1 I'm writing this email in support of the Kearl Module Transport Project. My belief is that this project has been extensively studied and MDOT should proceed to write the oversize permits. Rocky Mountain Contractors has been on standby for a couple of months to perform many utility moves to accommodate this project. We have over 10,000 ft of directional drilling to complete for about a 1/3 of the project. This will employ several MT workers and we will have to buy at least one additional directional drilling machine from a MT vendor valued at about $250,00.00. We have also been told we will need to employ 4 to 5 overhead power and telephone crews to move the overhead lines in this section of the project. These crews are normally 4 man crews and are well paid union employees. There are other contractors along the route that will be doing similar utility moves. 2 In closing, I believe that the Kearl Module Transport Project will have little detrimental effect on the highway system and a huge beneficial effect on the economy of Montana. Please grant the oversize permits in a timely manner. Sincerely, ***Randy Williams*** ***President***	**ROCKY MOUNTAIN CONTRACTORS, RANDY WILLIAMS** 1. Comment noted. 2. Comment noted.

Rocky Mountain Contractors, Inc.
3268 Ocean View Drive
Helena, MT 59602

406-442-8761 x 101 voice
406-442-8762 fax
406-439-9570 cell

Sir:

1 Kearl Module Transport Project (KMTP) scares me to death. Do a full EIS. This project seems full of hidden and unintended environmental and economic consequences. I would be amazed if this proposal doesn't run into a buzzsaw similar to the one encountered by Phelps Dodge and Canyon Resources when they proposed the McDonald Gold Project.

Paul S. Roos
paul@paulroos.com
Lincoln, MT

ROOS, PAUL

1. See the response to Common Comment B.

Dear Mr. Martin,

1 It is entirely irresponsible for the State of Montana to allow this project to move forward, and to do so without a completely thorough environmental impact assessment is a statement of the corruption that must exist in your office. It is your duty to order a complete assessment prior to allowing this project to move forward. I guarantee you irresponsible actions will not go unnoticed nor unacted upon.

Sincerely,
Faith Rose
Bozeman, MT

ROSE, FAITH

1. See the response to Common Comment B.

1 The wild and scenic Lochsa is a beautiful winding narrow, mountain road, in keeping with the magnificent river it follows along. We do not want to destroy the harmony of road, river and mountain that exists now. It should not be widened into a super highway and obstructed by these huge rigs -- and especially not to facilitate the polluting tar sands process.

Barbara Ross
215 Florence St.
Missoula, MT 59801

ROSS, BARBARA

1. Comment noted.

TO: Mr. Tom Martin
FROM: Amy S. Rubin (Missoula, Montana)

RE: Tar Sands (Imperial Oil proposal to transport large equipment across MT).

Dear Mr. Martin,
Please deny approval for this project.

1 Not only is the transport of this equipment a very bad idea, as it will have a tremendous impact on MT travel, but the actual mining of coal from "tar sands" is incredibly damaging to the environment, and also very dirty coal to burn causing more problems.

2 If Alberta wants to permit this mining to happen, that is a decision we do not have control over. However we should not facilitate it happening to our own detriment. Billions will be spent under this plan constructing turn-outs along the Montana route for passing on the highways. That money could be better spent on green energy development.

3 The equipment is being assembled overseas and then shipped. They could ship it and transport it to the site and assemble it there without needing to use Montana highways for transport at all.

4 In addition, tourism in MT will be significantly impacted, as what tourist in his or her right mind would even want to consider traveling to MT and getting hung up behind one of these transports.

Lets not facilitate this awful idea from progressing into reality.

Thank you.
AR

RUBIN, AMY

1. No coal is removed from the oil sands.
2. As stated in the EA (see Section 3.6) the cost of the turnout construction is estimated to be $7.1 million paid for by Imperial Oil.
3. See response to Common Comment D1.
4. See responses to Common Comments M and G.

Voicemail comment received by me today from Olivia Riutta.....

1 I am calling to express my concern and desire to extend the deadline on the conversation about the big rigs coming through. My community, it's something that our community council is opposing and has tried to set up a meeting with Imperial Oil and there simply even isn't enough time to have questions answered.

Olivia Riutta

Bonner , Montana

RUITTA, OLIVIA

1. See response to Common Comment F1.

Martin,

1 I am opposed to modifying our roads to accommodate this project. The reason is that this is for a one time project and any problems that all the modifications might cause in a few years will most likely not be addressed by Exxon Mobile.

2 I am no scientist but common sense and observations of what has gone on in the past and is currently going on with oil companies doing damage to resources we all share like water and land is evidence enough that we should say no.

It is high time we stop developing oil at any cost and concentrate on more sensibly harvested and environmentally friendly resources like natural gas.

3 Please do not cave in to the promise of money and jobs at the expense of our environment. In the long run it is too steep a price for Montana.

Candace Rutledge
Lincoln, Montana

RUTLEDGE, CANDACE

1. See response to Common Comment L.
2. Comment noted.
3. Comment noted.

I am writing to express my disappointment with the MDOT regarding the Kearl modules traveling through Montana.

1 The EA does not address bridge capacity nor the maintenance and repairs that WE the taxpayers will be paying for in the future. Is the Buckhous bridge able to carry this weight, no matter how many axles there may be?

2 What happens when traffic IS backed up for over 10 minutes? What happens when one of these trucks rolls over and lands in a river? Will we expect the same lack of responsibility as we are seeing now with the Gulf of Mexico spill?

The thought that this will create very many jobs in Montana is ludicrous.

3 The jobs will be short term and that's it. This will be a permanent corridor. We (Montana) are going to let Exxon RUIN Hwy. 12 and Hwy. 200, the Lolo/Lochsa river corridor AND the Blackfoot corridor with 300 foot turn outs every few miles? For what? For a few short term jobs? This is ridiculous. These river corridors are extremely valuable, beautiful and scenic and we are willing to let an oil company ruin this? We are ruining some of the best river and mountain corridors in the state by approving these giant trucks. I can't believe I ever voted for Brian Schweitzer.

4 I cannot believe we are essentially acting as though this is feudal England, except the king that apparrently owns the land that we serfs have to pay is a giant corporation.

Stacy Rye
Missoula, MT

RYE, STACY

1. See response to Common Comment L. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs.
2. See response to Common Comment H2. The ARM provides for confiscation of permits and/or administrative penalties at 18.8.901 and 18.8.902.
3. See the response to Common Comment O.
4. Comment noted.

Name: Rob Saldin
Address Line 1: 237 Kensington
City: Missoula
State/Province: MT
Postal Code: 59801
Email Address: robert.saldin@umontana.edu
Phone Number: 406 243-4418
Comment Subject: high and wide industrial corridor

Dear Montana Dept. of Transportation,

1 I'm concerned about the creation of a permanent industrial corridor along some of Montana's scenic highways and river ways. Please conduct a review for the establishment of this permanent industrial corridor, require real alternatives, and provide an economic analysis that weighs the impacts to recreation and tourism.

SALDIN, ROBERT

1. See the responses to Common Comment K, D!, D2, D3, and M.

To Those Concerned:

I have studied the material about the project online at MDOT and attended the public presentation in Missoula.

I object to the issuance of the permits because:

1 1. The 32J permit in itself is insufficient to cover multiple loads. A single load requires a fee and insurance, but the cummulative and long-term effects of 200 loads isn't covered by this 8 page form. The $1million single load insurance coverage, even multiplied 200 times, would be inadequate for this special circumstance.

2 2. The EIS review would be necessary if Federal dollars are in question. Although new Federal dollars aren't in question, the excessive use of invested Federal dollars **is** in question. If it is an unresolved question whether this infrastructure will be subjected to undue stresses through repeated maximal loads, then the more thoroughgoing analysis of the EIS would appear to be necessary.

3 3. The EA offered by the applicant is inadequate on the surface when it lists under economic impacts only positive impacts. No negative impacts are analyzed. The year-round tourist and recreation economy of this area, and especially the Hwy 12 and 200 routes, will be adversely affected by visitors who will choose to avoid inconvenience and additional recreation expense. Has this oversight been inadvertant? With the thoroughness of the rest of the plan, one would guess not.

4 For these specific objections confined to the subjects limited by the process, I strongly object to the issuance of these permits. However, these points pale when compared to the mammoth economic defection and betrayal implemented by this process.

SALMONSON, JON

1. A separate 32J permit will be issued to each module transport load. As stated in the EA (page 34), the total fees for the 200 loads is estimated at $1.0 million. This amount has been revised to $0.9 million due to return trailers not needing oversized load permits. See Section 4.4 of the Decision Document.
2. See response to Common Comment B. MDT has established the maximum transport vehicles axle loadings to comply with road and bridge designs.
3. See response to Common Comment M.
4. Comment noted.

Thank you,
Jon Salmonson
1919 South 8th Street West
Missoula, Montana 59801

Please protect the Lochsa River from further degradation by denying Imperial Oil/ExxonMobil permission to move their oversized equipment through this corridor. The Lochsa is a special place that must be preserved. It is also a dangerous mountain road that is not appropriate for these big rigs. Their presence would make the road even more treacherous. There have already been several wrecks on Highway 12, endangering the fragile health of the river and the safety of those who travel it. 1

Jennifer Sauer
Missoula, Montana
jenabear54@gmail.com

SAUER, JENNIFER

1. See responses to Common Comments E2, H1, and H2.

SAVE OUR WILD SALMON COALITION
NATURAL RESOURCES DEFENSE COUNCIL
IDAHO RIVERS UNITED

May 13, 2010
Dwane Kailey, P.E.
Chief Engineer
Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001
mdtcommentskearl@mt.gov
Dear Mr. Kailey,

Please accept these comments from the Save Our *wild* Salmon Coalition on Imperial Oil/Exxon Mobil's application to Montana Department of Transportation for permits to transport oversize loads through western Montana for use in Alberta Tar Sands strip mining, and on the environmental assessment of the proposal prepared by MDT.

Save Our *wild* Salmon's member organizations represent some 6 million Americans, and many thousands of jobs in the Northwest states. Our mission is to restore abundant sustainable wild salmon and steelhead to Northwest rivers and streams for use by people and ecosystems. We focus particularly on the Columbia/Snake Basin, whose wild salmon are impacted by Exxon's proposed transportation. Many of our member organizations have memberships in Montana; our fishing members represent Montana fishermen who both travel to Idaho and points west for salmon and steelhead fishing each year, and enjoy resident fisheries in Montana that are affected

SAVE OUR WILD SALMON COALITION, PAT FORD; NATURAL RESOURCES DEFENSE COUNCIL, BOBBY MCENANEY; IDAHO RIVERS UNITED, KEVIN LEWIS

by downstream water management for salmon and steelhead.

The Natural Resources Defense Council (NRDC) is a national, nonprofit organization of scientists, lawyers and environmental specialists dedicated to protecting public health and the environment. Founded in 1970, NRDC has more than 1.2 million members and activists nationwide, with offices nationwide and abroad, including staff who work out of Livingston, Montana. Many of our members are also Montana residents who take great interest in conserving the natural splendor that makes Montana such an exceptional place.

Idaho Rivers United is a non-profit charitable membership organization. Our mission is to protect and restore the rivers of Idaho. We are Idaho's only statewide river conservation group and currently have more than 3,400 members. Our membership includes residents of Montana who frequently utilize the proposed travel route to recreate on the Wild & Scenic Lochsa River and other Idaho rivers. Our members are a diverse group yet they all have a common link - a deep love for the rivers, lakes and streams of Idaho and the desire to protect these waterways.

1 In brief, we urge the Montana Department of Transportation to (a) extend the comment period for this proposal, and (b) conduct a full environmental impact statement on its effects. We believe the latter is appropriate under Montana law, and necessary to provide the citizens of Montana, and affected neighbors, with a full picture of this proposal's short and long-term effects. Only with that full picture can Montanans and others affected make sound decisions about this proposal.

Our detailed comments follow.

2 **The public comment period should be extended.** The public comment period closes May 14, which we submit is too short given the scope of this project. Our members did not become aware of the project until news reports, including some focused on the MDT EA, were released over the last 20 days. The actions proposed in Montana are significant, and are connected to actions in other Northwest states and Canada that, taken together, constitute a major project with large effects on public resources and properties both interstate and intrastate. Interest among Montana citizens, and neighbors, is clearly high despite this very recent notice. We believe the public's right to a reasonable opportunity to participate in MDT action, which includes a reasonable opportunity to review the issues and materials, is at risk with the current comment deadline of May 14, 2010. We therefore request an extension of at least 60 days.

3 **An environmental impact statement should be prepared for this project.** We believe the scope of the EA is too limited given the scope of the project. Important issues about the project are not considered, or insufficiently considered, in the EA. An EIS is in keeping with requirements of Montana law and the level of public interest in the project.

1. See responses to Common Comments F1 and B.

2. See response to Common Comment F1.

3. See response to Common Comment B.

4 In particular, the EA restricts itself to examination of Exxon's year-long proposed use of the Montana corridor, when what is clearly occurring here is development of a permanent High-and-Wide corridor through Montana. The EA itself acknowledges, "MDT believes it is reasonably foreseeable that additional oversized loads would want to use the route." We believe it is unmistakable that a permanent corridor will result. MDT Director Jim Lynch agreed in a July 2009 briefing to the Montana Legislature, in which he stated that Exxon proposes "to create permanent High/Wide Corridors through Montana", and that this project will be "setting the stage for a high/wide corridor in Montana for things we haven't imagined yet."

4. See response to Common Comment K.

5 That Mr. Lynch is correct is borne out by connected actions outside Montana's borders. For instance, the Port of Lewiston, Idaho, has applied for federal stimulus funds to expand its port facilities and a state highway to handle the Exxon traffic; its application notes that the project will "provid[e] an oversized transportation route for oil (Kearl oil sands)…" No mention of a temporary or short-term project is made in that application.

5. See the response to Common Comment E2.

6 MDT is not restricted to information submitted by the applicant in its determination of the scope, purpose and need, and consideration of environmental impacts of this project. Tar sands development in Canada is projected to continue for decades. Once established, a high/wide transportation route to that development is likely to be used for decades. MDT must consider the permanent effects upon Montana of this corridor – effects that Mr. Lynch characterized as of "significant impact to the state." An EIS, not an EA, is the appropriate means for considering such effects.

6. See response to Common Comment K.

7 An EIS is also appropriate given that MDT did not involve the public in a formal scoping process for the environmental review done to date, nor required the applicant to submit a programmatic environmental review document. Exxon Mobil's actions make plain the company sees this as a major project; we believe MDT should agree, and thus prepare an EIS to provide full opportunity for analysis of and public involvement in its many aspects and effects.

7. See response to Common Comment B.

8 We believe approval of Exxon's proposal, without programmatic environmental review via an EIS, will lock in subsequent use and development of this corridor without lawful consideration of the cumulative environmental impacts of or reasonable alternatives to the project.

8. See response to Common Comment C1.

The EA does not consider alternatives to the proposed action, as required by law.

The EA's consideration of alternatives is far too brief: a "no action" alternative is addressed in one paragraph, and four "Alternatives Considered but Eliminated" are addressed in four paragraphs. These paragraphs note impassable barriers encountered along each of these routes, yet 9 pages of the EA detail the extensive construction needed to make the proposed route passable – since it is also impassable now.

MDT is required to prepare a "description and analysis of reasonable alternatives to a proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternative would be implemented." MDT is constrained to consider alternatives that would "appreciably accomplish the same objectives or results as the proposed action," or "for agency-initiated actions, a different program or series of activities that would accomplish other objectives or a different use of resources than the proposed program or series of activities," and these alternatives must be "realistic and technologically available." In essence, Exxon has proposed a scenario that by default disqualifies all other options. This is precisely why MDT must not take for granted the assumptions presented by Exxon. The EA's few paragraphs on alternatives fail these requirements. It is thus impossible for Montana citizens, or MDT decision-makers, to adequately compare the proposal with any alternatives.

9

9. Comment noted.

In addition, the most obvious and usable alternative is not considered in the EA – namely, use of the existing High/Wide corridor from the Port of Houston, Texas, through Billings to Alberta. MDT Director Lynch referred to this alternative in his July 2009 briefing above. It should be fully considered.

10

10. See response to Common Comment D1.

The EA does not meaningfully consider the direct and cumulative environmental and economic impacts of this project. The EA's examination of environmental impacts of the proposal is limited to Exxon's specific proposal to transport 200 modules through Montana. It does not consider the impacts of creating a permanent High/Wide corridor, as it should.

The EA does not consider the environmental and economic impacts on Montanans of the project this action would specifically assist: Alberta Tar Sands strip mining. This is a failure to comply with the letter and spirit of MEPA. For example, tar sands development now contemplated will constitute 44% of the total increase in Canada's greenhouse gas emissions projected by 2020. These emissions will have direct and negative effects upon Montana lands, glaciers, waters, fish and wildlife, people, private and public budgets, and agricultural, recreational and water-based economies.

11

11. See response to Common Comment P.

MEPA requires examination of direct, secondary and cumulative impacts of a proposal. Cumulative impacts are defined as "the collective impacts on the human environment of the proposed action when considered in conjunction with other past, present, and future actions related to the proposed action by location or generic type." The EA does not do this. The EA fails to consider the permanent effects of this permanent corridor on highways, bridges and other infrastructure; on the safety and convenience of Montanans using the same routes to conduct their lives and businesses; on land and water resources along the corridor; and the effects to be visited upon Montanans from the Canadian development Exxon seeks to accelerate.

12

12. See responses to Common Comments K and S.

The project scope, geographic extent, and range of direct, secondary and cumulative environmental and economic impacts, when coupled with the inadequacy of MDT's

scoping and programmatic review processes to date, require preparation of a federal joint environmental impact statement under NEPA.

13 This project crosses three state lines and two international boundaries. It relies on passage over a U.S. Highway and through a federally maintained navigation channel and related dams and locks. The permissions and involvement of many state and federal government agencies, multiple county and city governments, and the Nez Perce and Blackfeet nations are required. The route includes a number of registered National Historic Landmarks, a National Scenic Byway-All American route that traces the path of the Lewis and Clark Expedition, one of the first designated Wild and Scenic River systems, all the while transecting and abutting miles of critical habitat that has been designated by the U.S. Fish & Wildlife Service to protect threatened and endangered species in the region—primarily for anadromous fish. The impacts of this project, coupled with its purposes, spread across Montana, the western United States, and North America, and extend for decades into the future.

13. Comment noted.

14 We believe MDT's review to date, specifically in the EA, falls far short of what state and federal law and Montana public interests require, even if restricted solely to immediate project impacts within Montana's borders. We also believe that Montana law requires consideration of project actions outside Montana's borders that will have impact on Montana people and resources.

14. See response to Common Comment E1 and Common Comment E2.

15 Finally, we believe that the National Environmental Policy Act requires review of this project and the wider actions of which it is part in a consolidated rather than piecemeal fashion. The piecemeal review of a too-narrowly defined project by MDT is largely a symptom of the larger problem: a similar failure by other states and the federal government to examine comprehensively this entire project (by which we mean the true, full project rather than the narrow and false definition of it provided by Exxon and so far accepted by MDT).

15. See response to Common Comment A.

16 Our nation is now suffering the tragic but foreseeable consequences, in the Gulf of Mexico, of accepting the assurances of a major oil company, rather than fully and carefully evaluating its proposed project in advance, with focused attention on all aspects, and all possible environmental and economic costs as well as benefits. We therefore urge MDT to seek, and actively participate in, an un-segmented environmental analysis of the full project under NEPA. This course will comply with Montana's Environmental Policy Act, as well as better assure that the full interests of Montanans in this project and its many tentacles are considered, evaluated, and judged as to the public interest.

16. See responses to Common Comments A and B.

Thank you for considering these comments.

Sincerely,

Pat Ford, executive director
Save Our *wild* Salmon Coalition

Bobby McEnaney, Lands Staff Advocate
Natural Resources Defense Council

200 First Avenue West, #201
Seattle WA 98119
208-345-9067
pford@wildidaho.org

1200 New York Ave., Suite 400
Washington D.C. 20005
202-289-2429
bmcenaney@nrdc.org

Kevin Lewis, conservation program director
Idaho Rivers United
Box 633
Boise ID 83701
208-343-7481
kevin@idahorivers.org

Thank you for reading my comment.

1 I have great concerns that the magnitude of the problems associated with permitting the use of taxpayer funded roadways in order to move tar sands mining equipment is equally proportional to the enormous size of the equipment. At minimum, a full environmental impact statement is a critical need.

2 The impact on the state of Montana is half of my concern; the other half is that we would be supporting the Kearl oil sands project in northern Alberta, a project outside of Montana and US environmental regulation, and one that will clearly compound the accumulation of greenhouse gasses.

3 Why would our state want to be associated with this dangerous project? Why would we want to put our state through severe disruption of travel between communities, affecting not only Montana citizens, but visitors to our state during the tourist season?

4 What else might not be known yet about what it would take to safely move pieces of equipment as large as 24 feet wide, 30 feet high, and 150 feet long on two-lane Montana roadways?

I urge you to study and act with great caution.

Again, thank you for taking the time to consider my thoughts.

Julia M Saylor
Helena, MT

SAYLOR, JULIA

1. See response to Common Comment B.
2. See response to Common Comment P.
3. See responses to Common Comments M, L and G.
4. Comment noted.

To: Tom Martin & Montana Department of Transportation (MDT)
Re: Kearl Module Transport Project Environmental Assessment (EA)

Dear Sirs and Madams,

1 I am very distressed to hear that you are considering allowing these huge, over-sized loads to utilize our Montana highway system. I feel that the impacts to the state tourist industry will be enormous. Tourists do not want to see huge industrial strength equipment pulled over beside our incredible scenery. This will certainly discourage return visits and be a huge inconvenience to the local Montanans that need to use the roads 24/7.

SCARFF, JOAN

1. See responses to Common Comments M, J, and G.

2 I also believe that most Montanans do not want our state to become a conduit for this huge equipment and that it will definitely impact our image. It also gives the impression that Montana, as a people, support the mining of the oil sands of Alberta when this is definitely not the case.	2. See response to Common Comment E1.
3 There are also all the environmental impacts to consider: -impact to wildlife migratory routes -huge increase in road kill -dangers to the environment should a load rollover -dangers to rivers and watersheds in expansion of pull-outs -loss of scenery, trees, wildflowers along route	3. See response to Common Comment I, H2, O, and J.
4 I do not feel that the Department of Transportation has seriously considered these issues and this project should not be rushed into without full consideration of all the impacts and potential risks and costs to Montanan taxpayers, now and into the future. Sincerely, Joan Scarff 214 South Church Ave Bozeman, Montana 59715	4. Comment noted.
To: Tom Martin & Montana Department of Transportation (MDT) Re: Kearl Module Transport Project Environmental Assessment (EA) Dear Sirs:	**SCARFF, STEVE**
1 I support the "No Action Alternative" described in the EA. The "Preferred Alternative" in the EA has been proposed due to a Canadian project that Canada seems unable or unwilling to accommodate by modifying their own infrastructure. Montana has no "need" for this project. I see no good reason why we should allow the deterioration of our existing roads and bridges to support this project. The supposed "loss of economic benefit" from the No Action Alternative is a pittance compared to the inconvenience our businesses, residents, and tourists will face if the permits are granted.	1. Comment noted.
2 Should the MDT decide to ignore the No Action Alternative, then I suggest the EA is not thorough enough. A project of this magnitude calls for an Environmental Impact Statement instead. Here are some reasons:	2. See response to Common Comment B.

3 1) The EA offers no data on the current condition and weight limits of bridges on the proposed route. This information should be collected before any permits are issued. The bridges should be periodically inspected. It seems clear the "Preferred" Alternative would become a permanent corridor for oversize loads, further decreasing the lifespan of the bridges and roads on the route. Also, MDT should have plans in place to reroute normal traffic around each bridge on the route in the event of a structural collapse.

3. See response to Common Comment L.

4 2) Should the State of Montana believe that Imperial/Exxon-Mobil or other companies involved will willingly pay any claims for damages without dispute or lengthy litigation? Consider the history of oil companies, along with the fact that they can afford more and higher-paid attorneys than the State. The State would be wise to require a large bond to cover repair and remediation costs in the event of corporate failure to meet guarantees.

4. See response to Common Comment L.

5 3) This is not just a transportation project, and it would be extremely short-sighted to consider it as such. The EA totally ignores the fact that by allowing these permits, the State would be aiding and abetting the enormous volume of greenhouse gases (e.g.: CO2 and methane) produced by the Alberta Tar Sands project and its contribution to global climate change. The MDT must recognize its responsibility to consider such effects on Montana's natural environment. The overwhelming consensus among scientists is that greenhouse gases resulting from human activity are warming the earth and will eventually produce catastrophic results for life on earth.

5. See response to Common Comment P.

6 Montana is not immune, and some of these effects are already noticeable here, such as the recent outbreak of pine bark beetles and resultant dead trees. A warmer earth will result in less moisture retention in our soils, and an increasing frequency of large forest fires. If current trends are not reversed, our forests will disappear, along with most of our wildlife and plant species. Montana will surely become a wasteland! It won't happen in our lifetimes, but is this the legacy we want for our descendants? By denying the permits, Montana can avoid contributing to ecological disaster.

6. Comment noted.

Sincerely,

Steve Scarff
214 S Church Ave
Bozeman, MT 59715

To Whom It May Concern:

1 The potential adverse impacts are significant. An immediate red flag goes out when the impact listed in the EA overview are all pre-determined as **"minimal to no"** environmental impacts. This should be challenged.

2 To state that there is only "a slight risk of spill of contaminates or hazardous waste with minimal impacts" is questionable. A load this large over mountain passes and river corridors has a high risk of an accident.

3 Our constitutional right (Article IX, Environment & Natural Resources), to a clean and healthful environment in Montana for present and future generations is being jeopardized.

There are other routes available. When Imperial/Exxon Mobile says this is the least expensive it is because they are not weighing the long term externalities. Montanans should not be subject to such potential loss when other alternative routes and energy technologies that are less dangerous are available.

I encourage the MDT to deny the permit altogether.

Sincerely,

Sam Schabacker

SCHABACKER, SAM

1. Comment noted.
2. See responses to Common Comments H1 and H2.
3. See response to Common Comment R, D1, and D2.

Hello:

I am concerned about the proposed transportation plan through Western Montana and up the front range for very large trucks and equipment.

My concerns include:

1 1. This process has not adequately included the public. Apparently a lot of background work was going on over the past months to years. Yet, the first public hearings were last week, and the public comment period (the only time to systematically collect public input) ends this week. This is far too little time for the public to have input on the public process and its effects on our public roads and rivers.. We need more time to be able to adequately weigh the concerns. I ask that the public comment period be extended to at least three months, and preferably six months.

SCHENK, ELIZABETH

1. See response to Common Comment F1. See the Consultation section in the EA (Section 4.0) and clarifications in Section 4.5 of this Decision Document.

2. I am concerned about the cumulative effects on our riverways.

2 Lolo Creek and the Blackfoot are both primary headwaters of the Clark Fork River, and all support many people's livelihoods as fishing guides, river guides, and as hosts of tourists. We have some of the best water left in the lower 48 and it is crucially important to protect it for the jobs it creates and sustains. I do not believe the EA process has been adequate to investigate potential risks to these rivers.

3 3. Similarly, the route along the front range is also a sensitive area. Wildlife populations are already fragile, and this impact needs to be better investigated (and the public educated) to determine negative impacts on grizzly and other populations.

4 4. The impacts on humans sound extreme. Traffic disruptions, noise, added pollution all are negative impacts. Missoula is the only town of size through which these vehicles will travel (at the slow speeds en route to Alberta). The route goes right through our busiest retail area, through one of the worst intersections in the state (Mullan and Reserve). Traffic happens all night there.

5 Also, when a truck has a problem, it will tie up day time traffic for hours. We need to understand the financial impacts of this sort of disruption. Besides Missoula, there are many small towns affected, including degradation of environment, on which many people rely for livelihood and general well-being, increased stress from the annoyance of these loud and disruptive vehicles (as well as loss of real estate value for those near the route). The regular and repeated traffic of these vehicles will impact these communities in negative ways. The EA process has been inadequate to assess these impacts.

5. Lastly, there is virtually no gain to Montanans for this plan.

6 The money that the governor says will be brought to Montana for jobs pales in comparison to the money brought by tourism and fishing industries here. It seems reckless to put these at risk in order to add to the profits of an oil company, especially those made in another country.

7 An additional concern is that the project itself, the Tar Sands oil extraction, is wrong headed. Inefficient, toxic and extremely damaging, it is not worth getting oil from there. While this transportation plan does not comment on the overall purpose of the plan, I think we need a way to consider the entire and cumulative, rather than incremental impacts. We don't need to be part of this. As a Montana citizen, I do not want my tax dollars and my highway department to proceed with this plan without further and more complete assessment.

2. See response to Common Comments I and O.

3. The analyses on the potential impacts on grizzly bears as a result of the proposed module transportation project is provided Section 3.10 of the EA. Also, see response to Common Comment I.

4. See response to Common Comments G and M.

5. See response to Common Comment G. Because Reserve Street is 5 lanes wide with a total of approximately 80 feet of pavement, a truck having an unexpected delay would not completely block traffic. There are no anticipated adverse impacts from traffic or noise that would negatively affect real estate values or communities.

6. See response to Common Comment M.

7. See responses to Common Comment E1.

Thank you,
Beth Schenk, RN

Tom Martin
Montana Department of Transportation
Helena, Montana

SCHERZER, ERNEST

Gentlemen:

1 This letter is written urging the Montana DOT to deny any permit to Imperial Oil Company to run monstrous vehicles along Montana highways. It should be denied for even one such conveyance.

1. Comment noted.

2 If Imperial Oil needs to get these behemoth objects to a place in Canada, let them run on Canadian highways.

2. See response to Common Comment D1.

3 Not only are the loads monstrous in size, they are traveling a distance of 350 miles on two-lane roads. That is too great a distance for too big a load and far too many such conveyances are planned.

3. Comment noted.

4 In addition tar sand mining is an atrocious form of energy development. It is destroying vast areas of Alberta. Just today Steve Black, legal adviser to Sec. Salazar, stated that oil shale in the United States is not ready for prime time. It is not ready yet for the United States and certainly is not ready for Alberta when the cost of obtaining such oil are combined with the wanton destruction of the environment it cannot offset the short-term benefits.

4. See response to Common Comment E1.

Oil shale development has many irreversible impacts on the environment and on public health.

5 Oil shale development furthers global warming and even if that development occurs in Canada the effects of global warming are felt in Montana. We should not support making global warming worse.

The weak Environmental Assessment for this plan ignores, to a too great degree, health impacts and environmental impacts.

It does not even mention the matter of global warming.

5. See response to Common Comment P.

I realize that Imperial Oil has offered some funds for highway repair, turnout repair, etc. and states it will cover the cost of any damage and then some. I doubt that is true. It also appears to be a subtle form of "bribery" to get the plan more readily approved without complete consideration of all impacts. 6

I truly believe that an Environmental Impact Statement is required for this project and it must include the effects of global warming. 7

Thank you,

Ernest Scherzer
33 Lone Wolfe Ln
Trout Creek MT 59874
406-827-0305

6. See response to Common Comment L.

7. See responses to Common Comments B and P.

MDT MT: I am writing in opposition to the plan by Exxon/Mobile to transport large loads up the Lochsa, through Missoula, up the Blackfoot, and then all the way up the Rocky Mountain Front Range, total opposition! There is not enough ecomonic benefit or benefit of any imagination to offset the personal impact, the public impact, and the impact on our unreplaceable, incredibablly beautiful environment. I could go on, but my opposition is unchanged and heart felt. I, a citizen of Montana, request your opposition to this insulting plan. 1

Thank You for your consideration,

Daniel Schneider
603 Linden St.
Missoula, MT 59802

SCHNEIDER, DANIEL

1. Comment noted.

MDT:

Why should Montana assist in any way the tar sands development?????

The only good thing economically for Montana will be some temporary employment or overtime for a few permit inspectors.

I'm sure MEIC will enumerate for you all the health, environmental, and global warming ills that will flow from the development of the tar sands.

SCHROETER, FRANKLIN E.

I am also sure that it may be beyond the scope of MDT's involvement with the project.....BUT if you take a look at a map (Imperial Oil is hauling their oversized hardware from Korea) you will find that they could unload the stuff at Prince Rupert, BC (I was there 40 yrs ago on an Alaska Highways ferry) load the vessels, machinery, whatever onto trucks and drive to Prince George, Grande Prairie, Edmonton, and points north. So why are they lengthening their sea and river voyage by 500 miles south just to get to Lewiston with what looks to be about the same highway mileage and snaking their way back north through the semi back roads of Montana???? 1 I realize they can't squeeze some of these items under a freeway overpass. I would gamble that their are very few obstacles and no freeways between Prince Rupert and the tar sands destination that couldn't be easily overcome. Thanks for doing what you can to keep this abomination of a project north of the border where there are far fewer people who would have to endure this so called temporary inconvenience. Thanks also for the opportunity to comment. Yours very truly, Franklin E Schroeter 255 Boon Rd Somers, MT 59932	1. See response to General Comment D1.
There is no need to prevent oversized vehicles from traveling MT. The licenses and fees help to maintain our roads. This type of industry is necessary for MT to remain viable. Thank you for your time. 1 Tim Scott	**SCOTT, TIM** 1. Comment noted.
Let them truckers role...-10-4 1	**SELPH, WILLIAM** 1. Comment noted.

Please include the attached op-ed in your public comments

SENTZ, GENE

Great Falls Tribune GUEST OPINION May 9, 2010

MDT review of giant trucks in state fell several points short

By STEVE SENINGER



Seninger



This is a front view of the typical big rig carrying modules of oil equipment. A contractor wants to bring some 200 of them through Montana starting in September, bound for ExxonMobil's fields in the oil sands of northern Alberta.

Public comment

The Montana Department of Transportation is accepting public comment on the environmental assessment of the Kearl Module Transportation Project through Friday, May 14. Send comments online at www.mdt.mt.gov, or in writing to Tom Martin, MDT Environmental Services Bureau, PO Box 201001, 2701 Prospect Ave., Helena, MT 59620.

1. Comment noted.

SENTZ, GENE

Dear MDT: (Comments on Kearl heavy equipment haul corridor)…

In an AP article in the Great Falls Tribune (5-4-10), Montana's governor "Schweitzer downplayed concerns that northwestern Montana will become a permanent transportation corridor for big rigs going to the Canadian oil fields and elsewhere. 'That's not the proposal at all,' he said. 'This is temporary for 200 loads and nobody's proposed a permanent corridor.'"

In truth, however, the EA itself www.mdt.mt.gov/pubinvolve/eis_ea.shtml certainly does imply that it is "reasonably foreseeable" that this route will become a "High/Wide corridor" for oversized rigs. 1

On p. 16 of the EA under "Reasonably Foreseeable Activities," the list includes: 'Future 32-J permit loads…similar to this project; Other oversized loads (…houses, wind turbine blades…); MATL transmission line construction… etc.'

On p. 24 of the EA under "Cumulative Impacts," it says, "MDT believes it is reasonably foreseeable that additional oversized loads would want to use the route."

1. See response to Common Comment K.

On p. 34 of the EA under "Cumulative Impacts," it again notes, "Following completion of the construction work, additional oversized loads may want to use the route."

Even more telling, the MDT's "Proposed High and Wide Corridors Briefing" (July 2009) http://www.mdt.mt.gov/other/tranplan/external/dirpresentations/RAT_EXXON_HIGH-WIDE_LYNCH_070109.pdf notes on p. 12 that this project "Proposes to create permanent 'High/Wide Corridors' through Montana."

2 For many people living directly along this route, this project seems like a very bad idea. Under your in-depth study of 'Cumulative Impacts' please be careful to include the probability of this route becoming a permanent corridor for big rigs hauling massive oversized loads in the future, and all of the reasonable foreseeable cumulative impacts of that possibility or probability.

And remember Murphy's Law: "Anything that can go wrong will go wrong."

3 It is apparent that a full-scale Environmental Impact Statement should be required for this project.

Respectfully,

Gene Sentz
Choteau, MT 59422-0763
friends@3rivers.net

2. See response to Common Comment K.

3. See response to Common Comment B.

Tom Martin
MDT Environmental Services Bureau
2701 Prospect Ave.
PO Box 201001
Helena, MT 59620-1001

Re: Kearl Module Transport Project

Dear Mr. Martin, et al, at the Montana Dept of Transportation Environmental Services Bureau:

The whole tar sands project in Canada is a very bad idea, and hauling this massive equipment through Montana also is a terrible proposal. Please do not allow it to happen.

SENTZ, GENE

1 Just for starters, the equipment-hauling project itself is both an international issue and an interstate commerce project that certainly should require a full-scale Environmental Impact Statement at the federal level.

2 Hauling this huge equipment through Idaho and western Montana and then up through Augusta and Choteau and Valier, etc, on into Alberta would require extensive road construction for turnouts in many places along watercourses, and within the habitat of threatened and endangered species.

3 And this does not include mention of the Canadian tar sands project itself, which will most certainly pollute the earth in many ways too numerous to mention. Pure and simple, it should not happen at all.

Respectfully,

Gene Sentz
PO Box 763
Choteau, Montana 59422
friends@3rivers.net

1. See responses to Common Comments A and B.
2. See responses to Common Comments I and O.
3. See response to Common Comment E1.

April 24, 2010

Mr. Tom Martin
MDT
PO Box 201001
Helena, MT 59620

Dear Mr. Martin and MDT:

SENTZ, LINDA AND GENE

1 MDT must consider all the devastating cumulative impacts of hauling this massive equipment through some of the finest fisheries & wildlife habitat and scenic highway system in the state of Montana, and indeed in the whole of North America, as well as the cumulative impacts of the tar sands development itself, including effects on climate change. Highway construction for

2 opening this route to huge equipment sets a terrible precedent for making this corridor the route for industrial hauling and development of future projects.

3 A comprehensive in-depth study surely demands a full-scale environmental impact statement by MDT, before any permits are issued to transport this giant equipment.

1. See responses to Common Comments S, I, J, E1, and P.
2. See response to Common Comment K.
3. See response to Common Comment B.

Respectfully,

Linda & Gene Sentz
PO Box 763
Choteau, MT 59422

MDT:
The proposed route for the hauling of this massive equipment includes some of the most beautiful scenic areas and finest fisheries and wildlife habitat in North America.

1 This hauling project would set a terrible precedent for making this spectacular route a corridor for future industrial hauling and industrial development Do NOT allow it!
SentZes
Choteau, MT 59422-0763

SENTZ, LINDA AND GENE

1. See response to Common Comment K.

1 We are in favor of this project, Montana needs all the work and economic stimulation it can get.
Vern & Joyce Sharp
2052 Styler Dr
Condon MT 59826

SHARP, VERN AND JOYCE

1. Comment noted.

Like many I've been curious about the Exxon transportation plan. Curious enough that I looked at the EA to try to answer a question I had regarding an alternate route.

1 Using Kitimat, BC as the port of Entry would solve all sorts of the associated problems and greatly reduce the costs of transport. Yet, in the EA (Section 2.3 - Alternatives Eliminated) they apparently only considered Prince Rupert and NOT Kitimat. This is a weird decision. The Kitimat highway is the wide, paved haul road for bauxite to the Rio Tinto-Alcan smelter. The route would decimate the total mileage (ship & road) from Korea to Alberta.

Kitimat is the third largest deepwater port in BC and is a bit southeast of Prince Rupert. The road from Kitimat to Terrace avoids the height restriction 35 km east of Prince Rupert.
Steven Sheriff
Professor of Geophysics
University of Montana
Missoula, MT 59812-1296
www.umt.edu/geosciences

SHERIFF, STEVEN

1. Imperial Oil investigated this route. There are two truss bridges between Kitimatt and Terrace with no detours available.

1 At a minimum you need to require a full EIS for the Kearl Module Transportation Plan. The Lewiston to Great Falls segment is particularly poorly conceived. I recommend, and hope, you block it. Here's why:

2 1. In the 1950s through early 1980s we established transportation corridors via the interstate system. To do so, we sacrificed valley bottoms and river floodplains. We moved neighborhoods and decreased property values for those who got a new transportation corridor in their laps. We changed zoning to suit the new system. Let's use those existing corridors and bring them up to date and capability as necessary.

Investing in our existing system, via new or rebuilt entrance and exit ramps to bypass low overpasses for over-size loads, fits current zoning, current use, existing economic development, and is within everybody's expectations.

3 2. There is no contingency plan for the inevitable problems of hauling excessively large loads on the existing two lane highway up and over Lolo Pass. Consider roadway failure, truck breakdowns, driver screw ups, the normal frequency of car wrecks, forest fires, and heart attacks. The only work around is a dirt road via Hoodoo Pass to Superior, MT. What happens when a mudslide, minor rockfall, car wreck, or small avalanche pins several vehicles between the slide and one of the huge loads with no nearby turnout? Can these loads be backed up to a turnout? A third lane is mandated along the whole route.

4 3. A full economic analysis is mandatory. Commercial fishing and rafting trips, the existing trucking industry, and recreational users will all be adversely impacted by the proposed plan. Exxon/Imperial might be saving money but everybody else will lose money. The current economy in the region is developed around a wild and scenic river system. It makes no sense to current users and the public to decimate that in order to save a few dollars for Exxon/Imperial.

5 4. I've heard the word on traffic hold-ups is "no more then 10 minutes".

How many times will a commercial trucker be held up for ten minutes in a day? It should be specified as ten minutes per trip, not ten minutes every thirty miles. How large are the penalties for Exxon/Imperial? The penalty for transgression must be sufficient so that Exxon/Imperial will not simply pay the penalty rather than avoid holding up traffic.

6 5. The EA is farcical on alternative routes. Regarding British Columbia, the Kitimat-Smithers-Prince George-Dawson Creek segment is not even mentioned. The Smithers-Kitimat segment is a modern wide highway used for hauling large trucks of bauxite to the smelter at the deep water port in Kitimat BC. There must be a reason Exxon/Imperial wants to avoid it. Surely,

SHERIFF, STEVE

1. See response to Common Comment B.
2. See response to Common Comment D2.
3. See responses to Common Comments H1 and H2.
4. See response to Common Comment M.
5. This analysis is included Section 3.6.2.6 of the EA. The ARM provides for confiscation of permits and/or administrative penalties at 18.8.901 and 18.8.902.
6. See response to Common Comment D1. Also, there are two truss bridges between Kitimatt and Terrace with no detours available.

building a few new snowsheds, or whatever might be required, is less expensive than the true cost of hauling from the mouth of the Columbia River to Alberta via Lolo Pass. Perhaps BC would charge the true cost of using those roads for the transport of oversize loads? Is this why that route is not mentioned?

7 If Montana gets saddled with this transportation boondoggle, at a minimum we must recover the true cost to Montana. That includes restoring our roads and river access to their current condition at the end of the initial hauling period. The last thing we want is a new corridor replacing our current interstate system. Let's use this opportunity to bring the interstate up to current commercial needs.

Sincerely,

Steven Sheriff
706 Lolo Street
Missoula, MT 59802

7. See response to Common Comment L.

Dear Montana Department of Transportation

We Montanans should NOT expedite the Alberta Sands Development by allowing the convoys of huge trucks and equipment to disrupt Montana travel and communities across a wide path of Montana.

1 Tar sands are an irreversible disaster to the environment and human health. These tar sands produce millions of metric tons of greenhouse gases; in fact more greenhouse gases than even regular oil production by a factor of 3 to 1. This mining destroys ground water and destroys valuable trees that help use excessive CO2 emissions.

2 I urge you to prepare a full environmental impact statement and not just an environmental assessment before you would issue any permit to transport this HEAVY equipment across our state.

Thank you,
Roger and Susan Sherman
6203-H Monterra Ave
Whitefish MT 59937

SHERMAN, ROGER AND SUSAN

1. See response to Common Comment E1 and Common Comment P.

2. See response to Common Comment B.

Dwane Kailey, P.E. May 10, 2010
Chief Engineer
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001
Re: Kearl Module Transportation Project

Dear Mr. Kaily:

Please take into consideration the following comments I am submitting in response to the Environmental Analysis for the Kearl Module Transportation Project.

1 Given the apparent lack of adequate analysis of cumulative impacts covered within this EA, I strongly hold the position that further and more intensive scrutiny is necessary in the form of an Environmental Impact Statement conforming to the Montana Environmental Policy Act and the National Environmental Policy Act.

2 **Potential future corridor for similar loads** - There is no mention in the current EA that addresses the impacts created by establishing this route and thus attracting future use of it for high, wide and oversize loads. It is my understanding that there has been interest establishing this as a permanent route for such loads. While it may not be the intent of this particular project, I believe not addressing the potential impacts of this likelihood is negligent.

3 **Missing Alternative** - Also problematic to me is that I see no mention of the existing transportation route from the Port of Houston as an alternative that was considered. Given the historical use of that transportation route for like size loads, I see no need to establish another route. If that route was not even included, how many more routes were not considered in this analysis.

4 **Inadequate analysis of Alternatives** - Additionally, the considered alternative routes do not demonstrate cost/impact comparisons across alternatives. What if detours were constructed around some of the restrictions such as the overpass on Highway 1 in Canada. There is no mention of or cost analysis for whether or not something could be constructed to bypass these restrictions.

5 **Public Involvement/Scoping process** - It is my understanding that during the scoping process it is common to receive public comment to help identify concerns prior to selecting an alternative. I question why this did not occur for a project of this scale and affecting so many communities in Montana. Given this, I would request that the public comment period be extended so that more Montanans can become more educated and familiarized with this project and its potential impacts on their lives.

SIGRIST, ELLIE

1. See the responses to Common Comments R, A and B.
2. See response to General Comment K.
3. See response to General Comment D1.
4. See response to Common Comment D1.
5. See response to Common Comment F1.

6 **Global impact -** Given that this project has the potential to contribute toward much broader overall impacts an Environmental Impact Statement would have been more appropriate. Not only are some of these highways federal, but also the global impacts this route and potential future corridor would contribute towards climate degradation. These alone seem like they would tip the scale toward an EIS.

6. See the response to Common Comment B.

7 **Road Maintenance** - I did not notice any mention of projected costs or plans for repair and maintenance of the roads after these loads drive through. It seems obvious that such weights from the proposed traffic will prematurely deteriorate the road surface and bridges. Such costs should be shouldered by the oil company and not placed as a burden on the state or taxpayers. As it is, it seems that road maintenance and upkeep for the state of Montana is already burdened. This project would only burden it more with continual need for maintenance especially if the route becomes a main corridor for oil companies.

7. See the response to Common Comment L.

8 **Road Jurisdiction** – I question why if some of these roads are federal highways, why do they not have to abide by NEPA or an EIS, rather than MEPA? In particular, those roads within USDA National Forest lands?

8. See response to Common Comment A.

9 **Sediment & Bull Trout** – I have grave concerns for increased sediment in Lolo Creek, and the Blackfoot River, in particular, from construction of new and modified turnouts. The EA does not seem to address this adequately. It is my understanding that Lolo Creek already suffers from too much sediment and such construction would only increase this problem and be problematic to bull trout habitat. Additionally, the increased amount of salting and sanding to occur along the creek and river corridors will also add to the sediment load and be problematic to fisheries habitat.

9. See the response to Common Comment I and O. MDT does not anticipate increased salt or sand usage on the roadway.

10 **Visuals** – I find adding so many large turnouts along this route quite problematic just in regards to scenic beauty. Much of this route is through beautiful country and I enjoy driving in these areas for that beauty. The number and size of turnouts will certainly diminish the scenic quality of these areas.

10. See response to Common Comment J.

11 **Traffic flow** – While much effort will be made to travel through some areas at night in an attempt to reduce traffic flow problems, in all likelihood problems will arise whether during the daytime or at night. Be it breakdowns or accidents or unruly, impatient drivers, such happenings will disrupt the planned schedule and changes will be made. Impacts from such circumstances should be addressed.

11. See response to Common Comment G.

12 **Breakdowns and accidents, etc** – as mentioned above impacts from unsuspected circumstances must be considered for all sections of the proposed route. Of course no one plans for an accident. But with the current oil spill in the Gulf of Mexico in mind, planners must consider worst-case scenarios and have a plan other than just contacting the local authorities. What are the impacts to daily drivers if one of these rigs breaks down? What are the impacts on the creeks and rivers this route parallels if one of these rigs accidentally falls into the river or creek? What are the impacts to someone needing emergency care if the emergency care vehicles cannot get past the rig that broke down on Highway 12, for example, and there is no alternate route?

12. See responses to Common Comments H1, H2, and H3.

13 **Tourism** – There seems to be no mention of the effects on tourism, which is an important part of the Montana economy. Unexpected delays along this route for unsuspecting tourists would make for some unhappy campers. Too, those tourists who know about the potential of delays from the rigs on this route may just decide to visit another area, which could significantly impact local economies.

13. See response to Common Comment M.

14 **Economic benefits to Montana** – I question the accuracy of the proposed stimulus to Montana's economy. While I'm not an economist, I don't believe there will be a huge impact given that many of the people operating the vehicles and support will already be employed by the oil company. Short term construction for the turnouts cannot be that much of a boost. Such projections are only typical of what the corporation itself would estimate. A more thorough and realistic analysis is necessary.

14. The economic analysis is based on current contracted value and estimated values for the Montana residents involved with permitting and construction work, along with an estimate of the value of transportation for Montana residents. Also see response to Common Comment M.

15 What are the overall environmental and economic impacts to Montana if it contributes to the Tar Sands Development?

How does the Tars sands development undermine the Montana Constitution's guarantee of a clean and healthful environment?

15. See responses to Common Comments E1 and R.

16 What about the impacts as a whole project - from the Columbia River to Alberta - considering this analysis only looks at one portion of the whole?

16. See responses to Common Comments E1 and E2.

The list of questions can go on because this EA does not adequately address all of the impacts this project could incur. The scope of such a project surely calls for an EIS.

Thank you.

Ellie Sigrist

818 Grand Ave.
Missoula, MT 59802
ellies@modwest.com

1 Sending this email in support of Imperial/ExxonMobil's request to run 200 supersized vehicles through parts of Montana to the Canadian oil fields. ***NATHAN SLEETH*** ***INSIDE SALES*** ***GASES PLUS NORCO BILLINGS, MT*** ***(406) 252-5339 office*** ***(406) 252-1765 fax*** ***Email: nathans@gasesplus.com***	**SLEETH, NATHAN - GASES PLUS NORCO** 1. Comment noted.
1 I am opposed to bringing the large loads along the Lochsa on highway 200. It is narrow and curvy in places and regularly there are accidents. It is a prime recreation corridor, with people driving through at all hours. Steve Slocomb email: video@montana.com 406-360-1226 376 Zimmerman Hamilton, MT 59840	**SLOCOMB, STEVE** 1. Comment noted.
Dear Tom Martin and MDT, I am writing to express serious concern about DOT's proposal to allow massive mining equipment across some of western Montana's most sensitive, precious, and scenic highways. I live in the Blackfoot Valley and travel Highway 200 nearly every day. It frightens me to think of this huge equipment balanced along our already dangerous canyons and mountain passes. I can see NO BENEFIT to citizens of this state in allowing such dangerous, hazardous uses of our most important tourist byways, and most beloved valleys and rivers. 1 Once started, there will be no way to end such industrial uses of secondary two lane highways such as Hwy 200 and Hwy 93. I believe that's why we have interstates! In view of such potential dangers, it is not only reasonable, but necessary, to demand a full environmental impact statement before any rash and dangerous decisions are made that will affect the future of our region. I urge you to act on behalf of the citizens of Montana, and not in behalf of special, out of state interests. I hope you and other agencies of the state will get started on drawing up a complete EIS as soon as possible. Thanks for your consideration. Sincerely, Annick Smith 898 Bear Creek Road Bonner, MT 59823	**SMITH, ANNICK** 1. See responses to Common Comments B and K.

To Whom It May Concern [that means all of us in Western Montana],

I have just viewed photos of the 'Big Rigs' you plan to allow passage through some of western Montana's most delicate, scenic, environmentally fragile, and high tourist areas, and I AM SHOCKED!!!!

1 How can our elected officials allow such dangerous, destructive, and huge vehicles access across our two-lane historic highways????? This will affect not only local users such as myself, but anyone doing business in or visiting our state.

2 We citizens have been duped by big oil once again. And we demand an extended comment period and a full EIS before any such actions, construction, or permits are issued.

3 Please listen to the voices asking your reconsideration of this matter. We all vote, and our voices will be heard one way or another.

I urge the DOT, the Governor's office, the Legislature, and any other elected or appointed officials in charge of deciding what happens regarding 'Big Rigs' in our state to delay action until all the facts are in hand, and the people's voices are heard.

Sincerely,

Annick Smith
898 Bear Creek Road
Bonner, MT 59823

SMITH, ANNICK

1. See response to Common Comment G.
2. See responses to Common Comments B and F1.
3. Comment noted.

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1 I live on HIWAY 12 AND DO NOT WANT MY PEACEFUL VALLEY RUINED BY BIG RIGS DRIVING THROUGH ALL NIGHT .We moved here to have piece and quiet not monster machinery going down the hiway. Please continue to send on the old route! the country and people there are accustomed to it and since its already established there is no nedd for enviromental studies and all the costs involved. This will do NOTHING for Montana!!!!

PLEASE STOP THIS BEFORE ITS TOO LATE AND WE BECOME A THOUROUGH FARE FOR EVERYONES POLLUTING ENDEAVORS.

Sincerely,
Drew and Laura Smith
Box 1089
Lolo, Mt 59847

SMITH, DREW AND LAURA

1. See response to Common Comment D1.

Tom Martin
Montana Department of Transportation
P.O. Box 201001
Helena, MT 59620

SMITH, JENNIFER

Dear Mr. Martin,

1 As I learn about the Kearl Module Transport Project it becomes clear that a full environmental impact statement (EIS) needs to be prepared. There are far too many questions left unanswered by the current environmental assessment (EA), and the potential impact of this project cannot, and should not, be minimized or understated. To approve a project of this magnitude though an EA only is both irresponsible and negligent.

The KMTP needs to be closely scrutinized for the huge proposal it really is. A full-scale EIS is the only way to comprehensively address all the social, economic and environmental impacts and costs involved.

Sincerely,

Jennifer Smith
1306 3rd Ave North
Great Falls, MT 59401
jlsmithvla@hotmail.com

1. See responses to Common Comment B, I, M, and O.

1 From reading as much as I can find about the many impacts of big rigs moving greatly over-sized equipment along Montana roads to Canada for tar sands extraction which is expected to last for decades, it is clear there will be multiple major impacts that should require an environmental impact statement (EIS). The scale of this infrastructure project is beyond the scope and capacity of an environmental assessment.

And Montana has a lot to lose.

2 The potential job loss from impacts on already existing outdoor recreation and Montana's growing tourism industry will more than offset the number of jobs created by building the infrastructure for the big rigs. These existing and potential Montana jobs in recreation and tourism will amount to millions of dollars more than the one-time jobs created by the big rig project.

3 The economic impact of a project putting in permanently enlarged infrastructure to carry over-sized equipment on over-sized trucks will not end when this big rig project is over. Other projects will likely apply to use it for similar purposes in the future. The impacts need to be known now before it is built which is why I believe an EIS is required. Governor Schweitzer was quoted in the Missoulian saying if this was a permanent infrastructure project it would require an EIS.

SMITH, LINDA

1. See response to Common Comment B.

2. See response to Common Comment M.

3. See response to Common Comment B.

Please consider Montana's long-term future best interests in terms of what attracts visitors to Montana.

Sincerely,
Linda Smith

I would like to add my voice in opposition to the proposed transport of 24-wide trailers along the Lochsa and Blackfoot Rivers, as well as the numerous small communities through which they would pass. I find it totally incomprehensible why Montana and Idaho have to be saddled with intrusions such as this in areas exemplified for their scenic and wildlife qualities.

1 To date, I have heard no explanation of why a large port such as Vancouver, and the fine Canadian highways are not adequate for such transportation, particularly as the products are destined for the Canadian province of Alberta. I can only assume that it is more economical to come the southern route. I have traveled both the Lochsa route and many times the Blackfoot route, particularly in the winter when it was often icy and difficult to drive. In snowy conditions, which were not infrequent, maneuvering around the semis which already travel this road was difficult.

2 How does Montana benefit by this proposal? Listening to the PR man from Imperial Oil who touted the jobs that would be awarded to local firms, but was unable to come up with any numbers, one wonders. Are the pullouts that the company is proposing really additions to the roads that Montana wants? It will be stuck with them (and their maintenance) forever. There are many aspects to this project which seem to advantage the companies but not Montana or Idaho.

3 These are just a few of many questions which come to mind. Please consider a full EIS on this proposal before going hastily into the project, for the future of Montana.

Sincerely,

Minie Smith
Independent researcher and resident of Missoula

SMITH, MINIE

1. See Section 2.3.1 of the EA where the problems with this route are explained.
2. Table 15 of the EA provides information on the economic benefits to Montana. See response to Common Comment L.
3. See response to Common Comment B.

To Whom it May Concern,

1 The Kearl Module Transport Project should NOT be allowed to travel through MT. It is an environmental hazard, a traffic nightmare for the residents and visitors along its route, it would disturb the peace and beauty of our state, and it sets a bad precedence for further like projects. There is nothing positive in this project for MT, only a lot of negatives. Please do NOT allow this project access to MT.

Stephanie Smith

SMITH, STEPHANIE

1. Comment noted.

It would be severely irresponsible of Montana to allow this equipment to pass through this state to Canada. The MDT's environmental assessment does not adequately address the issue of global warming from the proposed project in our neighboring provinces. Global warming is an issue that needs to be addressed at national level. Tarsands mining is one of the most environmentally unfriendly forms of extraction around today and promoting this project would be a slap in the face to what little headway this state has made in the fight against global warming. I'm sure you guys will allow this project regardless of the public opposition and just say that it will bring jobs and money to our state, which is a very poor reason and is the kind of attitude that has got us into the mess we're in right now.

1

Tony Smith

SMITH, TONY

1. See responses to Common Comments P and E1.

Dear MT Dept. of Transportation:

As a life-long Montanan, I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

- Conduct a programmatic review for the establishment of this permanent industrial corridor; 1
- Require real alternatives to be considered; 2
- Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry; 3
- Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts 4

Thank you for your time and consideration. I look forward to hearing about your actions on the matter.

Ryan R. Snyder
425 S 2nd St W
Missoula, MT 59801

SNYDER, RYAN

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

1 I am adamantly OPPOSED to allowing these huge rigs to travel through Montana in order to further rape and pillage the landscape of any country. OURS OR CANADAS ! As a shareowner of Exxon/Mobil saying NO! may not help my long-term finances. It certainly will degrade the planet for the 7th generation and THAT is more important !

Janet Sperry
1823 Highland
Helena, MT 59601
406-443-2749

SPERRY, JANET

1. Comment noted.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • **Conduct a programmatic review for the establishment of this permanent industrial corridor;**

2 • **Require real alternatives to be considered;**

3 • **Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;**

4 • **Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts**

I have been going to Montana now for over 25 years to enjoy the beautiful unspoiled wilderness that is getting more and more difficult to find in this country. Now that I'm retired I will be moving there in the very near future and am understandable concerned about this industrial corridor. I wonder if we, the people of this fragile planet, will ever put it's protection above money.

The value of our natural world cannot be measured in dollars and cents. It has a much more intrinsic value than that.....one that I feel many will not realize until it is gone. I would like my children, their children & every future generation to be able experience these natural wonders.

Steve Stark
2517 Naturewood Dr.
Oakdale, CA 95361

STARK, STEVE

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

Tana Starkey, Lolo, MT.

1 Sail to Prince Rupert, BC from Korea. Thence to Ft. Mcmurray, AB. 1700 fewer miles by sea, but a few more overland. No Columbian locks to pass (and pay for), and keeps this a Canadian project in Canada!

Good Day!

STARKEY, TANA

1. See response to Common Comment D1.

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1 Instead of sailing from Korea to Lewiston, ID, and then driving to northern Alberta; how about sailing to Prince Rupert, BC (or possibly Kitimat, BC), and thence overland to the destination. Shorter distance, fewer tolls to pay (I'm thinking of Columbian locks).

Thank you for your consideration...
Tana Starkey
Lolo, MT

STARKEY, TANA

1. See response to Common Comment D1.

Dear MT Dept. of Transportation:

I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 ▪ Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 ▪ Require real alternatives to be considered;

3 ▪ Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 ▪ Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

STARRATT, CHRIS

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

To Whom It May Concern:

1 I do not believe that adequate time is available to review all of the implications of the Kearl Module Transportation Project. Please extend the comment period to allow additional time to review this proposal.

I appreciate the opportunity to provide comment, and request you send me any information relating to this project that becomes available.

STEENBERG, TOM

1. See response to Common Comment F1.

Sincerely,

Tom Steenberg
4802 Aspen Drive
Missoula, MT 59802
(406) 721-5869
firehse@bigsky.net

Dear MDOT:
I would like to comment on the proposed Tar Sands project.

1 Please consider the cumulative impacts that tar sands mining has on the environment and public health over time. The Environmental Assessment did not include future impacts of the new high and wide corridors. Any impact analysis should assess the likelihood of transportation projects of this magnitude occurring in the future.

Thank you for your attention,
Debra A. Steigerwalt
364 Pine Hollow Rd
Stevensville, MT 59828

STEIGERWALT, DEBRA

1. See responses to Common Comments E1 and K.

Dear Mr. Martin,

1 I am appaled at the proposed plan to grant Montana Department of Transportation permits to Imperial Oil Company for the transport of oversized loads of equipment through Montana. I am especially opposed to the proposal to clear valuable old-growth forests for the transportation of this equipment, as well as the effects of the haul on the air quality of region.

2 Also, MDOT should consider the cumulative impacts that tar sands mining has on the environment and public health. It is the most toxic and evasive form of oil extraction.

3 Furthermore, the Environmental Assessment does not include future impacts of the new "high and wide corridors." Impacts analysis should assess the likelihood of transportation projects of this magnitude occurring in the future.

4 I urge you to NOT GRANT THE PERMIT to Imperial. Consider the devastating future effects this will have on all of us and our children.

Sincerely,

Mike Steinberg
Missoula,MT

STEINBERG, MIKE

1. No trees will be cleared for module transportation.
2. See response to Common Comment E1.
3. See response to Common Comment K.
4. Comment noted.

My name is Ronald Stewart and I live west of Lolo just off Hwy. 12. Having read the EA, it leaves much unaddressed in the medical section. There are many accidents up highway 12 and there are also mayn elderly people that live up hwy 12. The EA needs to address the frequency of emergency callouts(medical, sheriff, MHP) and where they are called to as there are other destinations other than just on hwy 12. We also need the golden hour addressed in this medical assessment. For many accidents life flight is automatically dispatched. What about the calls where life flight cannot land close enough. Also, if life flight is sent due to the highway being blocked below, who is responsible for the additional costs. Fifteen minutes does not sound like much, but with response time and transport time already eating up mush of the golden hour, who shoulders the ressponsibility? 1

This seems like a very shoddily prepared EA and it only addresses the transportation, not all effects to the area as should be addressed.

Also is this EA only for this project or is this the basis for starting a heavy haul corridor using hwy 12. For a single project this is a possibility, but for a heavy haul corridor, opposition will be formidible. 2

Ronald Stewart
14549 Neil Dr.
Lolo, MT 59847

STEWART, RONALD

1. See response to Common Comment H3.
2. See response to Common Comment K.

I strenuously object to the Montana Department of Transportation rushing through this comment process on the Environmental Assessment. The size and complexity of the EA would require much longer than is given to study and comment on specific aspects. That said however, it is obvious this entire project is not good for the state of Montana, for our tourism, recreation, infrastructure, resources, environment or peace of mind. We do not need to subsidize Imperial/Exxon Mobil corporation in their attempt to save a few bucks by outsourcing the construction of the equipment to South Korea. Let them manufacture the proposed modules in Canada near where they are to used instead of in South Korea and making us bear the burden of transport through not only our state, but the beautiful Lochsa corridor in Idaho that would most definately be tremendously adversely impacted by this proposal. Just say no to this proposal. 1 2

Sincerely,

Janet Surrena
1445 42nd. Avenue
Missoula, MT 59804

SURRENA, JANET

1. See response to Common Comment F1.
2. See responses to Common Comments M, D3, and E2.

Hello-

I am writing to express my support for a permit to send 200 convoys of oversized trucks carrying tar sands drilling equipment over two-lane highways in Montana. 1

Please provide this important econmic support in these troubling time.

Jay

SWARTZ, JEREMY

1. Comment noted.

Fredrick G. Sweet
1815 23rd Ave S
Great Falls, MT 59405

Attn: Mr. Tom Martin
MDT Environmental Services Bureau
P.O. Box 201001
2701 Prospect Ave
Helena, MT 59620

Dear Mr. Marin,

I am in favor of letting Exxon Mobil move the large equipment through Montana. It would employ many Montana workers, maybe some of the workers laid off by the Container plant that was shut down because it could not get any logs. I read the article by Mr. Seninger in the Great Falls Tribune, May 9, 2010.

To me the biggest concern from Mr. Seninger is that Exxon Mobil is mining the tar sands in northern Alberta of which Mr. Seninger does not like. The large trucks moving over Montana roads would reduce tourism very little. 1

Again, I am in favor of letting Exxon Mobil move their equipment through Montana.

Sincerely yours,

Fredrick G. Sweet

SWEET, FREDRICK

1. Comment noted.

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1. DOT regulations require the identification of logical termini for a proposed action. The justification for this appears to be political boundaries, which is an insufficient justification for logical termini. The logical termini needs to be clearly defined. 1

2. While some reasonably forseeable future actions have been defined, those appear to be confined to future MDT actions. Reasonably forseeable future actions need to include ALL actions regardless of what agency undertakes them. The timeframe used for the cumulative impact analysis is undefined as is the study area. For these reasons, the cumulative impact analysis done is insufficent to reach a conclusion that significant impacts will not occur. 2

TAFT, ALEX

1. See responses to Common Comment E1 and E2.

2. The cumulative effects were analyzed based on activities as defined in 75-1-200(3), MCA. Those activities are described in Section 3.2.of the EA.

3. A cumulative impact analysis also requires that both direct and indirect impacts of the proposed action be disclosed. Since it is clear that Tar Sands energy development could not continue but for completion of this proposed action, that energy development must be considered as an indirect effect of the proposed action. For this reason as well, the indirect and cumulative impacts analysis for this project is insufficient to reach a conclusion that significant impacts will not occur.

3. See response to Common Comment E1.

4. The historic property analysis does not discuss whether or not the SHPO or the THPO concurred with the Determination of Effects. Without this information, there is insufficient information to determine whether or not the proper process was followed in compliance with the National Historic Preservation Act or in compliance with Section 4(f) of the DOT Act.

4. See Section 4.1.1.2 and 4.1.2 of the EA and Sections 4.5 of the Decision Document for information on consultation. Section 4(f) of the DOT Act does not apply to the KMTP.

5. There is minimal discussion of the effects of tree trimming on historic properties through the Town of Choteau and adjacent to Bonner Dam and Mine. The analysis needs to address the criteria that resulted in the significance of these properties for inclusion on the National Register. Tree trimming may effect the setting of historic properties. This has not been defined

5. See response to Specific Comment C.

6. The parks, recreation areas and wildlife refuge section is insufficient to determine whether or not a Section 4(f) use will occur. Utility relocations do not address all potential Section 4(f) properties. This section has insufficient information to determine whether or not any future planned parks or trails would be affected.

The minimal information provided about potential effects to access and parking in the vicinity of Section 4(f) properties. There is no discussion of consultation with Officials with Jurisdiction regarding existing or future Section 4(f) properties, and in fact, compliance with Section 4(f) is not even mentioned. Overall, this discusion is insufficient to determine whether or not a Section 4(f) use will occur.

6. Section 4(f) does not apply.

7. Compliance with the Environmental Justice Executive Order is not even mentioned. There are likely to be effects to minority and low income communities due to noise (especially since transportation of the modules will occur at night), air pollution, the possibility of spills and other negative effects.

7. Environmental Justice is not a MEPA issue. Executive Order 12898 is a presidential executive order that requires federal agencies to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Because MDT is a state rather than federal agency, it is not required to comply with EO12898. That said, MDT does not expect this project to have any disproportionately high and adverse effects on minority populations and low-income populations. Please see the EA and Decision Document for additional impacts discussion.

8. The assessment in the document of potential effects to wetlands does not meet the requirements of the Clean Water Act nor the requirements of the Executive or DOT Order for Protection of Wetlands.

There is no functional assessment of wetlands that has been done.

Broad statements are made that "the location will be adjusted or mitigation applied to avoid impacts to wetlands" or that "two of the six locations appear to have wetland characteristics and need to be reviewed." Both of these statements indicate that wetland impacts are likely to occur and yet there is a concluding statement that "the proposed project is not expected to affect water resources including

8. See responses to Common Comments I.

wetlands." This assessment is completely insufficent and does not meet the requirements of the FHWA Technical Advisory, the Protection of Wetlands Executive Order nor the Clean Water Act. Full survey and delineation of wetlands, including functional assessment needs to be completed. Then both direct and indirect impacts to wetlands needs to be done. Practicable alternatives to the impacts to wetlands needs to be prepared and documented and mitigation needs to be fully defined and committed to.

In summary, this EA is insufficient to determine the direct, indirect and cumulative impacts of the proposed action. It is insufficient to determine whether or not significant impacts will occur.

Alex Taft

332 S 1ST ST W Apt A
Missoula, MT 59801
406-218-8438

421 South 4th St West
Missoula, MT 59801
May 12, 2010
Tom Martin
MDT Environmental Services Bureau
PO Box 201001
2701 Prospect Ave.
Helena MT 59620

Dear Mr. Martin,

1 My wife and I are strongly opposed to MDT approving the Kearl Module Transportation Project and request as a minimum that an EIS, Environmental Impact Statement be required to more honestly assess the potential costs and the environmental and economic adverse impacts on the State of Montana and it's citizens.

2 A 90 day extension in approval of the EA would allow more complete public understanding of the consequences. Identification of alternative less damaging routes should be a part of an

3 EIS. Added cost to Imperial Oil is not Montana's problem. If Imperial Oil or Canada cannot afford a less damaging more costly route, perhaps "not economic to proceed" should be the answer. Don't sell Montana for a one-time "economic activity" of $67 million. Little more than half of this is new money to Montana.

TEAGUE, CHARLES AND MARGARET

1. See the response to Common Comment B.
2. See responses to Common Comments F1 and B.
3. See responses to Common Comments D1 and D2.

Incomplete statement of costs include:

4 1. Scenic beauty and outdoor activities are a key value in Montana's economy. There can be serious adverse economic impacts on tourism from: 75 huge new and expanded 300 foot long turnouts along scenic roads and rivers in Western Montana, seeing monster industrial rigs parked along these popular scenic areas during the day as a result of weather, accidents or traffic, travel delay, visual impact of changing overhead electric and other cables in 572 locations, overhead sign changes and road widening. Having to wait to meet or pass massive rigs, perhaps several times in a days because of slow and delayed travel of big rigs will discourage travelers.

4. See response to Common Comment J.

5 Trailer return on the Interstate will give us 156 trailer rigs 16' wide and 210' long and another 44 only 10' wide. To tourists and residents we will appear to be the LOST BEST PLACE. Will AAA warn people nation wide of this traffic. I would think they will.

5. See Section 4.3 of the Decision Document regarding the size of return trailers and their route.

6 2. Costs to taxpayers of snow plowing of 75 new and more existing turnouts during the hauling season and ever after once built, cost to manage the project and unknown repair cost to roads and bridges as a result of the heavy loads. There are 217 bridges on the route. Even 5 MPH travel on bridges can give total bridge loading of 167 tons.

6. See response to Common Comment L.

Incomplete understanding of environmental and other impacts include:

7 Visual beauty forever lost resulting from the huge turnouts, potential environmental damage from accidents in the scenic corridors and rivers of the Lolo, Blackfoot and northern Montana. Unknown environmental damage to the Historic Bonner in the "trimming" of the trees in this picturesque town. Public safety concerns in the event of domestic and forest fires and ambulance traffic.

7. See responses to Common Comment J, O, H1 and H2 and Specific Comment C.

8 There is only a one time economic payoff in the above work and related short time hiring. The impact on tourism income could extend for years and be fatally affected by continued use of the developed "Big Rig" route from the port of Lewiston, Idaho. We cannot comment on the impacts of the Lochsa scenic river route but, we should be ashamed to be a party to the degradation and potential for destruction of this beautiful area.

8. See response to Common Comment M.

9 Imperial Oil, mostly owned by Exxon says they will pay the cost of changes needed. Like their oil tanker accident in Alaska and BP now in the Gulf of Mexico, no one can ever fully "fix" the results of their accidents or pay for the losses to small and large businesses. The economy of Montana and the reputation of MDT and the state of Montana are at risk if any unforeseen problems result.

9. See response to Common Comment L.

Take time now to do it right.

Sincerely,

Charles P. Teague, Jr. Margaret G. Teague
cc: Governor Schweitzer
Senator Max Baucus
Senator Jon Tester

1 I stand in "favor" of letting the rigs, and their loads, pass though Montana as proposed.

John Teague
Clinton, MT

TEAGUE, JOHN

1. Comment noted.

1 Reject the Kern Module Transportation Project - completely! No "big rig" transportation through Montana!

Gray Thompson
315 S. 1st St West
Missoula, MT 59801
grayto40@gmail.com

THOMPSON, GRAY

1. Comment noted.

1 As an engineer I am concerned about the damage that could be done to significant portions of our highways by allowing this large of a concentrated load over this surface in the warm season. I am sure that load limits per tire will be met . the problem is that there isn't enough experience with a load with this many tires , this close together in a similar situation and I am afraid of hidden damage that might not show up until later. I would like studies to be produced or done to prove that no harm will be done to our roads. Thank you for this opportunity to comment.

Ken Thornton

THORNTON, KEN

1. See response to Common Comment L.

From: Nancy Thornton, P.O. Box 1482, Choteau MT 59422, 406-466-5168, nancetho@montana.com, Teton County MT community historian.

Comment due by May 14, sent via e-mail: mdtcommentskearl@mt.gov

cc: MDT Director Jim Lynch, jilynch@mt.gov
cc: Office of Tourism Director Betsy Baumgart, bbaumgart@mt.gov
cc: Montana Historical Society Director Richard Sims, RSims@mt.gov
cc: Gayle Fisher, executive director of Russell Country, gfisher@bresnan.net

THORNTON, NANCY

Because of the proposed Imperial Oil (Kearl Module) transportation project we have an opportunity to create a corridor plan that not only includes turnouts, but could include interpretive signs at those turn‐outs to provide natural, cultural and historical information.

1 I urge state officials to negotiate with the transportation project coordinators for an additional $270,000 as a donation to the appropriate state agency to show its gratitude to the citizens of Montana for the yearlong inconveniences that the modules may bring to us, while making it possible to begin a $7 billion oil sand extraction project in Alberta.

Montana has had a long history of placing signs at turnouts.

Robert Fletcher (1885-19172), who began working for the Montana Highway Department in 1928, started the Montana Historic Highway Marker Program.

The rustic markers generally are two log uprights with a finished wood beam from which the signboard is suspended. While charming and albeit familiar, these signs are graphically outdated in their mission of providing interpretation to the thousands of residents and visitors who would travel the Kearl corridor.

The governor and first lady have said that Montana highways are the hallways to our schools. They began an initiative in 2008 to encourage families to learn about Montana's unique geological history while traveling the state. Several new roadsigns were the result.

The Office of Tourism has begun a program to "Get Lost" in Montana, but the new signs would be beneficial when these folks need to find their way back! Visitors should have an opportunity

2 to stop at interpretive signs constructed at the new Kearl turn‐outs for each town, (especially Augusta, Choteau, Bynum, Dupuyer, Valier, and Cut Bank,) so that drivers would be provided with a rest area where they could also learn about the history of the town they were visiting.

Modern interpretative signs are created with the 3-30-3 rule, allowing the visitor to take in progressively deeper levels of information within three seconds, thirty seconds, or three minutes. The use of short sentences (20 words or fewer) and short paragraphs make reading a panel easy for the visitor. There are three basic qualities of a "good" interpretive panel: attractiveness, brevity, and clarity.

I hereby ask Imperial Oil for a $270,000 donation that would fund a grant program for the communities along the route to apply for one or more signs, as opportunity arises. These signs are estimated to cost $2,000 to $3,600, possibly more, per sign.

A program would be developed that uses low-profile framing systems for interpretive panels

1. Comment noted.

2. Comment noted.

(positioned at a 30- to 45-degree angle). Angled panels provide an ideal balance of panel visibility by all visitors–including those in wheelchairs–while preserving our highway viewscapes.

Please note that only 1 percent of the lodging tax revenue goes to the Montana Historical Society for historical sites and signage. ($158,398)

Note also that the Montana Department of Commerce sponsored the creation of the Montana Strategic Plan for Tourism & Recreation 2008-2012, however, the state scenic byways program listed in that plan is "off track" according to the Office of Tourism. Publicity about the Kearl donation might put that program "on track." 2

Note, finally, that the Wyoming Travel & Tourism receives $400,000 each biennium to fund signage projects along Wyoming's highways.

The opportunity to solicit a large donation from Imperial Oil to mitigate the inconveniences that are inherent in moving big rigs would go a long way as a goodwill gesture to the people along the Kearl route. The subsequent signage would enhance the required highway infrastructure improvements that the company needs to make. The added amenity would be the foundation for a visual, lasting benefit along the proposed route allowing for an educational, scenic driving experience for motorists and residents alike.

See response on previous page.

Reason #1:

- Emergency response delays. While already enroute the module cannot pull over until reaching another turn off which could cause delays for volunteer firemen and emergency responders trying to reach the station; or fire trucks or ambulances reaching their destination. Their answers of keeping them pulled over when they receive the call out is fine, however what if they are already on the move? 1

Reason #2: 2

- Defiling the scenic highway 200 corridor with massive turn outs

Reason #3: 3

- Highway 200 turn out at mile 35.2. Obvious potential environmental problems.

Reason #4:

- Is it written that businesses along the route will be reimbursed for quantitative loss of income should a rig close the highway past their traveling hours due to major mechanical malfunction or accident; causing the entire highway to be closed during major business hours. 4

THURMOND, TRAVIS AND SCHOENDOERFER, KATHY

1. See response to Common Comment H3.
2. See response to Common Comment J.
3. This turnout is an existing turnout to be paved. It is intended to be used as a clearing turnout not a parking turnout. See Table 26 in the EA and response to Common Comment O.
4. This information is incorrect and was not stated in the EA or MTP. See response to Common Comment M.

5 Reason #5:

- It is written that the state can authorize stoppage of the operation during times of crisis; i.e. major wildfire season when crews and equipment are transported and working 24 hours a day, until such crisis is over?

5. MDT can suspend a 32-J permit if necessary.

6 Reason #6:

- Other than justifiable repair work, is it written that Imperial/Exxon will repair all roadways after the end of their transports and not just offer up when they deam their fault.

6. See response to Common Comment L.

7 Reason #7:

- IS IT IN WRITING THAT THIS WILL END IN 2011. WE DO NO WANT HIGHWAY 200 TO BECOME A PERMANENT MAMMOTH RIG TRANSPORTATION CORRIDOR.

7. See response to Common Comment K.

8. See responses to Common Comments B and E1.

8 Reason #6:

- On a world wide carbon footprint and environmental scope; this entire Canadian project is just wrong. Does Montana want to be paid off to be accomplices in it?

Please demand an entire Environmental Impact Report.

Better yet, just say no. Not in our back yard.

Thank you for reading,
And I hope you really did,
Travis Thurmond and
Kathy Schoendoerfer
Ovando, MT

TILLY, FREDERICK AND CATHRYN

1 We'd like to comment on the proposed high wide corridor plan proposed for western Montana. We are not sure from the information on your site whether or not the proposed corridor will be used for anything other than the large machinery required for development of the project in Canada. If Exxon or any other company plans to use the roads along Lolo Creek and the Blackfoot River for oil shipment at any point this would set us up for a huge disaster. It would only take one accident to ruin one of these important rivers for many years to come.

1. See responses to Common Comments K and O.

2 In any case, the roads in question are going through some of the most scenic areas of the state and important areas for wildlife. We do not feel that it is appropriate for any more truck traffic to be routed through these sensitive areas. We use the road between Missoula and Rogers Pass frequently in my work as biologists in western Montana and have often thought that the current use of this road by large trucks simply as a scenic shortcut (of questionable value other

2. See response to Common Comment I.

than to alleviate the boredom of some drivers with their jobs) is entirely inappropriate and should not be allowed. A lot of deer, elk, moose, bears and other wildlife is killed on this winding and treacherous road every year. It is not a safe road to drive and the presence of large trucks makes it worse. (2)

We think that Exxon should be required to use the railroad for these shipments if possible. If they must use Montana roads they should use the interstate as much as possible and not be allowed to travel along Lolo Creek or the Blackfoot. The corridor going up from Billings goes through flatter, more open country on roads that are not as heavily traveled and if road transport must be used this seems to be a better alternative combined with use of rail or interstate. (3)

We only heard about this proposal today and I'm sure there would be a flood of protest if more people knew about it. We request that the comment period be extended and that more detailed information be made available in a form that is much easier to find on your web site. (4)

Thanks for your attention in this matter.

Frederick C. and Cathryn R. Tilly

See response on previous page.

3. Using the railroad is not possible. See responses to Common Comments D1 and D2.

4. See response to Common Comment F1.

Dear Mr. Martin,

I request a delay on the decision regarding the Tar Sands Equipment Corrider. This interstate project should have a Federal Environmental Impact Study done because of the scope and the longterm impacts of what is being proposed. Inevitably, projects that are carefully and thoroughly examined BEFORE they proceed have far fewer missed impacts down the road. A Federal Environmental impact review may or may not reveal any problems, but better to find out now than later, especially if damages and costs to the public/state could result from this project. Multiple agency reviews would provide a thoroughness that would provide a broader and more indepth examination of the future impacts. (1)

Further, the public does need time to review both the transportation proposal and the range of impacts. This should be a headline topic in every newspaper so people can be informed and not reactive, one way or the other. The hearing and "public comment" process provides an opportunity for a range of information and opinion from the public which can, and often does, provide decision makers, in this case, the Department of Transportation, with information about problems, needs and errors that otherwise might be missed. However, the public needs time to formulate thoughtful feedback to the Department of Transportation. I read the newspaper almost daily, and I knew nothing about this. (2)

TRYGSTAD, ELLEN

1. See the responses to Common Comments A and B.

2. See response to Common Comment F1.

Unless the Department of Transportation has reason to deny this project, please postpone a decision so a truly transparent and thorough review, state, federal and public, can make it clear that either there are no problems with this project, or that the problems are too costly, financially, environmentally and socially.

Thank you very much. Sincerely,
Ellen Trygstad
Bozeman, Montana

May 14, 2010

Dwayne Kailey
Tom Martin
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

RE: Kearl Module Transportation Project

Dear Mr. Kailey & Mr. Martin:

Please enter these comments into the public record for purposes of the public input process for the Environmental Assessment for the above referenced project.

I have been driving and recreating along much of the proposed route since moving to Montana in 1981. I have skied most winters at Lolo Pass, gone rock climbing and hiking on lands adjacent to Highway 12 along Lolo Creek many times, enjoyed the feeling of the cool clean water of Lolo Creek running over my toes on many summer days, and swam and boated many, many times in the Blackfoot River. Whenever I visit these areas, the views along the way inspire me and therefore I am deeply connected to the roadway and the surrounding land, water, and landscape. This corridor provides me access to my recreation playground, a source of supreme enjoyment for me, my children and my grandchildren.

1 First, I am concerned that the comment period is too short. This project is enormous in scope and I would like more time to study it in order to make more informed comments. Please extend the comment period for at least 60 more days.

2 Secondly, even with what I do know I am concerned that the Environmental Analysis is lacking in depth to be able to clearly assess the no-action alternative, alternative routes, and the impacts of the preferred alternative.

TUHOLSKE, LILLY

1. See response to Common Comment F1.

2. Comment noted.

3 I am concerned about adverse impacts to wildlife on the corridor. I personally have seen a cow moose with twin calves crossing Highway 12 near the old hot springs hotel, early on a summer morning. What will happen to their habitat when the pullouts are constructed, and when the giant rigs disrupt the peaceful habitat with their noise and their air pollution? I personally have seen mountain lion tracks along Lolo Creek. What will happen to these cats and their ability to produce and rear young when their home range is altered? The existing EA is lacking in depth and does not adequately answer these questions.

3. See response to Common Comment I. See Section 3.11 in the EA.

4 In addition, this proposed high and wide corridor will permanently change in a negative way gorgeous scenic highways and riverways in our state. Highway 12 and Highway 200 are not appropriate for such huge loads. The new turnouts alone will destroy the rural feel of the roadways, the views, and the very nature of the route. The EA doesn't begin to assess how people like me will be affected when our recreation routes are permanently altered.

4. See response to Common Comment J

5 Tourism is a major industry for Montana, particularly the western part of the state. The economic impacts have not been addressed as is evidenced in Table 1, Summary of Effects and Section 6, Economic and Community Impacts. The EA should consider that this road will negatively impact the appeal of the Blackfoot River and Lolo Creek routes as scenic byways that attract many visitors to local businesses. Also, review should look at the impacts of construction delays, accident delays, inconvenience created by the large rigs and impaired access to rivers and trails. It should consider how Montana's outfitters will be affected, too.

5. See response to Common Comment M.

6 I am deeply concerned about water quality in both Lolo Creek and the Blackfoot River. In particular, the EA has not taken into account the damage to water quality and aquatic life if one of the rigs topples into a waterway. The diesel spill alone from the trucks' engines could wipe out the aquatic life. I am not satisfied either with the assessment in terms of risks to water quality during the construction of new turnouts or modifications of existing ones.

6. See response to Common Comment O.

7 In addition, air quality along the corridor will be damaged. Even small exposure to diesel pollution is harmful to human health, and all of the residents, visitors and business people who are in the area when the trucks go by will have their health risked. Diesel pollution is associated with increased asthma attacks in children, heart disease and stroke. I think the analysis should consider all human health risks posed by the addition of so many diesel-fueled vehicles to the corridor.

7. Potential air quality impacts are discussed in Section 3.7 of the EA.

8 I ask for a full Environmental Impact Statement so these and other concerns can be addressed more fully.

8. See response to Common Comment B.

9 For example, I believe a full EIS should consider the impact of this entire project across state lines and include the Idaho portion of the route. In addition, I believe an EIS should consider the long-term impacts of this high and wide corridor, not solely the 200 or so proposed trips for the first year. That particular portion of the assessment should include the economic impact to road maintenance costs after the first year and over time.

10 I ask the state to produce in writing for all the public to see a record of every meeting by any state employee with any federal employee in regard to this project, including Forest Service and Fish and Wildlife Service personnel. We deserve to see who has been involved in the planning and what agreements – formal and informal – have been made.

There are numerous other problems with the EA, including:

11 ☐ It does not address the potential impacts on delivery of emergency services along the route.

12 ☐ It does not address the undue economic, recreation, safety, and traffic burden Montana residents will bear to support a Canadian oil development by multi-national companies. Montanans should not have to pay so that these companies will profit.

☐ The EA relies too often on findings of no significant impact, stating that no mitigation is required, when in fact the opposite is true.

13 I urge the Montana Department of Transportation to require that a full Environmental Impact Statement for the Kearl Module Transportation Project be completed prior to any action being taken. The EIS must include a real evaluation of alternatives, unlike the treatment in the current EA, and must address the true public health, environmental, recreation, safety, economic and community impacts of a permanent Industrial High/Wide Haul Corridor.

Sincerely,

Lilly Tuholske
1149 Harrison
Missoula MT 59802

9. See responses to Common Comments B, E2, K, and L.

10. See Section 4.0 of the EA and clarifications in Section 4.5 of the Decision Document.

11. See response to Common Comment H3.

12. See responses to Common Comments M, H1, H2, H3, and G.

13. See response to Common Comment B.

Dear Tom Martin,
Please join with us in protecting our future by considering the accumulation of harm to our health and environment that the tar sands project by Imperial Oil of Exxon/Mobile creates.
1 A project of this size calls for a full environmental impact statement before issuing a permit for transporting the massive equipment through our state. Just an environmental assessment does not cover the pertinent issues of particulates harmful to our health that are released into the air, the loss of old-growth forests in such a dire time, the devastating effects on water quality, and the amount of greenhouse gasses per barrel from the tar sands oil.

Respectfully yours,
Jon Turk, PHD

TURK, JON

1. See response to Common Comment B.

To Whom It May Concern;
I am a summer resident in the Lolo Valley and do not wish to spend my dollars in any other area.
I am strongly opposed to the use of Hwy 12 to move these oversized loads to Canada. That highway, especially on the Idaho side, is very unforgiving in relation to the novice or even the experienced driver.
1 As witnessed in the most recent oil slick and the oil platform fire all types of fail safe systems can be created but accidents WILL happen. That narrow two lane(Hwy 12) has very little room to work with after an accident occurs and traffic will be tied up. More so, heavy trucks and cargo WILL go into the river or creeks.
Thank You
Steve Turley
1426 Palisade Circle
Gradnerville, NV
89460

TURLEY, STEVE

1. See response to Common Comment H1.

Dear Dwayne Kailey,
I urge you to say no to creating a corridor of tar sands equipment through Montana. Please conduct an Environmental Impact Statement and specifically:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;
2 • Require real alternatives to be considered;
3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;
4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

TURRILL, ZOEE LYNN

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

Thank you for your time,

Zoee Lynn Turrill

1401 Cedar St. #2
Missoula, MT 59802
ZoeeTurrill@gmail.com
(503) 807-9203

I am writing to you to express my concern for the road system through Montana on Hwy 12 if the MTOD should approve the large trucks to haul mining equipment to Canada.

1 Aside from general concern for the environment of mining impacts, my concern is the impact this may have on Hwy 12. I feel that we need to keep the integrity of the narrow pristine Hwy in tact. I would assume that it would need to be widened and reconstructed and if that is the case I would oppose such changes.

Thank you for taking the time to read my concern.

Bobbie Twite
406-544-6153
Lnd2sel@montana.com
Twite Realty Corp.

TWITE, BOBBIE

1. The only modification proposed for Highway 12 is on new turnout and paving parts of seven existing turnouts. No reconstruction or widening on Highway 12 would occur.

Hello again.

Wilbert VanStratten- Three Forks
1 Opposes the move – his concern in the road infrastructure in the Lolo area- weight of the trucks would be hard on the roads and possibly put bridges in jeopardy.

285-0031

VANSTRATTEN, WILBERT

1. See response to Common Comment L.

1 I will remain opposed to the passage of oversize trucks involved in the Kearl Project until a comprehensive assessment of all highway safety and emergency response issues is completed satisfactorily. To assume that there are no public safety issues is irresponsible.

/s/ Dr. Richard A. van den Pol
5769 Prospect Drive
Missoula, MT 59808

VAN DEN POL, RICHARD

1. See responses to Common Comments H1, H2, and H3.

1 Consider all environmental impacts of tar sands development-especially its contribution to global warming before it issues a permit to transport this MASSIVE equipment.

2 Tar sands oil production generates almost triple the global warming pollution as conventional oil production because of the massive amounts of energy needed to extract, upgrade, and refine the oil.

3 Noise, the wildlife fatalities, the threats to water quality, the traffic snarls, the obstructed views, and the inevitable hits to recreation-based, amenity-rich local economies if a proposal from ExxonMobil goes through.

Anita Vasquez
hairycatsear@bresnan.net

VASQUEZ, ANITA

1. See responses to Common Comments E1.
2. See response to Common Comment P.
3. See responses to Common Comments G, J, O, and M.

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1 Given that the tar sands operation in northern Alberta, Canada is without a doubt the most destructive, environmentally irresponsible method of oil production yet devised by man, I find it almost impossible to believe that the state of Montana is actually considering to abet this outrageous travesty by allowing humongous loads to be transported through our state on narrow two lane roads for this length of time. Reality check people! Just say NO!

Joel Vignere
Lakeside, Montana

VIGNERE, JOEL

1. See response to Common Comment E1.

Folks at MDT,

1 It's simple. The big rigs should be allowed if they meet the requirements which now stand in Montana law. How can it be any other way? Mitigate the problems and let them roll.

Of course, other agendas have arisen in what George Will recently called the "Culture of Complaint." The ultimate in complaints - the lawsuit - is probably coming down the road. But, I imagine Exxon-Mobil has lawyers smart enough to read Montana law.

If it's legal, how can it be stopped?

Does anyone remember the Missoula City Council in the early 1980s declaring the city, including I-90, to be a "Nuclear Free Zone." No nuclear waste could travel through, except, of course, the nuclear materials used and nuclear waste created at UM, our hospitals, etc. The complaints today nearly match the hypocrisy of that time.

Thanks.

Ed Waali
Missoula
Retired Chemistry Prof

WAALI, ED

1. Comment noted.

Dear MT Dept. of Transportation:

I am quite concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands. Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;

2 • Require real alternatives to be considered;

3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

The scenic beauty of our state is critical to our quality of life as well as our tourism industry. Please do not move forward on this proposal without seriously considering the potential, grievous impact such a thing could have.
Joni Waldrup
Missoula

WALDRUP, JONI

Form Letter 1

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

To Whom it May Concern;

1 I think that if the big rigs are going to move through Montana they should use Montana based Pilot Cars and that they need to look at the impact on the community. I support the Trucking Industry but I think that Pilot cars out of Montana neeed the support too. They need to make a living and when Canadian Pilot cars come through they take away jobs from Montana. Canadian companys take up to three years to pay for their pilot cars services and still run through Montana and I think if they were forced to use and pay for Montana Pilot cars that they would learn that Montana takes time to care for the small guy and that if you want to go through our State than you have to give us the business to help our state. If they have to pay for services before crossing the border then alot of montanans would be able to make a good life but as long a canada takes advantage of use then the more montana suffers. Support Montana Jobs PLEASE PLEASE PLEASE.
THANKS

WALKS, JANEL

1. A Montana company is under contract to provide traffic control services.

JANEL WALKS
4064595109

Dear Sirs,

1 I'd like to add my voice in support of requiring a more thorough EIS to examine the impact of the Kearl large transport project. The current EA that was done is inadequate in several respects, and I question whether the facts submitted by Imperial are accurate, or if there is anything limiting them to the number of loads they claim they are transporting.

2 Once the corridor is in place, is there anything to limit them to the number of trips they identified? As a friend pointed out: If the Tar Sands are developed as planned, Exxon and other companies will need to ship in equipment for decades. As someone else said, you don't build a

3 railroad and then run just one train over it. Creating such a corridor will have a long-term financial, environmental and quality of life impact on the communities, businesses, wildlife and individuals in the corridor. Such effects deserve a full and comprehensive EIS review.

4 In addition, while they have agreed to pay for all the work necessary to increase the width of the roads for turn-out, etc., is there a commitment to replace/repair the road from the extra wear and tear that these huge loads will entail? The latest section of road that was just finished last year on Hwy. 287 coming into Augusta is already falling apart -- I can't imagine how loads such as they've identified wouldn't completely ruin that road.

I have seen the letter submitted by Zach Winestine, and concur in almost all that he says as well.

Sincerely,
Sara Walsh
Latigo & Lace
Box 345
Augusta, MT. 59410
562-3665
swalsh@3rivers.net
406-562-3832 (home)
406-562-3665 (work)

WALSH, SARA

1. See response to Common Comment B.
2. See response to Common Comment K
3. See response to Common Comment B.
4. See response to Common Comment L.

1 Please consider the damage this company is going to do to our land. I hope you plan on denying this company a permit. Other sources of energy are available that do not include taking more land.

Thank you,
Shelly Warling
e-mail:shellywarling@mac.com

WARLING, SHELLY

1. Comment noted.

Please please do NOT allow enormous "Big Rigs" to use any of our Montana roads. The route planned from Idaho along the Lochsa River to and through Missoula to Sweetgrass will destroy the roads as well as a wide swath of surrounding territory physically and esthetically, not to mention the additional damage caused by accidents that will inevitably take place. I have had personal experience with Australian "roadtrains" (giant trucks 150 feet long) while touring archaeological sites in South Australia, which is open, flat terrain. They are horrendous in every way--size, noise, effects on the roadbed and on all smaller vehicles, especially ordinary passenger cars--and are not nearly so high nor so heavy as these Big Rigs. Please do not allow them access to the beautiful backroads of Montana nor to the city streets of Missoula. 1

Thank you for your attention. Pat Watson

Patty Jo Watson

Edward Mallinckrodt Distinguished University Professor, Emerita Department of Anthropology, Washington University, St. Louis, MO
Faculty Affiliate, Department of Anthropology, University of Montana
Permanent address:
2870 Mitten Mountain Road, Missoula, MT 59803
Phone: 406-327-0098

WATSON, PATTY JO

1. See response to Common Comment L.

I support this project and encourage approval. This project will have little if any impact on the environment and provide current and future jobs in Montana. Please approve this project. 1

John Webster
Project Manager
Pavlik Electric Co. Inc.
406-543-8783
johnw@qwestoffice.net

WEBSTER, JOHN

1. Comment noted.

Sirs;

Don't let these liberal idiots in Missoula stick their noses into state business. I work for the company that will be building the pullouts for this move. Their twisted politics would take food off my table. 1

If a conservative is a vegetarian, he doesn't buy meat.

If a liberal is a vegetarian, he wants all meat banned for everyone.

Start hauling!!

Thanks

WEGNER, ROD

1. Comment noted

Dear MDT committee re the Kearl Module project:

Please **do not** grant the permit to move these shockingly huge modules through the Lochsa, over Lolo, through Missoula and up the Rocky Mountain Front.

1 Why would Exxon go to all this effort to build a one-time high and wide corridor? They will ask later for further permits, and since the corridor will exist, you will have no reason to say no.

2 It is hard to believe that the gigantic turnouts they must make will have no impact on these narrow river valleys (especially the Lochsa & Blackfoot). Maybe they won't destroy threatened species, but they will change the rivers and the valley shape: they will make it ugly. What tourist will want to travel through a devastated landscape?

3 After reading **today** about how federal regulating agencies forced scientists to say offshore drilling in the Gulf of Mexico would have no serious impacts on the environment, I am skeptical of the abbreviated environmental assessment Exxon is presenting us.

4 Do a full environmental impact assessment, and make sure that no one is suppressing data, or demanding differing outcomes.

5 Exxon makes more money than most countries' GNP. Why should Montana sacrifice its roads to help Exxon make more money?

6 I'm just one citizen in this democracy, and I vote for longer comment time, better environmental assessment, consideration of longtime effects of the project (on tourists, tourism and local economies). In pictures I saw, a bridge was bending under the weight of one of those monstrosities. They will swack back Choteau's lovely trees along its streets--on the grounds that they will eventually grow back. Why should we sacrifice our quality of life for Exxon's profit?

7 Is Exxon paying the state of Montana for this? Is there a bribe we haven't heard about, or is all the "profit" coming from crews helping to wreck the rivers and the scenery and the infrastructure?

8 What if one of these overturns on a tight curve? We are watching the catastrophic destruction of life around the Gulf of Mexico by something that everyone said was so unlikely to happen. Not good enough.

Love Montana. Say NO to the Industrial Corridor while you can.

Sincerely,
Lois Welch
2321 Wylie Ave
Missoula, MT 59802

WELCH, LOIS

1. See response to Common Comment K.
2. See responses to Common Comments I and O.
3. Comment noted.
4. See response to Common Comment B.
5. See response to Common Comment L.
6. See responses to Common Comments M and F1.
7. See response to Common Comment L.
8. See responses to Common Comments H1 and H2.

I have been following with interest the permit request submitted to your office from Imperial Oil Co., a subsidiary of Exxon/Mobile, for permission to send up to 200 convoys of oversized trucks carrying tar sands drilling and digging equipment over two-lane highways in Montana destined for the Kearl Oil Sands project in northern Alberta. It's my understanding that Imperial Oil wants to move this enormous equipment through Montana during a year and half-long period beginning in the fall of 2010 and that some of the equipment pieces are as large as 24 feet wide, 30 feet high, and 150 feet long.

1 From what I have learned, tar sands mining produces irreversible impacts to the environment and public health. It produces more green house gases than conventional oil production by a factor of 3-1; it produces excessive levels of harmful particulates that impair air quality; it requires the clearing of valuable old-growth forests; it severely harms water quality; and worst of all, burning the oil from tar sands mining produces more greenhouse gases per barrel than conventional fuel.

2 These convoys of trucks and equipment will severely disrupt travel and communities across a wide swath of Montana. How about the damage to the roads themselves?

3 I strongly urge your office to consider all the devastating cumulative environmental impacts of tar sands development – especially its contribution to global warming. I ask that your office prepare a full environmental impact statement , not just an environmental assessment, before issuing any permit to transport this MASSIVE equipment across the state!

Thank you for your attention to this serious matter.

Cliff Wenzek
550 West Evers Creek Road
Whitefish, MT 59937

WENZEK, CLIFFORD

1. Comment noted.
2. See responses to Common Comment G and L.
3. See responses to Common Comment E1, P and B.

Voicemail comment received by me today from Janet Whaley

1 I would like to place a comment regarding the big rigs coming through Montana. As a former flight nurse at Saint Pat's I have real medical concerns, safety concerns with transporting car accident and other types of medical emergency type patients. You know how narrow the two-lane roads are that these vehicles will be travelling on. I really cringe at the thought of the safety issue for those rigs getting in accidents or causing accidents or just transporting medical patients out of areas blocked by those rigs.

Janet Whaley
875 Pattee Canyon Drive
Missoula, Montana 59803

WHALEY, JANET

1. See response to Common Comment H3.

Dear MT Dept. of Transportation:
I am concerned about the creation of a permanent 'high and wide' industrial corridor along some of Montana's most scenic river ways. It is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands.
Please:

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor;
2 • Require real alternatives to be considered;
3 • Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;
4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

Thanks,

- Jill
Jill Wiggins
Rather than love, than money, than fame, give me truth.
- Henry David Thoreau

WIGGINS, JILL

Form Letter 1

1. See response to Common Comment C2.
2. See response to Common Comment D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

Tom Martin

MDOT
Dear Mr. Martin:
I'm writing this email in support of the Kearl Module Transport Project. My belief is that this project has been extensively studied and MDOT should proceed to write the oversize permits. Rocky Mountain Contractors has been on standby for a couple of months to perform many utility moves to accommodate this project. We have over 10,000 ft of directional drilling to complete for about a 1/3 of the project. This will employ several MT workers and we will have
1 to buy at least one additional directional drilling machine from a MT vendor valued at about $250,00.00. We have also been told we will need to employ 4 to 5 overhead power and telephone crews to move the overhead lines in this section of the project. These crews are normally 4 man crews and are well paid union employees. There are other contractors along the route that will be doing similar utility moves.
2 In closing, I believe that the Kearl Module Transport Project will have little detrimental effect on the highway system and a huge beneficial effect on the economy of Montana. Please grant the oversize permits in a timely manner.

WILLIAMS, RANDY

1. Comment noted.
2. Comment noted.

Sincerely,

Randy Williams
President
Rocky Mountain Contractors, Inc.
3268 Ocean View Drive
Helena, MT 59602

406-442-8761 x 101 voice
406-442-8762 fax
406-439-9570 cell

WILSON, HARRY

The big rig project through hwy 200 seems about as ludicrous as the federal Govt allowing offshore rigs not to have a remote shutoff valve.

The Blackfoot River is one of the great treasure of our state, and to allow these vehicles to make their way directly next to the river , without the proper EIS, seems as foolish as allowing offshore rigs to be built without a remote shutoff valve. 1

I am certainly a champion of business and money, but we must draw the line when there is a remote chance such a beautiful river and corridor can be damaged.

Harry Wilson

1. See response to Common Comment B.

WILSON, NANCY

1. DOT regulations require the identification of logical termini for a proposed action. The justification for this appears to be political boundaries, which is an insufficient justification for logical termini. The logical termini needs to be clearly defined. 1

2. While some reasonably forseeable future actions have been defined, those appear to be confined to future MDT actions. Reasonably forseeable future actions need to include ALL actions regardless of what agency undertakes them. The timeframe used for the cumulative impact analysis is undefined as is the study area. For these reasons, the cumulative impact analysis done is insufficent to reach a conclusion that significant impacts will not occur. 2

3. A cumulative impact analysis also requires that both direct and indirect impacts of the proposed action be disclosed. Since it is clear that Tar Sands energy development could not continue but for completion of this proposed action, that energy development must be considered as an indirect effect of the proposed action. For this reason as well, the indirect and cumulative impacts analysis for this project is insufficient to reach a conclusion that significant impacts will not occur. 3

1. See responses to Common Comment E1, and E2.
2. The cumulative effects were analyzed based on activities as defined in 75-1-200(3), MCA. Those activities are described in Section 3.2.of the EA.
3. See response to Common Comment E1.

4. 4. The historic property analysis does not discuss whether or not the SHPO or the THPO concurred with the Determination of Effects. Without this information, there is insufficient information to determine whether or not the proper process was followed in compliance with the National Historic Preservation Act or in compliance with Section 4(f) of the DOT Act.

5. 5. There is minimal disucsion of the effects of tree trimming on historic properties through the Town of Choteau and adjacent to Bonner Dam and Mine. The analysis needs to address the criteria that resulted in the significance of these properties for inclusion on the National Register. Tree trimming may effect the setting of historic properties. This has not been defined

6. 6. The parks, recreation areas and wildlife refuge section is insufficient to determine whether or not a Section 4(f) use will occur. Utility relocations do not address all potential Section 4(f) properties. This section has insufficent information to determine whether or not any future planned parks or trails would be affected. The minimal information provided about potential effects to access and parking in the vicinity of Section 4(f) properties. There is no discussion of consultation with Officials with Jurisdiction regarding existing or future Section 4(f) properties, and in fact, compliance with Section 4(f) is not even mentioned. Overall, this discusion is insufficient to determine whether or not a Section 4(f) use will occur.

7. 7. Compliance with the Environmental Justice Executive Order is not even mentioned. There are likely to be effects to minority and low income communities due to noise (especially since transportation of the modules will occur at night), air pollution, the possibility of spills and other negative effects.

8. 8. The assessment in the document of potential effects to wetlands does not meet the requirements of the Clean Water Act nor the requirements of the Executive or DOT Order for Protection of Wetlands. There is no functional assessment of wetlands that has been done. Broad statements are made that "the location will be adjusted or mitigation applied to avoid impacts to wetlands" or that "two of the six locations appear to have wetland characteristics and need to be reviewed." Both of these statements indicate that wetland impacts are likely to occur and yet there is a concluding statement that "the proposed project is not expected to affect water resources including wetlands." This assessment is completely insufficent and does not meet the requirements of the FHWA Technical Advisory, the Protection of Wetlands Executive Order nor the Clean Water Act. Full survey and delineation of wetlands, including functional assessment needs to be completed. Then both direct and indirect impacts to wetlands needs to be done. Practicable alternatives to the impacts to wetlands needs to be prepared and documented and mitigation needs to be fully defined and committed to.

In summary, this EA is insufficient to determine the direct, indirect and cumulative impacts of the proposed action. It is insufficient to determine whether or not significant impacts will occur.

Nancy Wilson
1402 Phillips
Missoula MT 59802
406 531 6994

4. See Section 4.1.1.2 and 4.1.2 of the EA and Sections 4.5 of the Decision Document for information on consultation. Section 4(f) of the DOT Act does not apply to the KMTP.

5. See response to Specific Comment C.

6. Section 4(f) does not apply.

7. Environmental Justice is not a MEPA issue. Executive Order 12898 is a presidential executive order that requires federal agencies to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Because MDT is a state rather than federal agency, it is not required to comply with EO12898. That said, MDT does not expect this project to have any disproportionately high and adverse effects on minority populations and low-income populations. Please see the EA and Decision Document for additional impacts discussion.

8. See responses to Common Comments I.

ZACHARY WINESTINE
PO Box 351
Augusta, MT 59410
(406) 459-1577
info2@statesofcontrol.com

May 14, 2010

Tom Martin
MDT Environmental Services Bureau
PO Box 201001
Helena, MT 59620-1001

Re: Kearl Module Transport Project

Dear Mr. Martin,

Thank you for this opportunity to comment on the Kearl Module Transport Project Environmental Assessment. The EA is insufficient and seriously flawed in a number of respects:

1. Because of its huge scope (two countries, four states), its long-term impacts, and the fact that it will establish a permanent "High/Wide" industrial transport route through Montana, the proposed project demands a full Environmental Impact Statement, not an Environmental Assessment.

Governor Schweitzer is quoted in the May 2nd Missoulian ("Schweitzer: Oilfield transportation project will help Montana economy") as stating that the project "is temporary for 200 loads and nobody's proposed a permanent corridor. That's why it's an (environmental assessment) and not an (environmental impact statement)." However, the EA itself makes clear that the corridor will be permanent:

1

- Future use of the route by other oversize trucking projects is a "Reasonably Foreseeable Activity" (page 16);
- "MDT believes it is reasonably foreseeable that additional oversized loads [beyond those of the Exxon/Imperial project] would want to use the route" (page 24)
- Following completion of construction, "additional oversized loads may want to use this route" (page 34).
- The highway turnouts and other construction necessary to create the "High/Wide" corridor would provide a "lasting benefit" and have a "long-term beneficial cumulative impact" (page 24).

WINESTINE, ZACHARY

1. See responses to Common Comments K and B.

• MDT's own "Proposed High and Wide Corridors Briefing" dated June 2009, notes that this proposal is part of a plan "to create permanent 'High/Wide' Corridors through Montana" (page 12).

There can be no doubt that if this project is constructed, it will become the route of choice for oversize transport between the West Coast of the continent and the Alberta Tar Sands developments for decades to come. As the Governor himself stated, such a permanent "High/Wide" corridor requires a full Environmental Impact Statement.

2. The EA fails to take into account the cumulative damage which can be expected to road surfaces, roadbeds and bridges. Beyond the 200 shipments of massive industrial equipment currently planned, hundreds or – more likely – thousands of comparable shipments would occur in the future.

Many of the economic benefits claimed by the EA result from the construction necessary to create the corridor and will occur only once (at the beginning of the project), while many of the costs are long-term and will increase each time the corridor is used.

The EA's sole analysis of damage to roads and bridges occurs on page 22: "On an average daily basis, the module transport and support vehicles would contribute 6 vehicles, including the module, to the overall daily traffic volume for the one year when module hauling would occur. Based on this minimal additional use and Imperial Oil's adherence to MDT weight restrictions, it is expected that the proposed project would result in minimal impact to Montana roadways and bridges."

2

• Does MDT truly consider the giant module transporter to be just another vehicle? The EA states that the maximum weight of a module will be 334,568 pounds (table 9, page 12), while the accompanying Montana Transportation Plan states that the maximum weight of a module will be 344,000 pounds, and that this does not include the weight of the tractor and trailer (page 5). The tractor and trailer will add approximately 288,450 pounds (Transportation Plan, appendix 7), for a total weight of 632,450 pounds!

• The EA states that Exxon will adhere to "MDT weight restrictions," but what exactly does this mean? Exxon/Imperial is clearly NOT adhering to MDT gross weight restrictions, which is precisely why an overweight permit is needed. Presumably this statement means that Exxon/Imperial will adhere to MDT restrictions on axle weight by using trailers with a huge number of axles. But is there a point at which, regardless of the number of axles over which the load is spread, the total amount of weight placed on a small section of road leads to increased deterioration of both the surface and the roadbed, thereby significantly shortening the time period before major (and expensive) reconstruction work must be done?

2. See responses to Common Comments K and L.

2

- Multiple axles can help reduce the impact of loads on road surfaces, but they are far less effective at reducing load impacts on bridges. Table 24 (page 38) indicates that the proposed route crosses 134 intermittent streams and 83 perennial streams and rivers. What will be the effect of the cumulative stresses on bridges, not just from the 200 loads planned by Exxon/Imperial, but from the hundreds or thousands of loads from future oversize transportation projects? Will bridge structures wear prematurely, requiring Montana taxpayers to foot the bill for hugely expensive (and disruptive) bridge replacement or reconstruction projects?

See response above.

- The EA contains no discussion of impacts on bridges, except to note that Jeff Ryan, of the Montana Department of Environmental Quality, had expressed a concern "that the loads may be too heavy for some of the bridges and he was afraid that might lead to water pollution or a possible spill" (page 61). The EA does not say what, if anything, was done to address this concern. The EA fails to list the weight bearing specifications of the bridges along the corridor. Furthermore, the most recent County Bridge and Road Capital Improvement Planning and Financing Manual states that nearly 25 percent of the bridges inspected in Montana are "structurally deficient" or "functionally obsolete" (Appendix E). The EA should include an engineering study to determine whether every bridge and stream crossing along the route is capable of withstanding loads of 632,000 pounds.

- The EA states, with no further explanation, that Exxon/Imperial "will pay for any needed repairs to roadways and bridges due to their activities" (page 6). However, who will determine whether damage has occurred, and whether such damage is the result of the giant transporters or some other cause? Will there be thorough before-and-after inspections of all roads and every bridge and stream crossing included in the corridor? Most importantly, the EA does not address the issue of damage from cumulative stresses which might only become apparent after use by several future giant module transportation projects. If a bridge needs replacement or reconstruction after two or more different companies have run their giant transporters over it, will those companies volunteer to pay the costs -- or will there be lengthy litigation to determine responsibility, with Montana taxpayers left holding the bill?

3. The EA fails to account for the costs that would result from the KMTP's transforming some of Montana's most treasured scenic highways into an industrial transport route.

- Without providing any analysis, the EA simply assumes this transformation would be an unalloyed good. The only relevant comments appear on page 24: "Turnouts constructed or improved at the expense of Imperial Oil will provide a lasting benefit to the safety and convenience of the traveling public," and "Beneficial impacts from

improved roads created by the KMTP and MDT's construction include additional turnouts and improved highway conditions would be a long-term beneficial cumulative impact on the transportation system." Yet the raised utility lines, swiveling traffic signals, and 75 additional oversized turnouts will provide no benefit whatsoever to the ordinary traveling public. Their ONLY function is to facilitate the transport of grossly over-sized industrial loads.

- The EA completely fails to take into account the various social changes which will be caused by the transport of massive industrial equipment for decades to come, including the potentially significant loss of tourist income.
- The EA states that the total economic costs of the delays caused by the transport of 200 modules will be $100,000 (page 32). This figure seems both suspiciously round and absurdly low, and no information is provided regarding how it was calculated. No account is taken of the delays which will be caused by future transport projects after the initial 200 loads have been shipped.
- The EA appears to include only the costs associated with delays of commercial traffic; no mention is made of costs associated with delays to residents, tourists, and other non-commercial travelers. Although module transport will take place at night, this will not eliminate such non- commercial delays. On several sections, transport is scheduled to continue until 5:30 AM. This will surely have an impact on some early-morning commuters and those residents who work night hours. Furthermore, it's reasonable to anticipate that the module transports will encounter at least occasional delays and arrive at their designated stopping points later than scheduled, leading to even greater impacts. Finally, while transports will not take place on weekends, they apparently will take place on Friday nights/Saturday mornings. Major portions of the transport route provide access to prime hunting areas; during hunting season Saturday morning delays will significantly impact hunters. Some hunters will doubtless choose to hunt elsewhere, resulting in economic losses for local businesses.

3

- The EA takes no account of the long-term impacts of constant delays over a period of several decades: for example, no mention is made of the fact that some portion of existing commercial traffic may well switch to alternative routes leading to a loss of income on the part of local motels, restaurants, fueling stations, and other businesses that currently service that traffic.

4

3. See response to Common Comment M.

4. See response to Common Comment K.

4. The EA fails to account for the costs to the Montana economy of outsourcing industrial jobs from Canada to Korea.

5 The entire purpose of the KTMP is to allow Exxon/Imperial to outsource to Korea the manufacture of industrial equipment destined for the Alberta Tar Sands. If this equipment were manufactured in Canada or the United States, Montana's economy would almost certainly benefit indirectly from the sale of resources, services, and agricultural products to the workers and companies engaged in such manufacture.

5. Comment noted.

5. Perhaps most importantly, the EA completely fails to take into account the economic and environmental costs to Montana of climate change, which development of the Alberta Tar Sands will significantly accelerate.

The EA states that "There would be no impacts on parklands, recreation areas, or wildlife or waterfowl refuges from any of the activities associated with the KMTP" (page 21). This is simply false. The Alberta Tar Sands is intimately "associated" with the KMTP project; the sole function of the proposed "High/Wide" corridor is to facilitate development of the Tar Sands.

6
- The EA should account for the costs of damage that accelerated global warming due to Tar Sands development will cause to Montana's public lands, including increasingly severe devastation by pine bark beetles and spruce budworm, extended and increasingly severe fire-seasons, etc.
- The EA should account for costs of damage which accelerated global warming due to Tar Sands development will cause to Montana's agriculture.

6. See responses to Common Comments P and E1.

6. The EA fails to show any need whatsoever for this project.

- There is no need to develop the Alberta Tar Sands, and in fact such development will be harmful to both Montana's environment and economy.
- Even if the Tar Sands are developed, there is no need to inflate Exxon/Imperial's profits by outsourcing manufacturing to Korea, outsourcing which can only harm Montana's economy.

7
- Even if Exxon/Imperial must outsource jobs to Korea, there is no need (other than to maximize Exxon/Imperial's profits) to route shipments through Montana, since at least one alternative route already exists originating on the Gulf Coast.

7. See response to Common Comment D1.

In summary, the EA fails to properly account for all the costs that will be associated with the KMTP. Neither the development of the Alberta Tar Sands nor the outsourcing of jobs away from North America is in the best interests of Montanans. The KMTP serves no public interest, and there is no reason that Montanans should be burdened with its impacts. DOT should reject

this proposal.

Respectfully,

Zack Winestine

I wish to voice my opposition to allowing Imperial Oil Company to take their huge trucks on Montana Highways. First of all, the trucks will be used to expand the environmental disaster of the Athabasca tar sands, which was well documented in a National Geographic article within the last year. The mines themselves and the water use and pollution in themselves are environmentally destructive. On top of that the energy used to extract the oil makes it the most expensive oil produced on the continent, and the oil itself is heavy and inferior. After the Otter Creek double cross, supporting more environmental degradation would make even more a mockery of the green Democratic sham. 1

I live close to Arlee and experienced the slowdowns of the last years construction. Despite Imperial's denials you know damn well we will have another summer of tie ups if those trucks are allowed on 93. I doubt that the new road was engineered to carry loads as heavy as those trucks. After the trucks are safe in Canada we in Montana may be stuck with a dangerous, rutted highway. 2

By allowing the trucks on Montana highways we have nothing to gain and a great deal to loose.

Sincerely,
Don Winston
6454 Jocko Canyon Road
Arlee, MT 59821
donwinston31@gmail.com

WINSTON, DON

1. See response to Common Comment E1.

2. The portion of Highway 93 included in the route is from Lolo to Interstate 90, not the portion that passes near Arlee that has recently been reconstructed. See response to Common Comment L.

Please give your decision a lot of thought before allowing the tar sands equipment to move through Montana on its way to Canada. It is not a good situation to let this happen. The oil spill in the Gulf should be a huge wake-up call to the continued damage that happens with extractive mining. 1

Clare Witcomb
P. O. Box 1547
Red Lodge, Mt 59068-1547
Clare Witcomb
jazzlover@imt.net
Red Lodge, MT

WITCOMB, CLARE

1. Comment noted.

May 14, 2010

Mr. Martin:

1 It is imperative for us to look at the Kearl Module Transport Project project from beginning to end. Rather than ignoring the numerous and blatant environmental, social, and economic consequences that will arise from this project, MDT has chosen to partially focus on the small portion that will affect our state and our roads. The scope of the Kearl Module Transport Project is not limited to our fine state. The current EA gives little justice to actual impacts that Exxon/Imperial Oil will have on the nation and on the future of global climate change. MDT is obligated to comply with MEPA's scoping guidelines. As such, should insist that an Environmental Impact Statement be completed and overseen by NEPA.

2 Because no Environmental Assessment is required in ID or WA, it is difficult to comprehend the impacts that our country will feel from this project. Furthermore, the Environmental Assessment completed in Alberta was recently discovered to contain "fatal legal errors" by the Federal Court of Canada. The EA, written by a corporation that stands to benefit from this project and paid for by Imperial Oil, claims that no "significant social, economic, or environmental effects have been identified….from the project as a whole" (17). However, the EA doesn't examine the project as a whole, but only looks at impacts within the state of Montana, and almost exclusively at the effects the trucks will have on our roadways.

3 In the past, MDT has spent millions of taxpayer dollars in road repairs and regulatory enforcement that have been necessitated by overweight loads (for example, in Colstrip). None of these maintenance and planning consequences were discussed in the EA.

4 This project includes the use of easements on federal lands and on federal highways. In addition, federal stimulus dollars are being used for construction and modification of the Port of Lewiston. The appraisal of environmental effects should be executed on a federal scale and not limited to Montana's roadways.

5 The EA does not contain proper mitigation strategies for potential spillage or capsizing of trucks. A number of regular sized tractor-trailer trucks tip over and spill their cargo in both the Lochsa River and Lolo creek annually. In the KMTP EA, mitigation for these instances is reduced to being "reported to appropriate state, federal, and/or tribal authority, and MDT" (20). This means that there not only are no strategies or policies in place to deal with such environmentally and socially dangerous spills, but that the cost will be placed on the tax-payers.

WOLFE, PRAIRIE

1. See responses to Common Comments A, B, E1 and E2.
2. See response to Common Comment E1.
3. See response to Common Comment L.
4. See response to Common Comment A.
5. See responses to Common Comments H1 and H2.

6 The EA that was conducted does not take into account the deforestation and environmental degradation that will occur in Alberta; potential impacts on the protected Lochsa river corridor and its population of endangered salmon, steelhead and bull trout; increased road sediment, sand, and ice that will be introduced into Lolo creek; nor the addition of sulfides, dioxides, or nitrogen oxides that will enter the atmosphere both during extraction and the burning of the bitumen.

6. See responses to Common Comment E1 and O.

7 The Environmental Assessment claims that the Kearl Project involves "*global* execution strategies" (23) but says nothing about the *global* social, economic, and social effects that this project will produce; these are issues that desperately need to be examined.

7. See response to Common Comment E1 and Common Comment E2.

8 It is clear that the EA has failed to examine the true impacts of this project. It is our moral obligation as concerned and informed citizens to insist that the Kearl Module Transportation Project is subject to an Environmental Impact Statement conducted by NEPA due to the large scope of the project that has thus far been ignored.

8. See responses to Common Comment A and B.

Thank you for your consideration,

Prairie Wolfe

2020 Middle Burnt Fork Rd.

Stevensville, MT 59870

I'm very concerned about the destructive pollution of our planet.

WOLFE, SHARON

1 Please, please prepare a **full environmental impact statement** regarding the tar sands mining planned for a Canadian location north of Shelby, MT.

1. See responses to Common Comment B and E1.

2 Also, please register my objection to the massive convoy of trucks and equipment which is scheduled to travel over Montana roads to reach the mining area. Our roads and bridges are already in poor condition, and our budget is tight.

2. Comment noted.

Please do all you can to deny Montana State's cooperation and enablement of this project.

Thank you for considering this request.

M. Sharon Wolfe
307 E. 13th St.
Helena, MT 59601

I am very concerned that we are allowing passage of equipment for a Canadian oil project to pass thru our state along some of the most pristine areas in western MT and ID. Part of the intended route along highway 12 is a wild & scenic corridor with Lolo Creek and the Lochsa
1 River in harms way. Should one of these massive trucks thru speed or driver error go into these waters, there would be a real mess. Even regular sized trucks go into these waters now
2 and it's a cleanup problem. This road does not need to be widened. What a mistake with cliffs that come right down to the highway that would need to be blasted away. This doesn't need to become another super highway for transportation purposes. Don't let this happen. Let Exxon and Canadians figure out transportation routes from BC, not here.

Marilyn Wolff
234 Bridle Trl
Stevensville MT 59870
777-3022

WOLFF, MARILYN

1. See responses to Common Comments H1 and H2.
2. Highway 12 would not be widened for the KMTP.

Montana Department of Transportation: To whom it may concern:

I'm writing to encourage you to consider all of the aspects of allowing Imperial Oil to utilize Montana roads to transport their equipment. The tar sands may allow the US to feel less threatend by importing foreign oil, but the cost is prohibitively high. The tar
1 sand mining projects only contribute to global warming by increasing the amount of green house gases produced by each barrel of oil. It destroys the old growth borreal forrest necessary for breeding of up to 3 billion birds. It creates large toxic tailing pits that the CEO of Imperial Oil himself called a challenge (Sally Mock interview on Montana Public Radio). Montana is only too familiar with large toxic pits--look at the Berkley Pit!!

At any rate to irresponsibly allow Imperial Oil to utilize our highways to add to the
2 degregation of our planet is irresponsible. I believe that all of these things should be put into the equation. The small amout of economic development that they promise is small payment for the long term damage they will cause. This doesn't even take into account the damage to roads, the delays, etc. Please consider this wisely!!!

Sincerely, Julie Wood,
45 old highway 89
Fairfield, Mt (yes they'lll pass through our town!)

WOOD, JULIE

1. See responses to Common Comments E1 and P.
2. See response to Common Comment L.

Amy Zanoni
622 Rollins
Missoula, MT 59801

Tom Martin
Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

Re: Comments on proposed Kearl Module Transport Project

Mr. Martin,

Some comments:

1 The Environmental Assessment (EA) of the Kearl Module Transport Project (KMTP) claims that "Additional turnouts would benefit travelers along the route. Visual quality would be improved by the removal of the overhead lines." As a frequent traveler on this route, I declare that the supposed "benefit" that hidden utility lines touts is wildly outshined by the detriment that the visual pollution three hundred foot wide paved turnouts, every 2.5 miles at some points, along this same route would cause me (3.6.2.7). Further, the assessment states that this project will be "permanently modifying 22 existing highway turnouts," which significantly understates the extent to which you will be expanding the dimensions of the turnouts. The use of 2,898 loads of gravel and asphalt to cover up land that is regularly navigable for the wildlife in the area is atrocious. Also, it'll be an eyesore, and almost definitely leave a whole lot more than a 'negligible' amount of sediment in the river.

2 The EA repeatedly lists "slight risks of a vehicle accident involving the construction vehicles occurring that could cause a spill of diesel fuel, hydraulic liquids, or coolant," and promise in such a case to deal with such an incident using "standard operating procedures." While this all sounds fine and responsible, the EA fails to acknowledge the increased volume of such vehicles and the resultant increase in the probability of incident.

3 The EA statement that "Two of the six locations appear to have wetland characteristics and need to be reviewed during the growing season" shows seriously inadequate assessment (3.9.3.3.). Not only has your project not lasted an entire growing season, but you have not yet thoroughly investigated the existence of these wetlands or even gone so far as to delineate the locations of these wetlands.

ZANONI, AMY

1. See response to Common Comment J.

2. See Section 3.8 of the EA.

3. See response to Common Comment I.

4 The Environmental Assessment cites that "Imperial Oil has investigated several transportation routes through Canada and the US," and that the "only identified feasible route is from the Port of Vancouver, Washington, up the Columbia/Snake River Inland Waterway System f the Port of Lewiston, Idaho. Form the Port of Lewiston, the modules would be transported by specialized load moving equipment through Idaho on US Highway 12 on Lolo Pass. The transport route through Montana begins at the Lolo Pass and follows several highways through Montana before exiting at Sweetgrass, Montana at the US/Canada border." Considering the admitted scope and expanse of this project, the Environmental Assessment of the Kearl Module Transportation Project performed under MEPA improperly segments the project with a seemingly underhanded intent, i.e., to avoid having to adhere to NEPA. It has been revealed that federal dollars have already been spent making modifications in Idaho that are intended to enable this transport project.

The Environmental Assessment refuses to think about the project in its entirety. The Montana Department of Transportation uses the excuse that this assessment has to deal only with the impacts that will be had on Montana. While this argument is nothing but valid *legally*, it is inanely limited in its logic, offensively myopic. To have chopped up this corridor in tiny parcels so as to avoid more unified and thorough environmental investigation thereof is deceitful and unethical. The dubiously fragmented view (and logic) of the KMTP parallels another detrimentally limited approach to the thinking that has gone into the assessment of this project: the MDT's refusal to admit that the underlying (or blatantly obvious to most people) intent to make the corridor that will be used by KMTP into a permanent high and wide corridor through Washington, Idaho, Montana, and Alberta. The EA for this project, therefore, neglects to examine the cumulative, long-term impacts that who-knows-how-many massive truck loads will have on the roads after driving on them for who-knows-how-many-years to come (I imagine major ruts, erosion, sedimentation, things that in the EA were not examined with regard to the long-term). The excuse is often that the EA has to deal only with the issuance of permits to only 200 trucks driven through by Imperial Oil, that there's been no admission of further loads, and so no assessment of this 'hypothetical' is necessary. This excuse, or argument, however, fails to address the fact that whether or not more trucks drive on the roads, the corridor will indeed be established, and the potential long-term impacts that the traffic navigating this corridor must be addressed. The flagrant disregard of the fact that this project is intended to establish a permanent corridor through this route is negligent and offensive. The long-term impact that this project is sure to have on the land in question must be addressed. Especially because of the exploitation implicit in the idea of coming into a place, treading all over it, leaving it in disrepair, and forcing taxpayers to pay for it. Is it really necessary for an egregiously wealthy oil company to come in and level an unbelievably pristine area, jeopardize the safety of its population while they're at it, just to save a buck?

5

4. See response to Common Comment A.

5. See the response to Common Comment K.

AND: the Tar Sands in Alberta. I suspect that the fact that NEPA would require Imperial Oil to assess the contributions the project is making to climate change has something to do with the company's approach to all this. The effects global warming will cause on Montana and Montanans – to which the tar sands are contributing in an impressive way – are imminent and substantial. Even an EA as limited as the one in question should have addressed these secondary, eventual impacts. The beetles that no longer get killed off in winter because it's too warm are already ruining the forests. I can't go sailing where I'd like to this weekend because the water's too low. And these are just the tangible effects. It would be embarrassing to willingly be complicit in committing the atrocity in Alberta that is being allowed to happen by corporations and governments alike. 6

MEPA states that "the agency shall complete a meaningful no-action alternative analysis. The no-action alternative analysis must include the projected beneficial and adverse environmental, social, and economic impact of the project's noncompletion." 7 I believe that the Environmental Assessment of this project has failed. It is inadequate, misguided, and purposely non-specific and reductive. There absolutely *must* be a more thorough investigation of the potential adverse impacts of the KMPT will have on Montana and the other areas the project in its entirety involves. 8 There must be an Environmental Impact Statement performed under NEPA.

Further, the comment period allotted for this is EA was far too short. The document that the public has the opportunity to review and assess is extensive. It is simply unreasonable to expect that any working individual would have the time needed to read, examine, and analyze a one hundred eighty page document in thirty days. Please extend it, *especially* because in the past few days there have been numerous accounts of people's comments being rejected due to full inboxes. I read about it in the Missoulian today. 9

Sincerely,

Amy Zanoni

6. See the responses to Common Comments A, E1, and P.

7. The EA discloses the effects of the No Action Alternative under each resource.

8. See response to Common Comment A and B.

9. See the response to Common Comment F1 and F2.

Statement presented by Jeanette Zentgraf at the public hearing on April 29, 2010:

I believe that the 185 page environmental assessment of Imperial Oil/Exxon Mobil's plan has properly addressed the problems for our Montana roads and our citizens. Mitigations have been detailed. Therefore, we should support the plan. I, for one,would like to see Canada's job market improve and to have the U.S. import their oil.

To stop this project because of Global Warming is ridiculous. The UN's IPCC (Inter-governmental Panel on Climate Change) has been discredited, even though Pres. Obama says, "The science is settled." 700 scientists from around the world have expressed doubts about Global Warming, 12 times the number of UN IPCC scientists. 34,000 American Scientists have signed a petition saying there is no convincing scientific evidence that human release of carbon dioxide, methane or other greenhouse gases is causing disruption of the Earth's climate. 1

Harvard scholar and climate scientist Willie Soon put it best saying, "It's the Sun, stupid." Any warming actually stopped in 1999. The brief warming period we experienced in the past decade was completely natural caused in part by storms on the sun, not CO2 emissions from SUVs. Now that the sun storms have ended, a cooling period has begun."

I believe Tom DeWeese, who has been reporting for more than 15 years that "Global Warming and Climate Change have never been about protecting the environment. It is an excuse used to subvert free markets, industry, private property ownership, local development and our standard of living into a nightmare of control and regulation. The final goal is to impose global government."

Jeanette Zentgraf
P.O. Box 1116
Polson, MT 59847
213-3685

ZENTGRAF, JEANETTE

1. Comment noted.

Dear Mr. Martin,

1 i do not want the tar sands trucks to be allowed to pass through missoula. i do not want missoula to become part of a large shipment corridor, i do not want the pollution added to our city, and i do not want any more destruction done beside our beautiful rivers that already have highways next to them. i also don't want to supply the tar sands in alberta, and think missoula has potential to be influential in global warming prevention by refusing to allow this trucking (despite whatever assurances of safety are presented in the EA).

thank you,

jessica zimmerman
914 stoddard st
missoula, mt 59802

ZIMMERMAN, JESSICA

1. Comment noted.

Dear Mr. Dwane Kailey,

I am writing you regarding the plans to use Highway 12 over Lolo Pass and through Missoula as a transportation corridor for extra large/load vehicles as part of Imperial Oil/ExxonMobil's tar sands production. I have many concerns with this plan, especially

1 regarding how it may affect the water quality of adjacent rivers. I worked from 2002-2008 assessing the water quality, riparian health, and fish habitat of lakes and streams in Montana for the Montana Department of Quality and am well-educated on what can impact water quality and how water quality in turn affects environmental and human health. I feel there remain too many outstanding questions to move forward at this point.

2 I urge you to extend the public comment period so that the community has sufficient time to understand the details of this project.

Thank you.

Marianne Zugel
321 W. Central Ave.Missoula, MT 59801

ZUGEL, MARIANNE

1. See response to Common Comment O.

2. See response to Common Comment F1.

Please help protect the Wild and Scenic Lochsa River!

I moved to Montana 7 years ago to escape (temporarily at least), the crowds of Colorado. Montana and Idaho are states that haven't been over-exploited for the purposes and gains of big corporations. This statement was true, up until this spring. Another wild location in our country is under attack by the forces of corporate interest (and not even American, but Canadian!!).

1 To what benefit are these giant platforms moving through our region. Where do local people gain from their town and highway being exploited? The Lochsa River was one of the first places I got the feeling of being somewhere incredibly special, where the effects of human development had yet to destroy. I can't believe the local governments would individually agree to allowing these monster caravans through a Wild and Scenic River Canyon. What will you say to your grandchildren, when this amazing river corridor is a speedway for semi traffic? Highway 12 is an amazing drive through an incredibly wild river canyon, and I'd really like to see it kept that way.

2 These caravans will be required to pull over every 15 min. to let traffic go by, but who will monitor and enforce that? Erosion of the banks and an increase in river sedimentation is an obvious consequence of allowing this project to go forward. These giant caravans will block traffic during peak touring/traveling season on this highway. Will that impact the safety of driving this road? The highway department had to create or enlarge many turnouts to accommodate this, before the public comment period was even complete. I heard that we're lucky a public comment period was even allowed, that this project almost went through without even informing the communities that would be impacted. That is absolutely unacceptable, and shows how large an impact this project has potential for, if the powers behind it are trying to be so subversive.

3 There are obviously other options available to shipping this equipment, and they are being overlooked because they cost too much (monetarily). I would argue that the cost of shipping them through this corridor is too great culturally, as well as naturally.
Please, do not allow these immense equipment caravans to travel through this amazing river canyon. Do not allow corporate interest to destroy one of the few remaining locations of America's wild west. This place is too special and should be preserved for the enjoyment of many, rather than to be exploited for the gain of a few.

Jake Zywicke
Bozeman, MT
406-579-1408
Montana State University - B.S. Earth Sciences, Snow Science Emphasis
Montana Whitewater - Manager, River Guide, Kayak Instructor
Yellowstone Club Ski Patrol

ZYWICKE, JAKE

1. See response to Common Comment E2.

2. See responses to Common Comments G and F1. The ARM provides for confiscation of permits and/or administrative penalties at 18.8.901 and 18.8.902.

3. See responses to Common Comments D1, D2, and D3.

Table D-1
NRDC Letter Writers

Fiamma Aaron
Leanne Abbott
Patricia Abbott
Ruth Abdella
Mary Able
Maureen Abrahamson
Gary Abramowicz
Daniel Abrams
Rochelle Abrams
Yale Abrams
Karen Absher
Mary Abt
Viviana Acevedo-Bolton
Jon Achee
Michael Ackerman
Miguel R. Acosta
Joan Adair
Jodie Adair
John Adam
David Adams
David Adams
Hillary Adams
John Adams
Judi Adams
Julie Adams
Julisa Adams
Letitia Adams
Martha Adams
Maryellen Adams
Nan Adams
Patricia Adams
Susanne Adams
K.V. Adamski
Paul Addington
Valerie Adell
Abigail Adelman
Barry Adelman
Sabrina Adleman
Barry Adler
Deborah Admiral
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Kathleen Aftab
Richard Agee
Naomi Ages
Stephanie Agnew
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Madhuri Ahluwalia
Karen Ahn
Tim Ahrens
Kirk Aigner
Edwin Aiken
Janet Aird
Mike Airoldi
Leor Akabas
Lorraine Akiba
Nancy Alaniz
Chad Alber
Evan Albersmeyer
Deborah Albert
Shan Albert
Glen Albertson
Kerry Albertson
Debby Alberty
Dennis Albin
Denis Alcock
Jesse Alderman
Stefano Aldighieri
Sharon Aldredge
Susan Aldredge
Susan Aleman
David Alexander
Matthew Alexander
Sharon Alexander
Charlotte Alexandre
Joseph Alfano
Nancy Alice
Julianna Alioto
David Allara
Layne Alleman
Beverly A. Allen
Caroline Allen
Craig Allen
Jim Allen
Marguerite Allen
Michael Allen
Yvonne Allen
Chazz Alley
Tuesday Allred
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Michael Almond
Laurie Almoslino
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Jeff Alper
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Benjamin Alsip
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Arlene Alvarado
June Alvarez
Bruce Amaro
Hector Amaro
Mary Amato
Patricia Amazalorso
Dean Amel
Nicole Amelung
Sheryl Amen
Sal Amendola
Harold Ames
Nancy Ames
Dianna Amick
Eleanor Amidon
Ralph Amodei
Alexandra Amonette
Kindra Amoss
Carol Ampel
Liz Amsden
Scott Amundson
Philip Anacker
Kristin Andersen
Bradley Anderson
Carl Anderson
Jeanne Anderson
Jenny Anderson
Jim Anderson
Karin Michele Anderson

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Karl Anderson
Maggie Anderson
Robert Anderson
Roger Anderson
Thomas Anderson
Marc Anderson P.E.
Saliane Anderssen
Robert Andrade
Brandon Andre
Christie Andreo
Eusebio Andres
Lavona Andrew
Darla Anelli
Kathryn Angell
Judith Angelson
Mary Angle
Maria Angulo
Mark Anisman
Brenda Anna
Ellen Anon
Sadonya Antebi
Star Anthony Anthony
Mike Antone
Armando Antuna-Melendez
Jeffrey Apfelberg
Christina Joanna Angelica Apostolou
Jim Apple
Harry Applin
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Marybeth Arago
Linda Araiza
Mary Aratounian
Daniel Arbiter
Alison Archambault
Steve Archibald
Elizabeth Archodominion
Ruben Arcia
Margaret Arden
Andres Ardila
John Ardner
Christina Argyris
Brooke Arias
Gene Arias
Amin Arikat
Carole Armen
Joan/Paul Armer
Angelica Armijo
Brian Armstrong
Carla Armstrong
Dessi Armstrong
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Carlos Arnaud
Hazel Arnett
Norman Arnett
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Tatiana Arsilla
Benet Art
James Arthur
Georgina Arvay
D Arvelo
Sheila Ary
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Andrew Asher
Michelle Ashford
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Aaron Ashkinazy
Dwayne Ashmore
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Roger Athey
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John Bailey
Kenneth Bailey
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William Bain
Krystina Bair
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Priscilla Balch
Doug Balcom
Wendy Balder
Kimberly Baldridge

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Chantelle Ball
Jackie Ballance
Dave & Tami Ballard
Ray Ballweg
Patricia Baloyra
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Joan Bancroft
David Band
Anjali Banerjee
Bhaskar Banerji
Susan Banitt
Paula Banks
Albert Banwart
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Clayton C. Barbeau MA MFT
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Douglas Barile
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Glen Benjamin
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William Bennett
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Alexandra Benson
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Danielle Benz
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Miren Berezibar-Bennett
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Table D-1
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Timiny Bergstrom
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Melissa Bernier
Michael Bernier
Joel Bernstein
Laura Bernstein
Lawrence Bernstein
Jim Bernthal
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H. Thomas Blum
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D. A. Booth
James Booth
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Worth Booth
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Karen Borgardt
Brad Borgogno
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David Bornstein
Harriet Borton
Milton Bosch M.D.

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Cynthia Bower
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Barbara Bowers
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Andrea Boyd
Kingsley Boyd
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Julie Braden
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Shirley Bradley
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Jon Brams
Marian Brancaccio
Will Branch
Jim Brandau
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Leilani Brandon
Jack Brandt
Beth Braun
Nola Bredal
David Breecker
Charmaine Breitengross
Fran Breitkopf
Inge Bremerman
Ralph Bremigan
Jan Brendes
Sara Brennan
Terri Brennan
Ruth Brenner
Diane Brenum
Nellie Bretherick
Richard and Lola Brett
Matt Bretz
Peter Breu
Paul Bridgewater
Lois Briggs
Lesley Brill
Gina Bringman
Kara L. Brinkman
Thomas Brinkmeyer
David Britt
Todd Britton
Paul Brizzi
Sally Brochu
Gretchen Brock
Zoe Brock
Margaret Brockmiller
Mark Brockway
Ria Brodell
Michelle Brogden
Laura Broh
Earle Brokenshire
Nancy Bromfield
Carter Brooke
Bari Brookman
John Brooks
John Brophy
Janice Brose
Barbara Brosnan
M Brough
Linda Brovsky
Daniel Brower
Lisa Brown
Art Brown
Beverly Brown
Christopher Brown
Daniel Brown
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Pl Carter
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Cynthia Gillette-Wenner
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Marilyn Giorgio-Poole
Raymond Gipson
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Brooke Girty
Jason Gische
Jennifer Gitschier
Laura Giubardo
Crista Giuliani
Nicholas Gladd
Shirley Gladish
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Kendall Goben
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Olga and Paul Goddard
Genevieve Godde
Rob Godin
Barbara & Bob Godinez
Katrina Godshalk
Kim Godwin
Murlin Goeken
Paula Goellner
David Goetze
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P. Goff
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Marshall Goldberg
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Scott Golder
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Stuart Goldstein
Nancee Goldwater
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John Goltz
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Yazmin Gonzalez
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Gary Goode
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Katie Gooder
Adam Goodman
Arifa Goodman
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Jyl Goodwell
April Goodwin
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Jane Goodwin
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James Gordon
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Marcia Gordon
Penny White Gordon
Rick Gordon
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Shelley Gorman
Cade Gorman
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Elizabeth Gorman
Eugene Gorrin
Christopher Gortner
Lisa Gosnell
Deborah Gottselig
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Kris Graham
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Steven Graham
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Todd Gray
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Oshyan Greene
Robert Greene
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Vaughan Greene
Cynthia Greene Eason
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Gianni Grimaldi
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Richard Grisel
Charles Griswold
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William Groll
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Susan Jennings
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Christopher Jensen
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Pablo Jimenez
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Colleen Johnson
Denny Johnson
Douglas Johnson
Earnest Johnson
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Keith Johnson
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Robert Johnson
Ron Johnson
Ronald Johnson
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Patricia Kelly
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Pamela Wellner
Allen Wells
Anne Wells
Barbara Wells
Barbara Wells
R Wells
Susan Wells
Bob Wellsted
Jack Welscott
David Weltman

Table D-1
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Katherine Werner
Kirstyn Werner
Sk Werner
Denise Wertz
Mary Wessely
Delyla M West
Marla West
Susan West
Mary Westcott
David Westerfield
Jarian Westfall
Teresa Westhoff
Jeff Westling
Julie Weston
Nicole Westre
Caroline Wethern
Glen Wetzel
Emily Whalen
Lori Whalen
Carey Wheaton
Matthew Wheeler
Robert Wheeler
James Wheelock
Noel Whelan
Noreen Wheller
Ginger Whellock
Tony Whetstone
Muriel Whitcomb
Amy White
Ann White
Ann White
Ariel White
Kathy White
Lois White
Orlie White
Robert White
Stephen White
Lin Whitecloud
Gina Whitehead
Glenn Whiteside
Valarie Whiting
Casey Whitlatch-Carter
Adam Whitlock
William Whitlock
Aimee Whitman
Cora Whitmore
C. Whitney
Calli Whittall
Elizabeth Whyte
Mary Wick
Kelly Wicks
Janet Widell
Allan Widmeyer
Chuck Wieland
Crystal Wiener
Jim Wies
Joseph Wiesner
Sunni Wigand
Annette Wigert
Stewart Wiggers
Pamm Wiggin
Tim Wigington
Victoria Wikle
Kathy Wilburn
Amy Wilcox
Margie Wildblood
Sinead Wilder
Stephen Wiley
Wendy Wilhelm
Adam Wilhite
Roy Wilhite
Tim Wilke
David Wilkes
Erin Wilkes
Trisha Wilkie
Sherry Wilkins
Jean T. Wilkinson
Richard Wilkinson
Sasha Wilkinson
Cathy Wilkowske
Laurie Willets
Marie Williams
Becky Williams
Carla Williams
Carrie Williams
Charlie Williams
Cheryl Williams
Chris Williams
Christina Williams
Craig Williams
Jerius Williams
Marsha Williams
Megan Williams
Michael T Williams
Octavia Williams
Patricia Williams
Rachel Williams
Randall Williams
Scott and Sarah Williams
Sean Williams
Brad Williamson
Aileen Williamson
Jane Williamson
Lisa Williamson
Lorraine Williamson
Mark Williamson
Karen Willis
Nancy Willis
Patricia Willis
Samuel Williston
Genevieve Willson
Kayleigh Wilson
Amy Wilson
Andrew Wilson
Bill Wilson
Brian Wilson
Cassandra Wilson
Connie Wilson
Cynthia Wilson
Darla Wilson
Elaine Wilson
Gail Wilson
John Wilson
Katherine Wilson
Kim Wilson
Kimberly Wilson
Mary Wilson
Patricia Wilson
Steve Wilson
Tom Wilson
Virginia Wilson
Barry Winfield
Gordon Wing
Greg Wingard
Jeremy Winick

Table D-1
NRDC Letter Writers

Hayden Winkler
Shelley Winkler
Tracy Winn
Lauren Winn-Dallmer
Kerry Winslow
Bari Winter
Sherry Winterson
Barbett Wintersteen
Charles Wirth
Rudi Wirth
Linda Wise
Gretchin Witman
Mary Witmer
Janet Witte
Sarah Witter
Derich Wittliff
Julia Wittnebel
Dane Wojcicki
Pamela & Peter Wojcik
Susan Wold
Adam Wolek
Andrea Wolf
Ed Wolf
Esther B. Wolf
Margaret Wolf
Michael Wolf
Susan Wolf
Wesley Wolf
Dorotha Wolfe
Jacqueline Wolfe
Jessica Wolfe
Kathleen Wolfe
Susan Wolfe
Karren Wolfram
Amy Wolfthal
Barbara Wollman
Christina Wong
Don Wood
Marian Woodard
Karin Wooden
Helen Woodfield
Cheryl Woodington
Robert Woodley
Steve Woodman
Brian Woodrich
Deborah Woods
Johnathan Woodward
Donald Woodworth
Tammie Woody
Barbara Woolley
Jane Woolsey
Ann Wooster
Julia Worcester
Loretta Workman
Amy Worsham
Tracy Wotten
Brian Wozniak
Brad Wright
Carol Wright
Colleen Wright
Greg Wright
Madeline Wright
Marge Wright
Mary Wright
Nancy Wright
Preston Wright
Rhonda D. Wright
Stephanie Wright
Sydney Wright
Kerrie B. Wrye
Sylvia Wulf
Drausin Wulsin
Doris Wunsch
Betty Wurtz
Patricia Wyenandt
Mary Wylie
Brian Wynne
Christine Wysmyk
Lisa Yaeger
Sally Yanagawa
Michael Yankaus
Corina Yara
Raya Yarbrough
Greg Yeargain
Holly Yeatman
Mark Yedor
Peter Yee
Edith Yelland
Michael Yellin
Pauline Yetter
Joyce Yeung
William (Bill) Yoak
Gordon Yohe
George Yonge
Jennifer York
Shannon York
Geoffrey Yost
Elaine Young
Grace Young
Jennifer Young
John Young
Katie Young
Lahna Young
Robert Young
Gwendolyn Youngblood
Kristina Younger
Eric Youngman
Rachel Youngstrom
Gary Youra
Elaine Yu
Penny Zahler
Susan Zalon
Irena Zamecki
Pedro Zapata
Sandra Zarcone
Shawne Zarubica
Susan Zarzycki
Bob Zeller
Carl Zellner
William Zemanek
Charlie Zender
Lois Zender
Nicole Zenteno
T.J. Zenzal
Lesli Zephyr
Michael Zerner
L. Zeveloff
George Zgela
Michelle Zhao
Paige Ziehler-Martin
Jeffrey Ziemba
Claire Ziffer
Helen Zike
Galina Ziminski
Elsan Zimmerly
Charles Zimmerman
Ellen Zimmerman
Loy Zimmerman
John Zimmermann
David Zimney
Susan Zinck
Dania Zinner
John Zipperer
Doris Zobal

Table D-1
NRDC Letter Writers

Mary Zoeller	Jarett Zuboy	Roel Zylstra
Elizabeth Zographos	Marguery Lee Zucker	



Volume IV

Appendix D Part 3

Response to Comments

Kearl Module Transportation Project

Finding of No Significant Impact

Module Transport and Required Utility and Road Modifications

Kearl OIL SANDS



MONTANA MDT DEPARTMENT OF TRANSPORTATION

February 2011

MDT attempts to provide accommodation for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats of this information will be provided upon request. For further information, call 406.444.7228 or TTY (800.335.7592) or Montana Relay at 711.

D.3 Response to Written Comments

This section includes all of the comments submitted by mail or fax that were not also received by e-mail.

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RECEIVED
MAY 10 2010
ENVIRONMENTAL

Suzanne Sherman Aboulfadl
210 Woodford Street ◊ Missoula, Montana 59801 ◊ 406.549.0555 ◊ saboulfadl@gmail.com

Tom Martin
Montana Department of Transportation
PO Box 201001
Helena MT 59620-1001

RE: Kearl Module Transportation Project

Dear Mr. Martin:

I am enclosing a guest editorial written by Dr. Steve Seninger, an economist at the University of Montana. Many have raised concerns about allowing these transports to travel over Montana roads. Dr. Seninger's commentary doesn't just raise concerns: his considerable expertise provides us with very specific questions about the analysis that has been done thus far by the Montana Department of Transportation.

1 Although I don't have Dr. Seninger's professional background, I can certainly understand the ramifications of the issues he raises. In addition, given the recent debacle in the Gulf of Mexico, I am surprised and alarmed about the possibility of proceeding with an energy-related project that has the potential to damage our state both economically and environmentally. Are we really thinking this through while there is still time to do so?

2 I also have concerns that extend beyond our borders. It seems to me that in our desperation we will take unconscionable risks in order to extend our fossil fuel-related lifestyle. By permitting these transports, we are participating in a project that will have grave consequences for global warming. According to Dr. Joseph Romm, head of the Office of Energy Efficiency and Renewable Energy in the Clinton Administration and author of *Hell and High Water: Global Warming, the Solution and the Politics*, " . . . this process generates two to four times the amount of greenhouse gases per barrel of final product as the production of conventional oil. If combustion of the final products is included, the so-called "Well to Wheels" approach, oil sands extraction, upgrade and use emits 10 to 45% more greenhouse gases than conventional crude." I hope that citizen action in Canada and around the world will have the power to stop this development. In the meantime, Montanans have the power to refuse to collaborate.

3 I urge you and the Department of Transportation to reconsider your analysis. More thought and more public input are urgently needed. The decisions we make now will affect not only our local economy and environment but future generations everywhere.

Sincerely,

Suzanne Sherman Aboulfadl

Suzanne Sherman Aboulfadl

ABOULFADL, SUZANNE SHERMAN

1. See response to Common Comment H2, L, and M.

2. See response to Common Comment E1.

3. See response to Common Comment F1.

Economic analysis of big rigs misses hidden costs The hidden costs of big rigs to Montana
Guest column by STEVE SENINGER

The Montana Department of Transportation is about to open up parts of Montana's scenic highways to massive oil equipment modules, referred to as "big rigs." Unfortunately, the economic analysis used in MDT's environmental assessment process does not recognize all costs that will be borne by Montana taxpayers and employers. Several major cost impacts are either assumed away or ignored. This lack of credible and comprehensive cost analysis is especially serious since MDT's authorization of the project may be extended to other oil companies, establishing a de facto industrial transportation corridor along western Montana rivers and highways.

MDT is touting this proposal as a job creation stimulus; however, the environmental assessment (Kearl Transportation Module Project, www.mdt.mt.gov) lacks credible, systematic analysis of the actual jobs that would be created for Montanans. The assessment estimates 150 Montana jobs from one-time-only modifications to highways and auxiliary shipment activities. The other job estimates are already employed workers, including those employed by out-of-state firms. MDT's assessment fails to balance its claimed positive economic impact with significant associated costs to Montanans. It assumes no job or business revenue losses in Montana's outdoor recreation and tourism industry; no costs due to big rig accidents, and no long-run costs for MDT's review, supervisory and road maintenance expenditures on the project.

Jobs in Montana's outdoor recreation and tourist industry are based on the attractions of our scenic outdoors, mountains, and forests. Tourist survey data show that visitors to Montana come for mountains and forest, open spaces and wildlife, and cold water streams full of trout. Surveys also show visitors give our state high scores for road conditions and environmental stewardship.

The mammoth oil equipment modules transported by a Dutch-based company will be up to 210 feet long, 30 feet high, and 24 feet wide and will, according to the MDT report, require significant highway construction and modifications along the scenic Loscha and Blackfoot river corridors. The report assumes no adverse effects on Montana's streams or on the state's outdoor recreation/tourism industry. Potential reductions in out-of-state visitors from the project would lead to job losses in the $4.3 billion outdoor recreation/tourism industry.

The loss of visitors will impact many western Montana businesses, including motels, restaurants and outfitters, and small employers that depend on recreation-tourism travelers. In Missoula County alone, outdoor recreation/tourist spending represents 2,200 jobs and $34 million in payrolls annually. Such jobs and wages are assumed to be completely unaffected by the big rigs.

MDT assumes zero accident risk for the 170-ton big rigs. This no-accident assumption is particularly questionable since the 200 shipments, slated to begin this September, will run year-long over Lolo Pass, through Missoula, up the Blackfoot, over Rogers Pass and up along the Rocky Mountain Front to the Canadian border. Visualize a 170-ton big rig on Montana's two-lane, rural highways in just a modest winter snow storm. A

comprehensive analysis would allow for potential major accidents and adverse impacts on human life, wildlife and the environment. Accidents would impose cleanup costs, law enforcement and emergency responder costs and traffic routing issues on the two lane highways, costs that would fall on local governments and taxpayers.

A third omission is the lack of explicit cost accounting for MDT's resources provided in the planning stage and a credible projection of such costs over the project timeframe. MDT is already spending taxpayer dollars which are not calculated in the environmental assessment. The analysis states that "MDT will cover costs of review of permit applications, review of the EA, construction oversight and normal obligations for road maintenance." These costs are ultimately paid by Montana taxpayers with the "normal obligations for road maintenance" potentially becoming quite significant. These omitted costs paid by Montana taxpayers represent a subsidy to ExxonMobil's tar sand operations in Canada.

A comprehensive, programmatic review of all social, economic and environmental impa and their costs should be conducted. Such an analysis showing the costs and gains to Monta taxpayers must also include the costs of alternative transport routes through Canada. The inadequate assessment conducted thus far does not answer these questions and is insuffici to make a decision with such far reaching effects on our economy and environment.

Steve Seninger is a Ph.D. economist with more than 40 years of professional background in economic impact and cost analysis.

ADRIAN ARLEO
9495 LOLO CREEK ROAD, LOLO, MT 59847 406.273.4620
aarleo@gmail.com

May 1st, 2010

RECEIVED
MAY 7 2010
ENVIRONMENTAL

Dwayne Kailey
Tom Martin
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

RE: Kearl Module Transportation Project

Dear Mr. Kailey & Mr. Martin:

Please enter these comments into the public record for purposes of the public input process for the Environmental Assessment for the above referenced project.

1 I am very concerned that the MDT would permit this project to take place in Montana with such a cursory review which limits the assessment of environmental impacts to an EA rather than subjecting this to a full Environmental Impact Statement. I cannot understand how, since this is a multi-state project which takes place on highways supported by federal funding, the requirements of NEPA are satisfied when the project is segmented and Montana is reviewed solely under MEPA.

2 Another major concern is that the KMTP project has been reviewed only with respect to this hauling project with the premise that it will be 12 month project. There is every indication that, if this is approved, it will result in a permanent High/Wide industrial corridor through Idaho and Montana. Any environmental review for this project must take the possibility for permanence of this route into consideration. Once these highways have been modified for the KMTP project, the door is wide open. The modifications will have been made and consideration for subsequent permits will be limited to issues such as weight limits and traffic delays, making the permitting process little more than a formality.

3 With specific reference to Highway 200 along the Blackfoot River, and Highway 12 along Lolo Creek, much of the proposed hiqhway is completely unsuited to become a permanent, industrial haul corridor. Such a corridor, whether temporary or permanent, will adversely impact some of our most scenic highways and rivers in our state, not to mention the potential harm to wildlife and aquatic life. These roadways are not appropriate for loads of this length or width, regardless of the number of new turnouts that are constructed. With regard to turnouts, It is difficult to visualize how turnouts and parking areas can be expanded and newly constructed, particularly along river banks, without significant environmental degradation. The EA simply pays lip service to these construction concerns and assumes that building these new facilities will address numerous issues without truly assessing the impacts of the construction along these scenic and ecologically fragile corridors.

Tourism is a major industry for Montana, particularly the western part of the state. The impacts to this driver of our economy have not been addressed as is evidenced in Table 1, Summary of Effects and Section 6, Economic and Community Impacts. The EA only assesses the impact of

ARLEO, ADRIAN

1. See responses to Common Comments A and B.

2. See responses to Common Comments K and C2.

3. See responses to Common Comments O, J and I.

4 one time and short term money being spent in the state. There has to be consideration that this road will very negatively impact the appeal of the Blackfoot River and Lolo Creek routes as scenic byways that attract many visitors to local businesses. Nor does the review address the impacts of construction delays, accident delays, inconvenience created by the large rigs and impaired access to rivers and trails. The impact to Montana's outfitters could be significant, but the EA does not address that or any of these economic impacts.

5 There are numerous other shortfalls in the EA, including:

- ☐ It does not address the potential impacts on delivery of emergency services along the route.

6
- ☐ All alternative routes that were examined were deemed to not be feasible, based incorrectly on economic considerations. In other words, Montana is being asked to bear the burden of accommodating the transport of these oversized modules to save Imperial Oil money. That is not the job of Montana citizens or agencies.

7
- ☐ The most consistent methodology used throughout the EA is the pattern of simply making a determination of no impact; therefore, no mitigation is required. This approach is completely contrary to the purpose of the environmental review process, whether under the auspices of the State or the Federal government.

8
- ☐ A 30 day comment period for a project of this magnitude is inadequate. The State of Montana owes its citizens far more respect than is being displayed with this project.

9 I urge the Montana Department of Transportation to require that a full Environmental Impact Statement for the Kearl Module Transportation Project be completed prior to any action being taken. The EIS must include a real evaluation of alternatives, unlike the treatment in the current EA, and must address the true environmental, economic and community impacts of a permanent Industrial High/Wide Haul Corridor.

Sincerely,



Adrian Arleo
9495 Lolo Creek Rd.
Lolo, MT 59847

4. See response to Common Comment M.

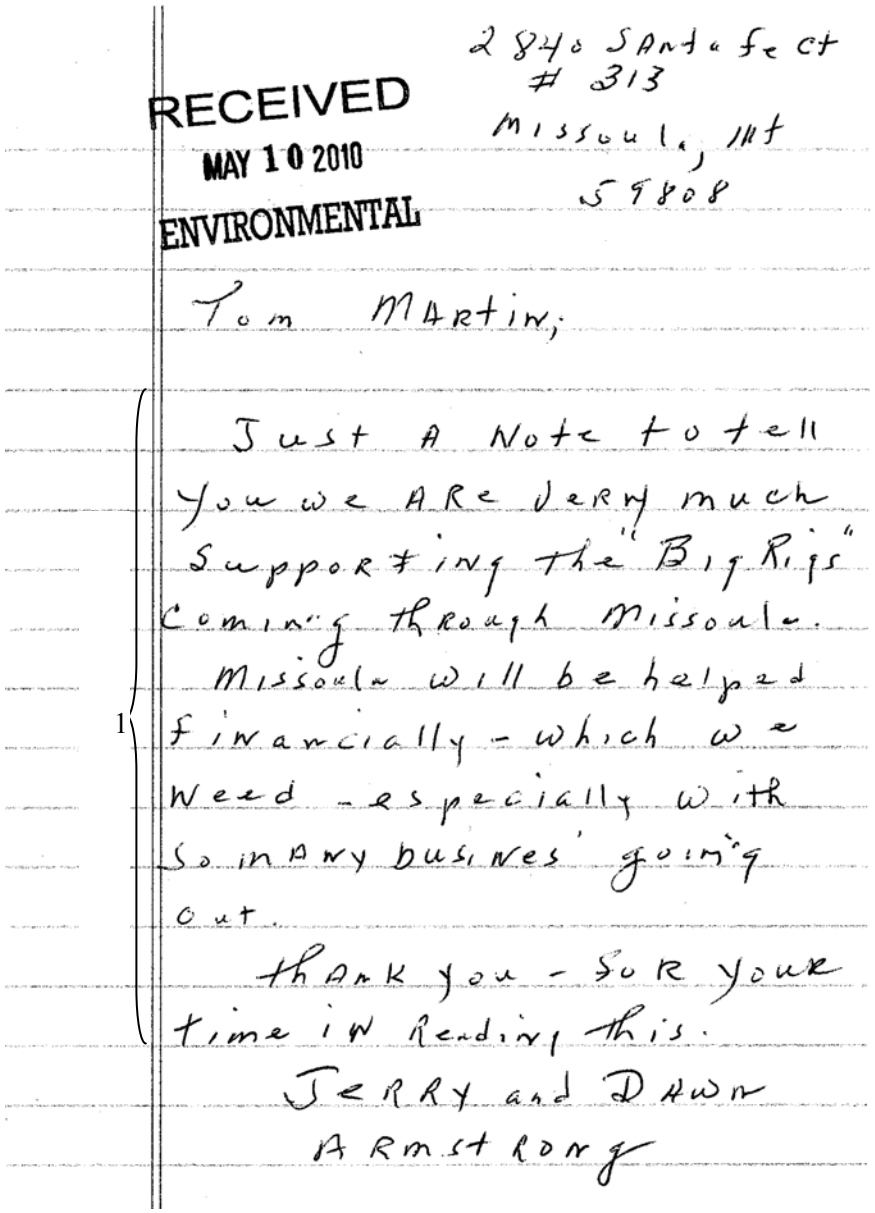
5. See response to Common Comment H3.

6. Comment noted.

7. See Section 3.13 of the EA where mitigation for all activities is specified.

8. See response to Common Comment F1.

9. See response to Common Comment B.



2840 Santa fe ct
313
Missoula, MT
59808

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MAY 10 2010
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Tom Martin;

Just A Note to tell
you we ARe VERY much
Supporting the "Big Rigs"
Coming through Missoula.
Missoula will be helped
financially - which we
Need - especially with
So many busines' going
out.
thAnk you - SO R your
time iN Reading this.
JERRY and DAwn
ARmstRONg

1

ARMSTRONG, JERRY AND DAWN

1. Comment noted.

RECEIVED
MAY 7 2010
ENVIRONMENTAL

MONTANA
MDT
DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.
Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml
The deadline for comments is May 14, 2010.
Please indicate your name, address and affiliation (if any) below.
Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Debra L. Ball-Giop
1417-Old Hwy 91 - P.O. Box 492
Cascade, MT 59421
ladylake@yahoo.com

Comments: If the Roads, turn-outs, and traffic Control put Montana people to work, plus the Companies involved pay for Road improvements what is the gripe! Wake up this is a prime time for Montana to become a major player in the Transportation Arena.

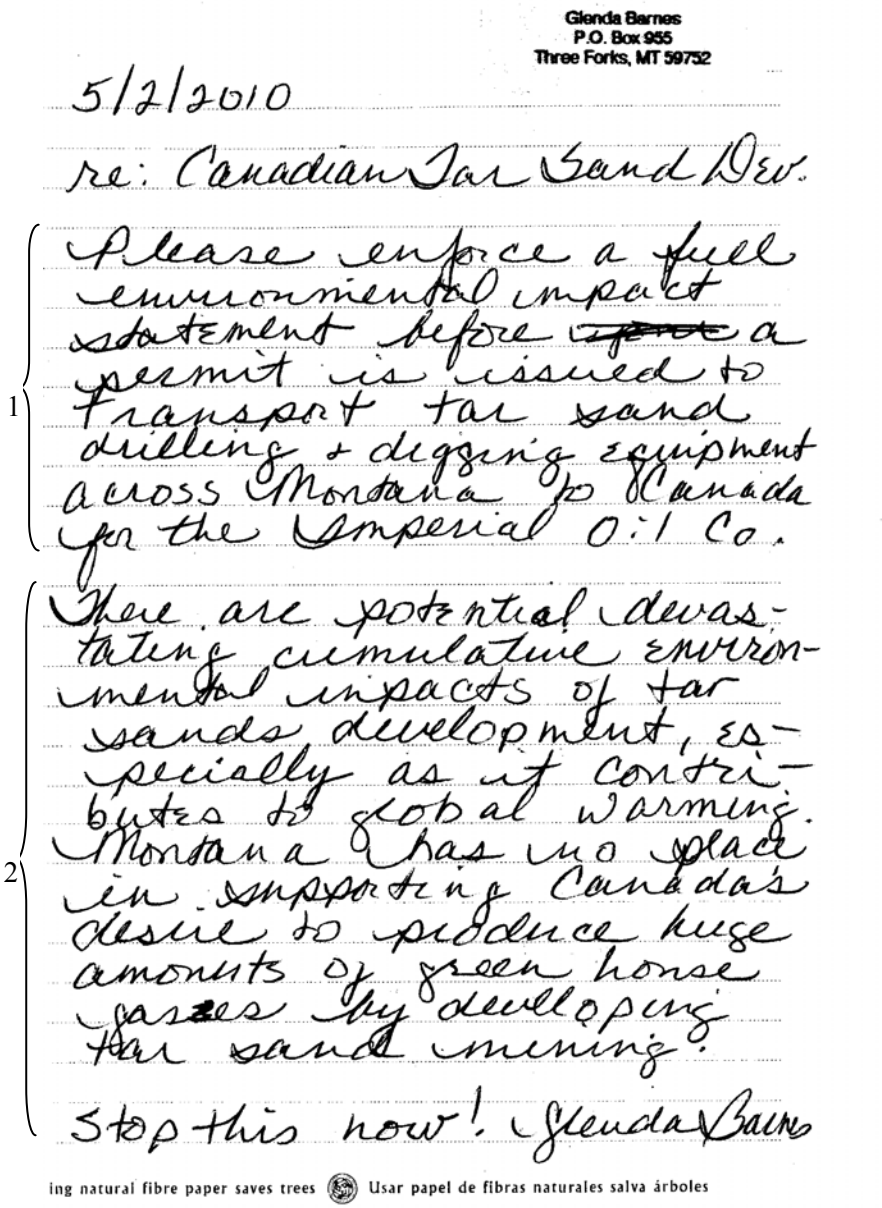
The Companies involved must obey Montana's MDT Environmental laws. I have great faith in the people who work at MDT Environmental Dept.

Sincerely
Debra L. Ball-Giop

1

BALL-GIOP, DEBRA

1. Comment noted.



Glenda Barnes
P.O. Box 955
Three Forks, MT 59752

5/2/2010

re: Canadian Tar Sand Dev.

1 Please enforce a full environmental impact statement before ~~the~~ a permit is issued to transport tar sand drilling & digging equipment across Montana to Canada for the Imperial Oil Co.

2 There are potential devastating cumulative environmental impacts of tar sands development, especially as it contributes to global warming. Montana has no place in supporting Canada's desire to produce huge amounts of green house gases by developing tar sand mining.

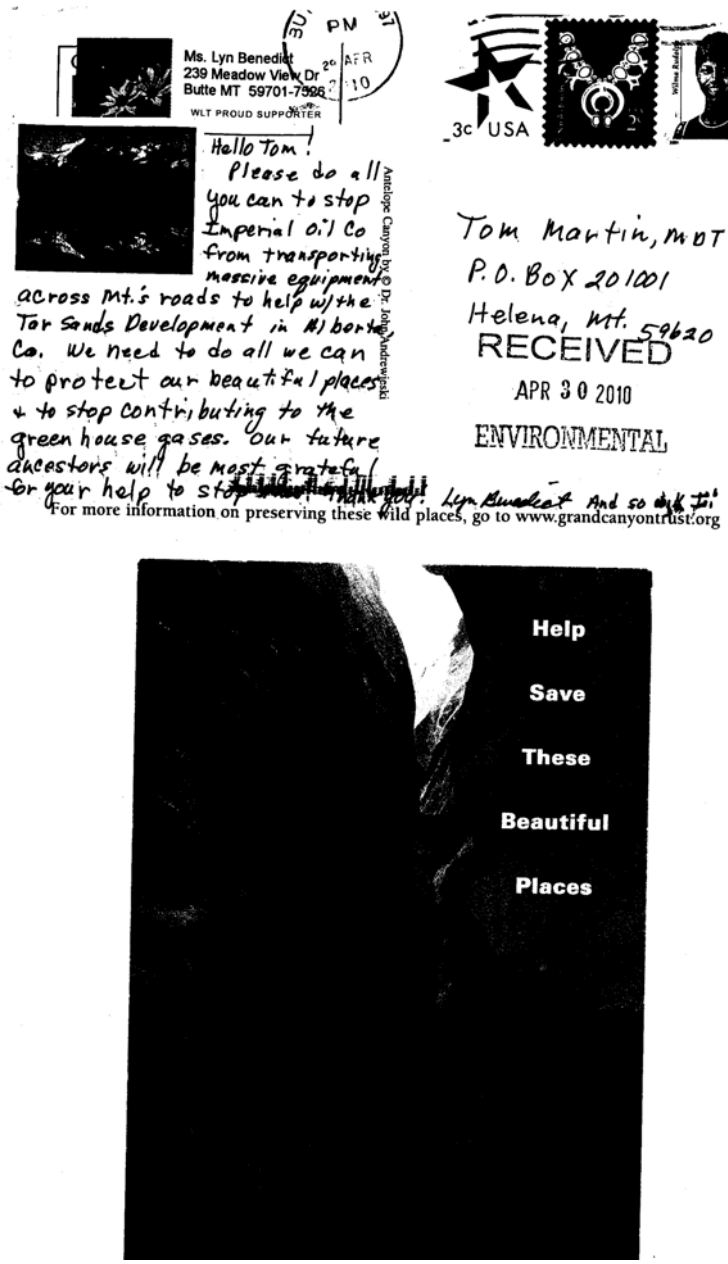
Stop this now! Glenda Barnes

ing natural fibre paper saves trees Usar papel de fibras naturales salva árboles

BARNES, GLENDA

1. See response to Common Comment B.

2. See Common Comment E1 and P



1

BENEDICT, LYN

1. See responses to Common Comments E1 and P.

RECEIVED
MAY 13 2010
ENVIRONMENTAL

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

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Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

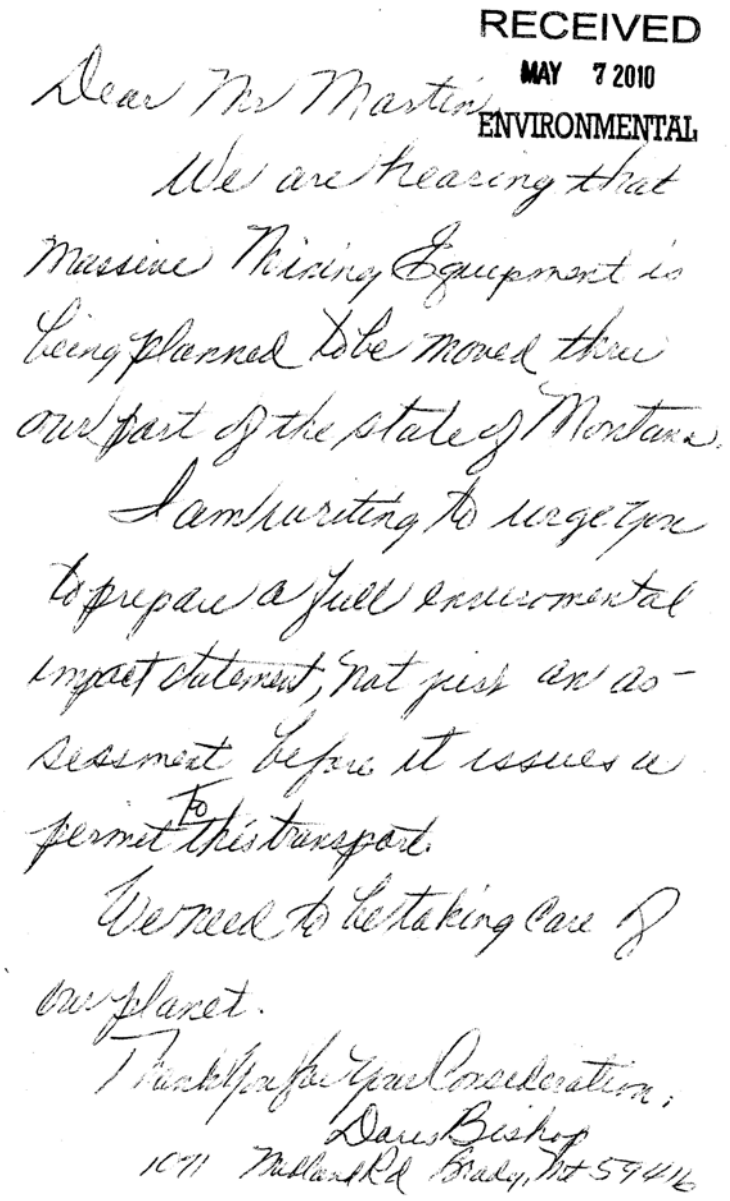
Kristine Berntsen
1212 1st Ave. No. Great Falls, MT 59401
Krissybe23@aol.com
LIUNA 1686

Comments: Pro-Project of Imperial Oil/KEARL module Transp.
A) Improvement of Montana infrastructure
B) Increase of local employment from Utility • environmental • MDT
C) Economic Increase of 1.5 million to 67.8 million
D) minimal to NO environmental impact through sensative areas
E) All work will Be Done @ Imperial Oil's expense

1

BERNTSEN, KRISTINE

1. Comments noted.



RECEIVED
MAY 7 2010
ENVIRONMENTAL

Dear Mr Martin,

We are hearing that Massive Mining Equipment is being planned to be moved thru our part of the state of Montana.

I am writing to urge you to prepare a full environmental impact statement, not just an assessment before it issues a permit for this transport.

We need to be taking care of our planet.

Thank you for your consideration;

Dares Bishop
1071 Millard Rd Brady, Mt 59416

BISHOP, DARES

1. See response to Common Comment B.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

MAY 1 4 2010
ENVIRONMENTAL

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
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Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Rebecca Boyett
502 Main St.
P.O. Box 64
Ovando, MT 59854

Comments: I do not think the EA has adequately addressed the issue of emergency services. I live in Ovando very near the Fire Department. However, if I had a fire in the night and the modules were between pull-outs, the volunteer firemen might not be able to get in to the firehall to get the fire truck out. Almost all our firemen live out of the town itself. The delay for getting them into the trucks could make the differene in whether my house could be saved or a total loss. This is not idle speculation, as I know of at least 3 night fires in the area that have taken out barns, garages and sheds with denger to houses. This could be true for all the volunteer fire departments along the route. Please extend the public comment period and address this issue.

Rebecca B. Boyett

1

BOYETT, REBECCA

1. See response to Common Comment H3.

RECEIVED
MAY 17 2010
ENVIRONMENTAL

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 28, 2010
Location: Lincoln School, 808 Main St., Lincoln, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Sara Boyett – (homeowner, Ovando, and driver of Hyw 200 weekly to Missoula)
502 Main, P.O. Box 64
Ovando, MT 59854
sara.boyett@blackfoot.net

p.1 of 4

Comments: I would like to address several concerns I have with the EA and then share with you concerns I have about the process the MDOT has used in this permitting process. I hope that you will give them your sincere consideration.

1 I share, with many others, fears that the provisions for emergency services have not been adequately addressed. Fire and medical emergencies can't be met with "only a ten minute wait." When you factor in that so much of this project will be in winter where the weather can mean even more delay, this is not acceptable.

2 Another major problem I have with this proposed route is the way it will alter these beautiful scenic routes on highways 12, 200 and 89 and 287.

BOYETT, SARA

1. See response to Common Comment H3.

2. See response to Common Comment J.

Sara Boyett
Comment on
Kearl Module Transport
p. 2

The enlargement of existing pull outs and the construction of 50 some new ones is going to have an enormous impact on these routes. I'm sure once opponents of this plan start parking vehicles in the pull outs as a form of protest, then signs with "No Parking" and threats of fines and jail, will go up at each pull out. Is this what tourists, and those of us who live along and drive these roads want? NO!

While I am not an economist (I am an historian) I can say as an interested reader of the EA, I see serious deficiencies in the computing of the economic benifits v. the negative impacts. Tetratec seems to have asked and answered many questions except the biggest, and to the people who drive these routes - the most important one: "What will be the long-term impact to the over-all experience of driving these scenic jewels of highways we have here in Montana?" I do not think "No Impact" is an honest answer.

Which brings me to my remarks about the process the MDOT is using to involve the public in this process. The most frustrating aspect is the Department's

3. Comment noted.

4. See response to Common Comment I.

Sara Boyett
comment, Kearl
p.3

assertion that it can only deal with this application and cannot speculate whether this route, if permitted, will become a future High-Wide truck route. While this may be true in a strictly narrow and legal way, it completely fails to address the very real fear that people have that it will, indeed, become permanent. Director Lynch's assurances that any future permit requests will have to go through the same scrutiny is cold comfort. If future companies do exactly as Imperial Oil has done, and once the road modifications are made, what is there to prevent every large corporation that wants to lower their labor costs by hiring Asian firms from being able to use it? I don't think the intent of environmental review laws is to forbid the MDOT to look at the long term big picture.

There are several other problems I have with the public involvement portion of this project. While I applaud Imperial Oil's efforts to meet with the various governmental units whose jurisdiction this route crosses, I have been disappointed that the public at large was not made aware that these meetings took place. Of our Powell County Commissioners had any public input on this

5. See response to Common Comment K.

Sara Boyett
comment, Kearl
p. 4

issue before or after they met with Imperial Oil, I am not aware of it.

I find fault with MDOT for not better publicizing the public hearings that took place in Cut Bank and Lincoln. While there was public notice in the Missoulian for the meeting in Missoula, it was difficult for those who live along Highway 200 to learn about the Lincoln meeting. A public notice from MDOT to be put up on the Post Office bulletin boards would have helped. 6

My final and strongest criticism of the MDOT's handling of this process is the extremely short time the public has had to read, digest, and respond to this long EA document. While the law may provide for the ordinary 30 day comment period, common sense would indicate that this is not an "ordinary" project, but one of unprecedented magnitude and enduring future impacts. If Director Lynch is sincere (and I believe he is) that you want to know the public's concerns, then please extend the public comment period by at least another 60 days and require a full EIS. This is too important not to get it right. Thank you for your consideration of my comments. 7

Sara Boyett

6. Comment noted.

7. See responses to Common Comments F1 and B.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

RECEIVED
MAY 6 2010
ENVIRONMENTAL

Project name: Kearl Module Transport Project EA
Control Number: **CN 6800**
Meeting date and time: 6:00 p.m., Thursday, April 28, 2010
Location: Lincoln School, 808 Main St., Lincoln, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Bob Bushnell Box 392 Lincoln MT 59639
47315 424 Rd

Comments: I see no problems with the movements, and no ill effects to the environment. the pullouts ~~with~~ should be left as they can be used by trappers after the project.

1

BUSHNELL, BOB

1. Comment noted.

Tom Martin
Montana Department of Transportation
P. O. 201001
Helena, Montana 59620

Dear Mr. Martin:

1 I am writing to share my opposition to using the 350 mile route from Lolo Pass to the Canadian boarder to ferry oversized oil equipment. I am opposed to the disruption of travel and damage to the two lane road systems.

2 I am opposed, in general, to tar sands mining because of irreversible impacts to the environment and public health. This includes production of greenhouse gasses, harmful air quality particulates, and harm to water quality.

3 Please consider the cumulative environmental impacts of tar sands development. Please prepare a full environmental impact statement before issuing a permit to transport.

Thank you for your consideration,

Margaret Ann Butcher

Margaret Ann Butcher
3429 8th Avenue North
Great Falls, Montana 59401

BUTCHER, MARGARET ANN

1. See response to Common Comment L.

2. See response to Common Comment E1 and P.

3. See response to Common Comment B.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
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Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

CHRIS CASTAGNE
P.O. Box 274
502 STemple PASS Road
Lincoln MONT. 59639

Comments: "I support this project 100%
The state of Montana should roll out
a red carpet and help these people any
way we can. These people are actually bringing
money to this Jobless state that does
not come out of my taxes, imagine that.
I have had to witness our Local enviromental
Bunch inflicting as much disrespect and
grief possible on these folks, JUST Because
they dont Like Miners? Totally embarrassing!
Thank goodness our County Commissioners and
even our Governor has supported this project.
Do you suppose they have Noticed The poverty
this state is in? Lets hope we see more of these
kinds of Projects. Sincerely, Chris P. Castagne 5-5-2010

1

CASTAGNE, CHRIS

1. Comment noted.

April 29, 2010

Dwayne Kailey
Tom Martin
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

RECEIVED
MAY 7 2010
ENVIRONMENTAL

RE: Kearl Module Transportation Project

Dear Mr. Kailey & Mr. Martin:

Please enter these comments into the public record for purposes of the public input process for the Environmental Assessment for the above referenced project.

1 I am very concerned that the MDT would permit this project to take place in Montana with such a cursory review which limits the assessment of environmental impacts to an EA rather than subjecting this to a full Environmental Impact Statement. I cannot understand how, since this is a multi-state project which takes place on highways supported by federal funding, the requirements of NEPA are satisfied when the project is segmented and Montana is reviewed solely under MEPA.

2 Another major concern is that the KMTP project has been reviewed only with respect to this hauling project with the premise that it will be 12 month project. There is every indication that, if this is approved, it will result in a permanent High/Wide industrial corridor through Idaho and Montana. Any environmental review for this project must take the possibility for permanence of this route into consideration. Once these highways have been modified for the KMTP project, the door is wide open. The modifications will have been made and consideration for subsequent permits will be limited to issues such as weight limits and traffic delays, making the permitting process little more than a formality.

3 With specific reference to Highway 200 along the Blackfoot River, and Highway 12 along Lolo Creek, much of the proposed hiqhway is completely unsuited to become a permanent, industrial haul corridor. Such a corridor, whether temporary or permanent, will adversely impact some of our most scenic highways and rivers in our state, not to mention the potential harm to wildlife and aquatic life. These roadways are not appropriate for loads of this length or width, regardless of the number of new turnouts that are constructed. With regard to turnouts, It is difficult to visualize how turnouts and parking areas can be expanded and newly constructed, particularly along river banks, without significant environmental degradation. The EA simply pays lip service to these construction concerns and assumes that building these new facilities will address numerous issues without truly assessing the impacts of the construction along these scenic and ecologically fragile corridors.

4 Tourism is a major industry for Montana, particularly the western part of the state. The impacts to this driver of our economy have not been addressed as is evidenced in Table 1, Summary of Effects and Section 6, Economic and Community Impacts. The EA only assesses the impact of one time and short term money being spent in the state. There has to be consideration that this road will very negatively impact the appeal of the Blackfoot River and Lolo Creek routes as scenic byways that attract many visitors to local businesses. Nor does the review address the impacts of construction delays, accident delays, inconvenience created by the large rigs and

CATES, ROSALIE SHEEHY

1. See responses to Common Comments A and B.

2. See response to Common Comment K and C2.

3. See response to Common Comment O, J and I.

4. See response to Common Comment M.

impaired access to rivers and trails. The impact to Montana's outfitters could be significant, but the EA does not address that or any of these economic impacts.

There are numerous other shortfalls in the EA, including:

5 ☐ It does not address the potential impacts on delivery of emergency services along the route.

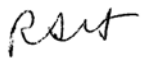
6 ☐ All alternative routes that were examined were deemed to not be feasible, based incorrectly on economic considerations. In other words, Montana is being asked to bear the burden of accommodating the transport of these oversized modules to save Imperial Oil money. That is not the job of Montana citizens or agencies.

7 ☐ The most consistent methodology used throughout the EA is the pattern of simply making a determination of no impact; therefore, no mitigation is required. This approach is completely contrary to the purpose of the environmental review process, whether under the auspices of the State or the Federal government.

8 ☐ A 30 day comment period for a project of this magnitude is inadequate. The State of Montana owes its citizens far more respect than is being displayed with this project.

9 I urge the Montana Department of Transportation to require that a full Environmental Impact Statement for the Kearl Module Transportation Project be completed prior to any action being taken. The EIS must include a real evaluation of alternatives, unlike the treatment in the current EA, and must address the true environmental, economic and community impacts of a permanent Industrial High/Wide Haul Corridor.

Sincerely,



Rosalie Sheehy Cates
141 Kensington
Missoula MT 59801

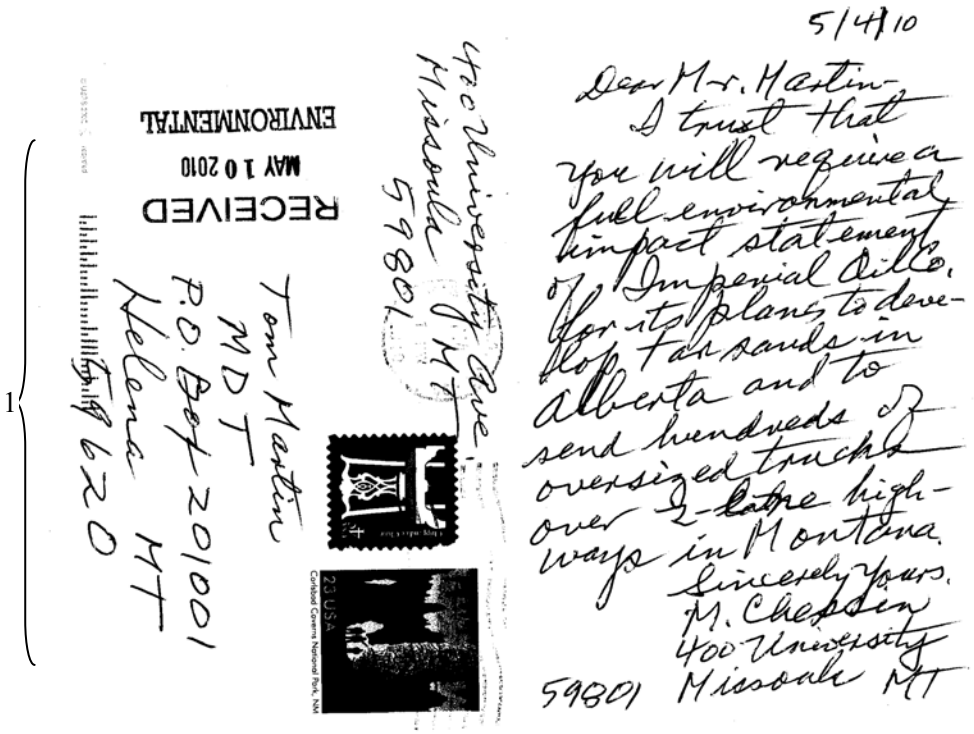
5. See response to Common Comment H3.

6. Comment noted.

7. See Section 3.13 of the EA where mitigation for all activities is specified.

8. See response to Common Comment F1.

9. See response to Common Comment B.



5/4/10

Dear Mr. Martin
I trust that you will require a full environmental impact statement of Imperial Oil's for its plans to develop Tar sands in Alberta and to send hundreds of oversized trucks over 2-lane highways in Montana.
Sincerely yours,
M. Chessin
400 University
59801 Missoula MT

400 University Ave
Missoula MT
59801

RECEIVED
MAY 10 2010
ENVIRONMENTAL

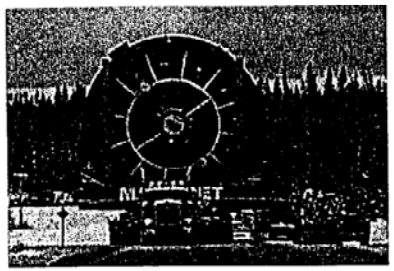
Tom Martin
MDT
P.O. Box 201001
Helena MT
59620

23 USA
Carlsbad Caverns National Park, NM

1

CHESSIN, M

1. See response to Common Comment B.



SAY NO TO A PERMANENT INDUSTRIAL CORRIDOR ALONG THE BLACKFOOT RIVER

◀ Note the size of this 'high and wide' load next to the logging truck at right

We may soon say goodbye to quiet, pristine mornings on the river. If ExxonMobil has its way, hundreds of gigantic 24-foot-wide trailers carrying massive whale-sized oil refining equipment will soon be grinding up and over mountain passes alongside the Lochsa and Blackfoot Rivers in Idaho and Montana en route to the Alberta Oil Tar Sands in Canada.

Once ExxonMobil's proposed corridor is in place, a permanent "high and wide" industrial route will be established and open for business. The impact of such massive industry right next to the West's most iconic streams would be devastating to wildlife, water quality, recreation, tourism, and our local rhythm of life.

ExxonMobil is proposing that its enormous equipment be trucked on an almost daily basis for at least a year along the **Wild and Scenic Lochsa River, over Lolo Pass, through Missoula, up the Blackfoot River corridor over Roger's Pass and on up to Canada.** The 330,000 pound loads will be 30' high, 24' wide, and 162' long and are destined for the Alberta Oil Tar Sands. With this initial approval in place, corporate giants can continue to use this route for industrial shipping for decades to come.

Mail this postcard to the Montana Department of Transportation and say NO to a permanent industrial corridor in western Montana.

COMMENT DEADLINE MAY 14

DEAR MONTANA DEPARTMENT OF TRANSPORTATION,

I am concerned about the creation of a permanent "high and wide" industrial corridor along some of Montana's most scenic river ways. The environmental analysis of the Kearl Module Transportation Project must not be limited to this one-time proposal since it is clear that the proposed industrial route will be used for decades to facilitate the development of the Alberta Oil Tar Sands.

Please:

- Conduct a programmatic review for the establishment of this permanent industrial corridor;
- Require real alternatives to be considered;
- Provide an economic analysis that accurately weighs the impacts to our recreation and tourism industry;
- Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts.

1



Thank you,

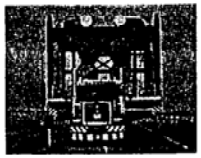
signature

printed name

address

city, state zip





CLARK FORK COALITION POSTCARD

The list of names of people who sent this post card is in **Table D-2**.

1. See response to Common Comment C2, D1, D2, M, and A.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

MAY 13 2010

ENVIRONMENTAL

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Shannon Coates Smith
5992 Fawn Meadow Dr.
Helena, MT. 59602

1 ***Comments:*** Creating good paying jobs throughout MT.

COATES-SMITH, SHANNON

1. Comment noted.

Lois Covault
7850 Stegner Drive
Missoula Montana 59808
406-728-7778
May 14, 2010

RECEIV
MAY 17 2
ENVIRONME

RE: Kearl Module Transport Project

I protest this massive highway project because it would forever negatively change everything in its path including:

. cutting the town of Missoula in two.
. sabotaging our economy by establishing a fast speed transport system to bring goods from Asia etc. to an inland seaport and beyond.
. we have enough unresolved air pollution problems in our tight mountain valleys already.
. jeopardizing the pristine-ness of Glacier Park and everything downstream - for what? - tar sands (bottom feeding) OIL!!!
. aesthetics of the mountains - rivers - valleys, and people.
. homogenizing our region to match other natural resource extraction sites - - - ugly and greedy.

I prefer a "River running through us" to an Orient Express running over us. PLEASE DO NOT GO THERE!!!!! We have other energy options to pursue.

1

Honest and Sincerely,

Lois Covault

Lois Covault

COVAULT, LOIS

1. Comment noted.

RECEIVED
MAY 14 2010
ENVIRONMENTAL

Tom Martin
MDT Environmental Services Bureau
P O Box 201001
2701 Prospect Ave.
Helena, MT 29620
Montana Department of Transportation May10, 2010

Reference: Kearl Module Transportation Project

I am very much in favor of this project. It will provide jobs and improve the infrastructure of the area it moves through.

It will be unique enough to draw more visitors to witness the movement of very large loads than it will cause not to come.

The development of Alberta will also have some spill over effect in Montana that will provide jobs in the transportation and manufacturing industries.

This project should be allowed to proceed.]

Richard Cronk
406-357-4118
Box 846
Chinook, MT 59523
tbarx@ttc-cmc.net

CRONK, RICHARD

1. Comment noted.

MONTANA
MDT
DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Michael Curran
908 Sherwood MSLA MT 59802
MikeCRRN@Yahoo.Com

Comments: I See No problems with This Route That they will travel. I Support this project.

1

CURRAN, MICHAEL

1. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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Control Number: CN 6800
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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

David Daughter
5600 Ebb Way unit A
Missoula, MT 59803

Comments: I support this Job For the work it will bring and the many Jobs people need. 1

DAUGHTER, DAVID

1. Comment noted.

From: Pat Dake <205pd@centurytel.net>
Subject: **Kearl Module Transport**
Date: May 21, 2010 9:43:19 AM MDT (CA)
To: www.mdt.mt.gov

MAY 2 6 2010
TRANSPORTATION PLANNING

1 This transport won't meet federal regulations as to height, weight, and width and should not be allowed to wreck Montana highways that we the people have to finance. It is more than an inconvenience to those needing to be heading for work at 4:00 a.m. And of course I don't believe the 10 minute delays are accurate, that would mean there has to be a lay-by about every 10 miles. How many lay- bys are planned?

2 And what about the poor people who would end up living near the lay-by, and they can't get any sleep all night long due to the noise from all the traffic stopping near by. You can't put in a decent day's work when you haven't had enough sleep.

3 I have to wonder about the expense to pay someone to guard these lay- bys from other people using and blocking the lay- bys so the transport has it available for it's use. There are hunters and travelers and tired truck drivers who would see these spots as nice places to pull over for a rest. How much is it going to cost Montana tax payers to guard all these lay- bys for the Transport?

4 I don't think this Transport project is worth one Montana life. Fire Departments guide Alert Helicopters to landing sites, and 10 minute (or longer) delays can be the difference between life and death.

5 The construction of all these lay-bys is another inconvenience to the Montana travelers. And I don't believe this can possibly be done in time for a Fall transport. Let Korea build a plant in Canada and build the modules there, or at least land and travel across Canada, Montana can't afford this.

6 Don't railroad this project through, without figuring out all the costs and inconveniences. Is there any plans for the transport company to pay fines for delays that are longer than 10 minutes?

My email wouldn't go through so here is my letter. I only heard about this a month ago but with no details. There was no article in the local paper, I heard about it from a friend in another part of the state. So it is looking to me like, don't inform the public & push this project through before there is time to comment. Is a cost ~~any~~ analysis done? Do you share that with the public.

Pat Dake



DRAKE, PAT

1. See response to Common Comment L and G. See Table 5 in the EA.

2. See section 3.7 of the EA.

3. Comment noted.

4. See response to Common Comment H3.

5. See responses to Common Comments G and D3.

6. The ARM provides for confiscation of permits and/or administrative penalties at 18.8.901 and 18.8.902. See section 2.0 of this Decision Document.

4.29.10

I AM WRITING TO URGE THE MONTANA DEPARTMENT OF TRANSPORTATION TO CONSIDER ALL THE DEVASTATING CUMULATIVE ENVIRONMENTAL IMPACTS OF TAR SANDS DEVELOPMENT, AS WELL AS THE EFFECTS OF GIGANTIC TRUCKS TRAVERSING THE 350-MILE ROUTE THROUGH MONTANA FROM LOLO PASS, THROUGH MISSOULA AND HELLGATE CANYON PICTURE ROCK, AND NORTH TO THE CANADIAN BORDER NEAR SHELBY. TAR SANDS MINING WILL PRODUCE APPROXIMATELY 116 TONS OF GREENHOUSE GASES EACH YEAR; MORE BY A FACTOR OF 3 THAN CONVENTIONAL OIL PRODUCTION. TAR SANDS MINING ALSO REQUIRES THE CLEARING VALUABLE OLD-GROWTH FORESTS AND SEVERELY HARMS WATER QUALITY. THE PASSAGE OF THE TRUCKS THROUGH MONTANA, BEARING THE EQUIPMENT FOR THE MINING WILL SEVERELY DISRUPT TRAVEL AND COMMUNITIES ACROSS A GOOD CHUNK OF MONTANA. PLEASE PREPARE A FULL ENVIRONMENTAL IMPACT STATEMENT, NOT JUST AN ENVIRONMENTAL ASSESSMENT BEFORE ISSUING A PERMIT TO TRANSPORT THESE COLOSSAL TRUCKS ACROSS THE STATE. THANKS, AND HAPPY SPRING.

SINCERELY,

JOHN

DUNKUM, JOHN

1. See responses to Common Comments E1 and P.

2. See response to Common Comment G.

3. See response to Common Comment B.

Dear Montana Dept of Transportation –

I am concerned about the creation of a "high tride" industrial corridor along some of Montana's most scenic river ways. The environmental analysis of the Kearl Module Project must not be limited to this one-time proposal since it is clear that the proposed industrial route will be used for decades to facilitate the development of Alberta's Oil Tar Sands.

Please –

1 • Conduct a programmatic review for the establishment of this permanent industrial corridor

2 • Require Real alternatives to be considered

3 • Provide an economic analysis that accurately weighs the impact to recreation & tourism industries

4 • Coordinate with DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana & National Policy Acts.

Thank you,

Michelle A. Ellis-Bevil
3938 SW Elmgrove St
Seattle WA 98136

ELLIS-BEVIL, MICHELLE

Form letter 1.

1. See response to Common Comment C2.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comment A.

ENVIRONMENTA

Nicholas D. Exline
3033 Bellevue Avenue
South Lake Tahoe, CA
96150

May 12, 2009

Tom Martin
Montana Department of Transportation
P.O. Box 201001
Helena, MT 59620-100

Subject: Public Comment on KMTP Environmental Assessment

Dear Mr. Martin:

1 I am writing in regards KMTP EA. After reviewing the EA I urge you to deny Exxon's Imperial Oil proposal to allow for oversized industrial shipments through Lolo Pass (Lolo Trail). As you are aware this area's pristine beauty has remained fairly constant since the days of the Lewis and Clark. Lewis and Clark conducted a portion of their famed exploration through this beautiful country. The proposed industrial shipment through what is a National Historic Landmark and a designated National Scenic Byway is entirely inappropriate and would forever tarnish this beautiful area.

2 This area is not only known for its beautiful landscapes but for its extensive wildlife, world class fishing and hunting and recreational opportunities individuals travel the world over to enjoy. The small communities surrounding the proposed industrial passage ways economic survival is dependent on maintaining Montana's beautiful landscape. The economic benefits of the proposed plan are primarily enjoyed by foreign companies, but the environmental and economic impacts would be borne by the residents of the state. A serious look needs to be given to the economic hardships to the communities surrounding proposals.

3 The current EA analysis should consider a full range of alternatives. In addition, given the breadth of this proposal, the state of Montana should also seek a federal analysis through the National Environmental Policy Act that would consider the full and cumulative impacts of this proposed action. Based on the absence of both these factors, I urge your agency to deny Exxon's proposal.

I thank you for your time regarding this matter. Please feel free to contact me with any updates regarding the proposed action.

Sincerely,



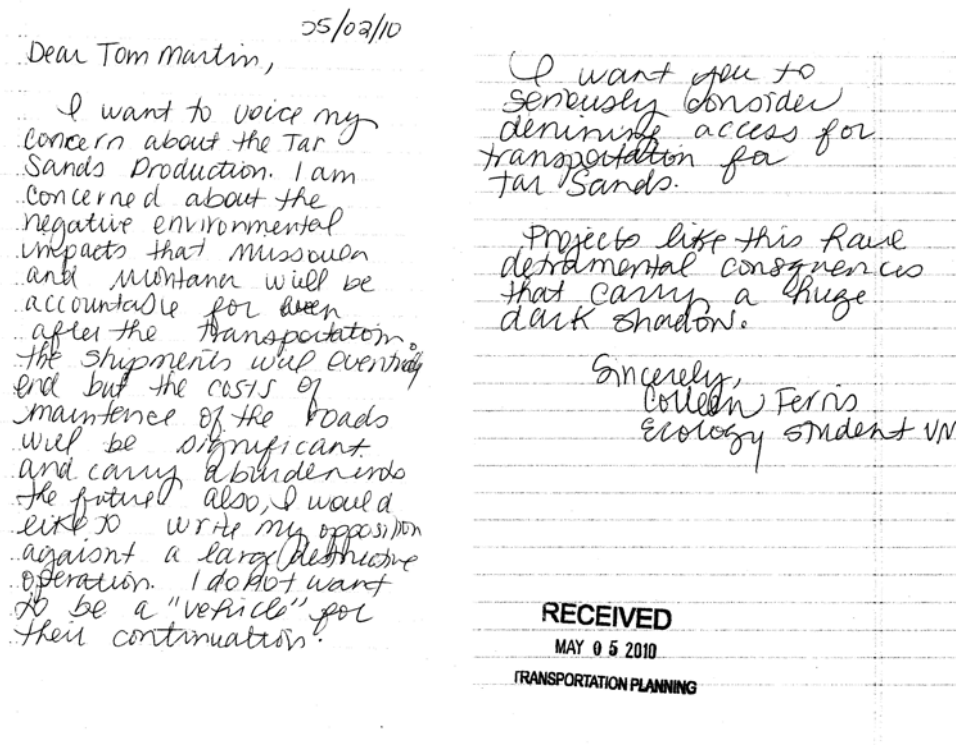
Nicholas D. Exline

EXLINE, NICHOLAS

1. Comment noted.

2. See response to Common Comment M.

3. See response to Common Comment A and B.



05/02/10

Dear Tom Martin,

I want to voice my concern about the Tar Sands Production. I am concerned about the negative environmental impacts that Missoula and Montana will be accountable for even after the transportation. The shipments will eventually end but the costs of maintence of the roads will be significant and carry a burden into the future. Also, I would like to write my opposition against a large destructive operation. I do not want to be a "vehicle" for their continuation.

I want you to seriously consider denying access for transportation for Tar Sands.

Projects like this have detrimental consequences that carry a huge dark shadow.

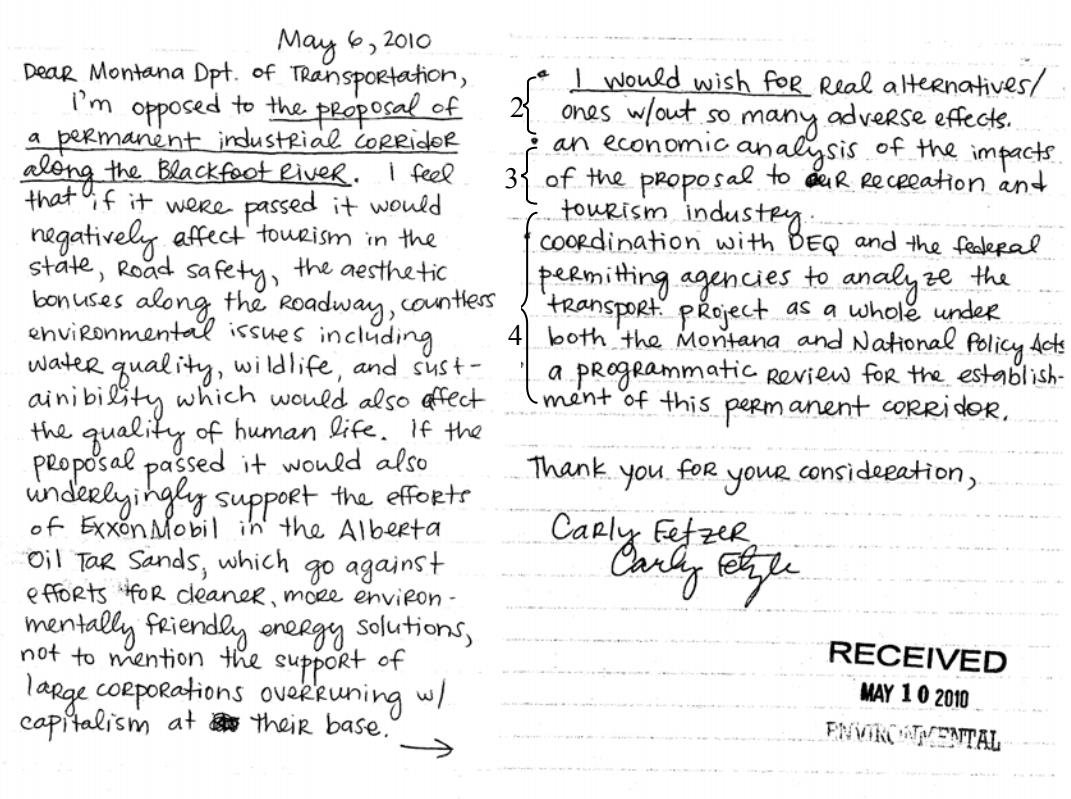
Sincerely,
Colleen Ferris
Ecology Student UM

RECEIVED
MAY 05 2010
TRANSPORTATION PLANNING

1

FEINS, COLLEEN

1. See response to Common Comment L.



May 6, 2010

Dear Montana Dpt. of Transportation,

I'm opposed to the proposal of a permanent industrial corridor along the Blackfoot River. I feel that if it were passed it would negatively affect tourism in the state, road safety, the aesthetic bonuses along the roadway, countless environmental issues including water quality, wildlife, and sustainibility which would also affect the quality of human life. If the proposal passed it would also underlyingly support the efforts of ExxonMobil in the Alberta Oil Tar Sands, which go against efforts for cleaner, more environmentally friendly energy solutions, not to mention the support of large corporations overruning w/ capitalism at their base. →

1

- I would wish for Real alternatives/ ones w/out so many adverse effects. 2
- an economic analysis of the impacts of the proposal to our recreation and tourism industry. 3
- coordination with DEQ and the federal permitting agencies to analyze the transport project as a whole under both the Montana and National Policy Acts a programmatic review for the establishment of this permanent corridor. 4

Thank you for your consideration,

Carly Fetzer

Carly Fetzer

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FETZEL, CARLY

Form letter 1.

1. See response to Common Comments K, M, J, I, O, E1 and P.
2. See responses to Common Comments D1 and D2.
3. See response to Common Comment M.
4. See responses to Common Comments A and C2.

MAY 1 3 2

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

ENVIRONMI

Project name: Kearl Module Transport Project EA
Control Number: **CN 6800**
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

William S. Flanery
1917 East Broadway
Missoula, MT 59802
beflanery@yahoo.com

Comments: 1. Concern for damage to the highways from the large truck-trailers: It was stated by one of the panelists that the gross weight of the truck-trailer and module could be as much as 580,000 lbs. This would be an average of over 41,000 lbs. per axle if there are 14 axles. This could have a damaging effect to the roadways.

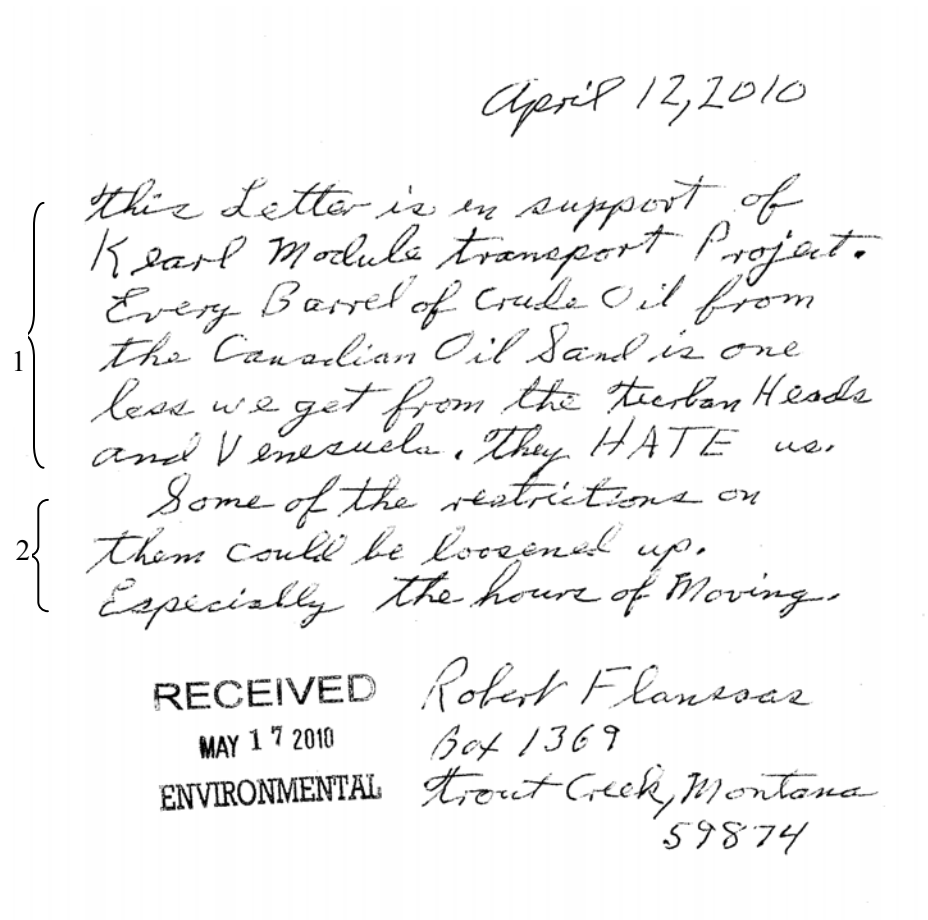
2. Maintenance costs after the first year: While Imperial Oil would pay for the cost of improvements, many of these improvements would lead to increased maintenance costs in succeeding years, and no mention is made of how to deal with this.

3. Failure to consider cost of accidents: The EA should address the probability of accidents, both from the standpoint of environmental damage and costs to affected governments and property owners.

FLANERY, WILLIAM

1. See response to Common Comment L.

2. See responses to Common Comments H1 and H2.



April 12, 2010

1 This Letter is in support of Kvarl Module transport Projet. Every Barrel of Crude Oil from the Canadian Oil Sand, is one less we get from the Arabian Heads and Venesuela. They HATE us.

2 Some of the restrictions on them could be loosened up. Especially the hours of Moving.

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Robert Flansaas
Box 1369
Trout Creek, Montana
59874

FLANSAAZ, ROBERT

1. Comment noted.

2. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

RECEIVED
MAY 14 2010
ENVIRONMENTAL

Project name: Kearl Module Transport Project EA
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Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml
The deadline for comments is May 14, 2010.
Please indicate your name, address and affiliation (if any) below.
Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Anton Gabrielson
2210 35th St.
Missoula, MT 59801
doacancan2@yahoo.com

Comments: I do not support the project. The EA fails to adequately document the inevitable long-term sustained use that will occur on this corridor. A detailed emergency plan is not specified. The evidence behind impact on water, wildlife, and bridges is not documented in detail. The economic impact of both directions of travel over time is not specific, or even present. There is no guarantee that Montanans will be employed, and the costs to the state for, say, highway patrol cars over indefinite time beyond 2011 are not accounted for. The ~70 million dollar benefits to Montana are based off of general multiplier (secondary) estimates, and $70 million scantly compares to the costs incurred to our economy via damage, delay, emmissions (of the sands) impacting our glaciers & snowpack through climate change, and possible accidents. An EIS under NEPA standards is recommended, since the impacts are on multiple U.S. States an thus of federal proportions.

Longer comment period needed IE 90 days

GABRIALSON, ANTEN

1. See response to Common Comment K.
2. See response to Common Comment H1, H2, and H3.
3. See Section 3.6 of the EA
4. See response to Common Comment Q.
5. See Section 3.6 of the EA. See response to Common Comment L, M, P, F1, H1, and H2.
6. See response to Common Comment A and B.

PAUL GAZZO
330 W. CENTRAL AVE.
MISSOULA, MT. 59801
5/6/10

RECEIVED
MAY 11 2010
ENVIRONMENTAL

DEAR DUANE KRICHT,

I'M WRITING YOU CONCERNING THE PROPOSED INDUSTRIAL CORRIDOR ALONG HIGHWAY 12 AND THE BLACKFOOT RIVER. I AM AGAINST THIS FOR MANY REASONS.

1) THE CREATION OF THIS EQUIPMENT SHOULD BE CREATING AMERICAN JOBS. THE U.S. IS JUST BEING USED AS A SHORTCUT TO THE CANADIAN OIL TAR SANDS. THIS EQUIPMENT SHOULD BE MANUFACTURED IN THE U.S.A., NOT OVERSEAS AND MUST TRANSPORTED THRU THE U.S.

2) I SPEND QUITE A BIT OF TIME IN CANADA AND AM VERY CONCERNED ABOUT THE ENVIRONMENTAL DAMAGE FROM MINING THIS OIL TAR IN CANADA. IT IS A VERY DIRTY PROCESS THAT USES A LOT OF ENERGY TO REMOVE THE OIL. FROM WHAT I HAVE HEARD MOST OF THIS OIL IS BEING SENT TO THE U.S. WE NEED TO START LOOKING AT CONSERVATION AND ALTERNATIVE FORMS OF ENERGY TO KEEP OUR COUNTRY STRONG.

3) I ALSO SPEND QUITE A BIT OF TIME IN THE BLACKFOOT AND HOLO CORRIDOR AND KNOW THAT THIS ACTIVITY WILL IMPACT RECREATIONAL AND TOURIST ACTIVITIES AND INCOMES IN THIS REGION. HAVE YOU TAKEN THIS INTO ACCOUNT?

PLEASE DO NOT DECIDE ON A SHORT TERM FIX THAT DOES NOT HELP MONTANA AND THE UNITED STATES IN THE LONG RUN.

SINCERELY,

GAZZO, PAUL

1. See response to Common Comment D3.
2. See response to Common Comment E1.
3. See responses to Common Comments M and O.

RECEIVE
MAY 17 2010
ENVIRONMENT

May 13, 2010

Tom Martin, Montana Department of Transportation
Environmental Services Bureau
PO Box 201001
2701 Prospect Ave.
Helena, MT 59820-1001

Dear Sir,

Re: Kearl Module Transportation Project

Our family has lived in Montana for the past 48 years and in that time has become most familiar with the road corridors on which ExxonMobile will be transporting their modules. Because it is one of the most scenic routes and follows some of our mostly pristine Idaho and Montana rivers, we are appalled that this route was chosen. In addition, we are saddened that the Montana Department of Transportation (MDT) does not deem it important enough to prepare a full Environmental Impact Statement. 1

We have many concerns shared by our three younger families, friends and others who use these routes. They are as follows.

l. This project and the associated impacts on the environment and the social and economic structures of the state and local areas, is of such magnitude .that there must be a full environmental impact statement both on the federal and state levels(NEPA and MEPA) done for the public to review. 2

The federal government must be involved as this project not only impacts two states, but transcends national boundaries. A National Environment Impact Statement which would include a comprehensive programmatic review of all social, economic and environmental impacts and their costs must be conducted Such an analysis should show the

1

GROVES, DARLENE AND JOHN

1. See response to Common Comment B.

2. See responses to Common Comments A and B.

costs and gains to Montana/Idaho taxpayers and should also include the costs of alternative transport routes through Canada. The inadequate assessment conducted thus far does not answer these questions and is insufficient to make a decision with such far reaching effects on our economy and the environment. 3

A 30 day period for citizen comment or involvement is entirely inadequate for a project of this magnitude. That period must be extended and citizens provided an EIS for full disclosure of the impacts. 4

2. Alternative routes - it appears that alternative routes may have been considered by the company, but were dismissed because of miles, bridges, overpasses, power lines and etc. ExxonMobile does have alternatives. They have a good highway system from Prince Rupert to Edmonton which is only approximately 300 miles longer than the Montana/Idaho route. If bridges, overpasses and power lines are a problem, they must be altered or the company needs to break the equipment down into smaller parts. 5

3. We well remember when the four lane Interstate Highway System was proposed and pushed through. It was touted as the solution for transporting commercial and industrial equipment. The public paid for that, not only in tax dollars, but in loss of farmland, damage to rivers and streams, impacts to small communities and on and on. The Interstate Highway System or the Canadian Highway System should be used as the transportation corridor for this project. 5

4. We are not so naive as to believe that the Kearl Module Project will be the only large commercial/industrial endeavor using Highway 12 into Montana. It is just another step by business leaders in Lewiston to justify the "Port of Lewiston". The corporations and businesses of Lewiston lobbied for government funds to dam rivers, build levees and industrial facilities, to make an port hundreds of miles inland. At that time they were advocating that Montana wheat should be transported over narrow and scenic Highway 12 to justify their folly. The people of Montana and Idaho worked to protect the river by advocating it be 6

3. See response to Common Comment L.

4. See response to Common Comment F1.

5. See response to Common Comment D2 and Common Comment D3.

6. See response to Common Comment K.

classified a National Wild and Scenic River. It must not be put at risk of severe damage to satisfy the greed, short term gain and mania for development at any cost, of those with money and power?

5. There will be accidents. It is not hard to imagine what the impacts will be when one or more of the "big rigs" go into the Lochsa or the Blackfoot Rivers. Oil will be spilled into the rivers, (witness the present situation with ExxonMobile). And there will be more damage in the process of pulling them out. What damage will be done to all the resources (water, river systems, fisheries, wildlife, scenic values In addition, their will be costs to taxpayers. The potential risk and damages must be fully disclosed and assessed. To date that has not been done adequately., 7

6. The tar sands project out of Fort McMurry is an abomination, an environmental nightmare, and is and will have irreversible impacts on all of us, Canadian and US citizens. We should not in any way enable this project.

It will produce 108-125 million metric tons of greenhouse gases each year. That is more greenhouse gases than conventional oil production by a factor of 3-1. And by burning the tar sands oil it produces more greenhouse gases per barrel than conventional fuel 8

It will produce excessive levels of harmful particulates that impair air quality.

It will severely harms water quality.

7. How will Montana benefit from this oil? It is thick viscous material that carries many hazards in transport. It will have to be refined. Will Montana be asked to build refineries and deal with the waste?

We feel a solution for ExxonMobile is to use the existing transportation system in Canada which allows them to use the Port of Vancouver or Prince Rupert. Either redesign the modules to

7. See response to Common Comment H3.

8. Comment noted.

9 accommodate that existing system, or pay to build new bridges, detours around overpasses, move power lines or whatever is needed. It is a Canadian project and should remain there.

In summary, we are extremely concerned that the Governor of Montana, the director of the Department of Transportation and their counterparts in Idaho, do not have the skills, the desire, nor the will to direct this project toward a more acceptable route.

Please enter this letter into the formal file for the Kearl Module Transportation Project. We would like to be kept informed on every aspect of this project.

Sincerely yours,

John D. Grove Darlene L. Grove

Our families and concerned friends.

9. See response to Common Comment D1.

5-12-10

Tom Martin MDT
2701 Prospect Ave.
P. O. Box 2001001
Helena, Mt. 59620

RECEIVED
MAY 14 2010
ENVIRONMENTAL

Subject - Big Rigs

Hi Tom,

Let the big rigs roll, as long as they meet bridge weight laws.

The 67+ million dollars will help our economy a bunch.

The doom + gloomers are always pessemistic about anything and everything. I think it is great that we can help our neigbors to north. We may benefit from it some day.

I'm sure they will meet all safety and environmental rules.

I will be very excited if it flies and goes well.

Sincerely
Fred L. Guenzler - retired
173 Luby Lane
Florence, Mt. 59833

GUENZLER, FRED

1. Comment noted.

April 30, 2010

Tom Martin
MDT Environmental Services Bureau
P.O. Box 201001
2701 Prospect Ave.
Helena, MT 59620

Re: Big rigs

Dear Sir,

Why are we in Montana wasting resources on a Canadian and Exxon problem?

Put the "big rigs" back on the ship and float them to a Canadian port. From there Canada and Exxon can work out the logistics of over land transport and placement. These are issues that should have been worked out long before the arrival in North America!

1

Montana is a large state with a small population and many roads to maintain. Do not put the "big rigs" on our roads!!

Yours,

Marie L. Hall

Marie L. Hall
1005 Cherry St.
Missoula, MT 59802

HALL, MARIE

1. Comment noted.

STATE REPRESENTATIVE HD 99 – BETSY HANDS

The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

REPRESENTATIVE BETSY HANDS
HOUSE DISTRICT 99

HELENA ADDRESS:
CAPITOL BUILDING
PO BOX 200400
HELENA, MONTANA 59620-0400
PHONE: (406) 444-4800

HOME ADDRESS:
1337 SHERWOOD STREET
MISSOULA, MONTANA 59802
PHONE: (406) 721-3881

COMMITTEES:
STATE ADMINISTRATION
NATURAL RESROUCES
LOCAL GOVERNMENT VICE CHAIR

RECEIVED
MAY 14 2010
MT DEPT. OF TRANSPORTATION
DIRECTOR'S OFFICE
RECEIVED
MAY 17 2010
TRANSPORTATION PLANNING

May 11, 2010

Director Jim Lynch
Montana Department of Transportation
2701 Prospect Avenue
Helena, MT 59620

Re: Public comment for Kearl Module Transportation Project, EA

Dear Director Lynch:

Thank you for taking time to meet with our delegation on Monday to talk in more depth about the Kearl Module Transportation Project. It was very disappointing to hear that Department of Transportation did not determine through the EA scoping process that an EIS was warranted. I am writing to express not only my concern but also a request.

1 First and foremost, I have been approached by constituents and respected leaders in Missoula to comment on the short period of public comment, the lack of the preparation of an EIS in this public scoping process as well as the public safety aspect of large oversized trucks traveling along our scenic rivers on narrow roadways. At the meeting last night, you commented that you were complying with MEPA and its timeline for public comment. Given the clear concerns for public safety, economic impact (regarding our long-term tourism), and possible environmental impacts, I would ask that you seriously consider extending the timelines as described in Chapter 75-1-208 (5).

> An agency may extend the time limits in subsection (4) by notifying the project sponsor in writing that an extension is necessary and stating the basis for the extension. The agency may extend the time limit one time, and the extension may not exceed 50% of the original time period as listed in subsection (4).

1. See response to Common Comment F1.

A 30-day comment period for a project of this magnitude is not acceptable. The Kearl Oil Sands Project is expected to be active through 2060; and if this does become an accepted Industrial High/Wide Haul Corridor, it could be used for many years to come. An extended time period would allow people living near the corridors to consider and comment on whether the Kearl project has sufficiently answered questions in their EA about the significant impacts on the quality of the human environment and the cumulative effects of creating a high and wide trucking corridor. Also, due to the limited scope of the EA, MDT cannot properly determine the impacts of the proposed action on the human environment, including but not limited to water resources, fish and wildlife, the transportation system, and the local economies and communities along the proposed route.

2

I believe that there is sufficient evidence that MDT should have prepared an EIS. MDT could reject the EA for not including a review of all social, economic and environmental impacts of this project as well as the cumulative effect that can be expected due to the nature of the Kearl Oil Sands project. For example, the EA does not address the potential impacts on delivery of emergency services. When one looks at the proposed route, there are instances where the presence of one of these haulers could delay emergency vehicles for long enough to cause serious damage or fatalities due to the inability to get to the scene of an incident or transport a patient to medical services. If this review is confined just to Missoula, access from the Bitterroot Valley and from the Seely/Swan and Blackfoot Valleys are extremely vulnerable. This impact requires consideration and any plan must address how these impacts would be mitigated.

3

According to MDT's MEPA rules, and in particular 18.2.239, Department of Transportation can request much more information pertaining to the impacts of the Kearl project. See details copied from MEPA's Preparation and Contents of Environmental Assessment:

> (d) an evaluation of the impacts**, including cumulative and secondary impacts**, on the physical environment. This evaluation may take the form of an environmental checklist and/or, as appropriate, a narrative containing more detailed analysis of topics and impacts that are potentially significant, including, where appropriate: terrestrial and aquatic life and habitats; water quality, quantity, and distribution; geology; soil quality, stability, and moisture; vegetation cover, quantity and quality**; aesthetics;** air quality; unique, endangered, fragile, or limited environmental resources; historical and archaeological sites; and demands on environmental resources of land, water, air and energy;
> (e) an evaluation of the **impacts, including cumulative and secondary impacts, on the human population in the area to be affected by the proposed action. This** evaluation may take the form of an environmental checklist and/or, as appropriate, a narrative containing more detailed analysis of topics and impacts that are potentially significant, including where appropriate, social structures and mores; cultural uniqueness and diversity; access to and quality of recreational and wilderness activities; local and state tax base and tax revenues; agricultural or industrial production; human health; quantity and distribution of employment; distribution and density of population and housing; demands for government

2. Comment noted.

3. See responses to Common Comments B and H3.

services; industrial and commercial activity; locally adopted environmental plans and goals; and other appropriate social and economic circumstances;

4 I would also like to point out that if MDT agreed that there are significant concerns affecting the quality of the human environment, MDT is required to prepare an EIS from the start. According to MEPA ARM 18.2.237 GENERAL REQUIREMENTS OF THE ENVIRONMENTAL REVIEW PROCESS

(1) The agency shall prepare an EIS as follows:
(a) whenever an EA indicates that an EIS is necessary; or
(b) whenever, based on the criteria in ARM 18.2.238, the proposed action is a major action of state government significantly affecting the quality of the human environment.

5 While you may not agree with my assessment of MEPA guidelines, Administrative Rules of Montana, MDT's role in determining the need for an EIS and a longer comment period, I have one final request. When we spoke on Monday, you mentioned that the MDT can review the social benefit of the pull outs at the end of the permit. If your department determines that they are not necessary, then MDT can require the Kearl Corporation remove the pull outs and restore to the areas to their natural state. I am asking that you take your offer to heart and truly review the need for these pull outs at the end of their one-year permit. If they are not being used to a great extent, then have them removed. This would be an important promise to keep and would ease many people's concerns of the long-term cumulative impact of an active, high and wide corridor through our most scenic and vital roadways that support our quality of life and a multi-million dollar tourism industry.

Sincerely,

Betsy Hands
Representative HD 99

Cc: Dwane Kailey, P.E.
Chief Engineer, Montana Department of Transportation

4. See response to Common Comment B.

5. MDT will review the need for the turnouts following completion of the project.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

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Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Mark L. Hanson
P.O. Box 17245 Missoula MT. 59808
7757 Bear Ln. Missoula MT. 59808

Comments: I feel any activity will Generate Demand for good + Services. also Generate tax revenue

M. L. Hanson

1

HANSON, MARK

1. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

MAY 13 2010

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Robert Hanson
5702 Sunset Rd
Helena MT 59602
Hanson1@Wild Blue.Net
59602

Comments:

HANSON, ROBERT

No comments included.

April 30, 2010

Dear Mr. Martin

I urge the Montana Department of Transportation to forbid the transport of the massive tar sands equipment across Montana. The tar sands mining going on in Alberta is a horrible environmental disaster. It is irreversibly destroying the land and produces millions and millions of metric tons of greenhouse gases.

In the name of sanity, and of human morality, let us not be complicit in this egregious assault upon the earth.

John Hay

HAY, JOHN

1. See responses to Common Comments E1 and P.

RECEIVED
MAY 7 2010
ENVIRONMENTAL

6125 Mercer Lane
Evaro, MT. 59808

April 30, 2010

Montana Dept. of Transp.
Helena, MT.

Dear Sir:

I wish to comment on the Big Rig Transfer Proposal. At this time I'm opposed to allowing transport of these loads across Montana roads. Its primary a benefit to Canada and I believe they should bear the expense and inconvenience I'm confident Exxon Mobil can haul these loads from Vancouver to the tar sands area in Alberta using existing roads, with improvements

To go through Idaho and Montana would require fairly extensive work to the highways and bridges, degrading the scenic attractiveness along the Lochsa and Blackfoot rivers. And I'm not completely assured no lasting damage will be done to bridges and road beds And of course there's the thought this is only the first of such projects contemplated by Exxon and other firms to haul massive loads over highways never designed for such.

Finally I'm not sure we are so desperate for oil at present that we need to consider such development. At some future time we may need to permit operations of this scale but for now I request the State to say No to this proposal.

Very truly yours,
Robert C Hayes

HAYES, ROBERT

1. See response to Common Comment D1.
2. See the responses to Common Comments J and L.
3. See response to Common Comment L.
4. Comment noted.

5/8/2010 ENVIRONM

To: Tom Martin, MDT Environmental Service Bureau, PO Box 201001, 2701 Prospect Ave. Helena, MT 59620

Subject: Kearl Module Transportation Project EA

Comments:

1) I can not support this proposal in either Idaho or Montana.
2) The oversized equipment being hauled facilitates oil-sand extraction in Alberta, Canada within existing boreal forests. This operation is destructive to native fish, waterfowl, mammals and Native Peoples.
3) Oil-sand extraction uses strip mining and injecting steam underground which requires road construction and underground, natural gas line construction .
4) One proposed, haul route for oversized loads uses Idaho State Hwy 12 which parallels the Lochsa Wild and Scenic River and its associated corridor, passing through Idaho backcountry adjacent to the Selway-Bitterroot Wilderness. The Lochsa River is wild, clean and provides recreational opportunities which benefit local communities. Its pure water is exemplary of those sources in wild and undisturbed lands which have been Federally protected for future generations of Americans. Its water quality must be protected from cross country travel on US 12. Freighting materials along the River has proven disruptive and destructive as fuel spills are not uncommon, even with loads that meet state highway requirements. Existing pullouts serve those users. Increasing the number of turnouts will require construction activites which may well lead to reduced water quality during construction and from erosive forces after construction. Fill spilling into the river affects water hydrolics, which detract from the wild character of the River.
5) Oil-sand extraction in Alberta has been proven to reduce water quality where spent, mine pits fill with water that is toxic. Mining operations eliminate boreal wetlands which purify water resources and are home to nesting and migrating birds. Abnormal death rates of fish and amphibians, tadpole deformities and restricted duck growth which reduces their chance for survival are proven results of water resource pollution. The native forest has been bulldozed as "over burden" for mining operations. Once shallow subsurface oil is removed, the company turns to injecting steam underground to force oil to the surface. Associated roads and buried natural gas lines break forest connectivity and caribou travel routes as well as making some bird populations more vulnerable to predation. Scientists predict that Alberta caribou herds are declining and could disappear in less than 40 years w/o intensive management activities, an expense born by local residents and potentially accelerated with oil-sand extraction.
6) Native Athabascan Chipewyan people are showing increased rates of bile duct cancer, which is linked to increased arsenic levels in the local water sediments. The same contaminants become concentrated in fish which are a key part of the local diet. Aboriginal leaders have reported "watery- tasting fish", moose with discolored livers and fish w/ various deformities.

1

HAZELBAKER, NICK

1. See response to Common Comment E1

7) Mining company are destroying functioning ecosystems and then trying to rebuild them once the oil is extracted. Unfortunately, even experts have not mastered recreating complicated ecosystems. Once destroyed they can not be put back. The lower Athabasca Region maintains most of its biodiversity. Slowed oil extraction could help maintain that environmental quality.
8) Rather than continue oil-sands production in Alberta, the US should work more diligently to instigate conservation tactics that reduce our need for foreign oil.

1

9) Allowing the Kearl Transportation project to continue on backcountry roadways of Idaho and Montana supports destructive environmental activity in Alberta. It can also endanger the Lochsa River, Lolo Creek, Bitterroot and Clark Fork Rivers in the case of truck accidents and could cause expenses local communities and taxpayers bare for an oil company. Emergency situations and unplanned accidents should be addressed in your analysis to ensure that existing flow of traffic and local environs won't be disrupted or damaged by this project.

2

10) Please do not allow this transportation of oversized equipment to take place on US 12, and single lane state highways in Montana. Any benefits to the local economies are short lived and the consequences of accidents could be long term. The United States should reduce its appetite for oil through efforts to use biodiesel, increase fuel economy requirements for vehicles, enhancing public transit, developing other biofuels and financing upgraded heating systems for houses and office buildings.
11) Thank you for considering my points in your environmental analysis.

3

Sincerely,

Nick Hazelbaker

Nick Hazelbaker

3050 Old Darby Road

Darby, MT 59829

See response above.

2. See responses to Common Comments H1, H2, and H3.

3. Comment noted.

MAY 14 2010
ENVIRONMENTA

May 12, 2010

Tom Martin
MDT Environmental Services Bureau
PO Box 201001
Helena, MT 59620-1001

Re: Kearl Module Transport Project

Dear Mr. Martin, et al, at the Montana Dept of Transportation Environmental Services Bureau:

Thank you for this opportunity to comment on the Kearl Module Transport Project Environmental Assessment. Unfortunately, the EA is severely flawed and should not be used for making the major decision that the Kearl Module Transport Project Represents. The State of Montana and MDT needs to conduct a comprehensive environmental impact assessment and open up the findings to full public discussion with input and involvement from counties, cities and communities throughout the state and especially in western Montana. 1

The EA itself fails to take into account the cumulative damage to road surfaces and roadbeds which would result from the 200 shipments currently planned. The EA contains nothing about the additional costs which Montana taxpayers will have to pay for additional road repair and reconstruction due to damage from repeated use by extraordinarily heavy loads. The sole mention of this issue occurs on page 22. The EA indicates that the maximum weight of the modules will be 334,568 pounds (table 9, page 12), while the accompanying Montana Transportation Plan states (page 5) that the maximum weight of a module will be 344,000 pounds, and that this does not include the weight of the tractor and trailer. The tractor and trailer will add approximately 288,450 pounds (Transportation Plan, appendix 7), for a total weight of 632,450 pounds. 2

Similarly, the EA fails to account for the cumulative impacts that massive loads will have on bridges. Table 24 (page 38) indicates that the proposed route crosses 134 intermittent streams and 83 perennial streams and rivers. Some of these crossings are simply culverts, but a number require significant spans. Multiple axles can reduce the impact of loads on road surfaces, but they are far less effective at reducing load impacts on bridges. The EA is silent on the subject of bridges, except to note that Jeff Ryan, of the Montana Department of Environmental Quality, had expressed a concern "that the loads may be too heavy for some of the bridges and he was afraid that might lead to water pollution or a possible spill" (page 61). The EA fails to list the weight bearing specifications of the bridges along the corridor. Furthermore, the most recent County Bridge and Road Capital Improvement Planning and Financing Manual states that nearly 25 percent of the bridges inspected in Montana are "structurally deficient" or "functionally obsolete". The EA should include an engineering study to determine whether every bridge along the route is capable of withstanding 632,000 pound loads. 3

Economic Costs are insufficiently reviewed and analyzed. The only relevant comments appear on page 24: "Turnouts constructed or improved at the expense of Imperial Oil will provide a lasting benefit to the safety and convenience of the traveling public," and "Beneficial impacts

HERLING, DAPHNE

1. See response to Common Comment B. See Section 4.0 of the EA and Section 4.5 of the Decision Document.

2. See response to Common Comment L.

3. See response to Common Comment L.

from improved roads created by the KMTP and MDT's construction include additional turnouts and improved highway conditions would be a long-term beneficial cumulative impact on the transportation system." Yet the raised utility lines, swiveling traffic signals, and 75 additional oversized turnouts will provide no benefit whatsoever to the ordinary traveling public. Their ONLY function is to facilitate the transport of grossly over-sized industrial loads. 4

Moreover, the EA appears to include only the costs associated with delays of commercial traffic; no mention is made of costs associated with delays to residents, tourists, and other non-commercial travelers. Although module transport will take place at night, this will not eliminate such non-commercial delays. It should be noted that while transports will not take place on weekends, they apparently will take place on Friday nights/Saturday mornings. Major portions of the transport route provide access to prime hunting areas; during hunting season Saturday morning delays will significantly impact hunters. Some hunters will doubtless choose to hunt elsewhere, resulting in economic losses for local businesses. 5

The EA fails to plan for, consider or acknowledge that accidents can and do happen. The EA fails to account for the consequences of wind storms: Routes 287 and 89 traverse the Front country, notorious for powerful wind storms that have been known to knock over truck trailers. The EA should include a study determining the susceptibility of these vehicles to extreme sidewinds. The EA makes no mention of accidents when the rigs will be travelling at night, in winter, over passes and along winding valley corridors of the Blackfoot River (Route 200) and Lolo Creek (Route 12). 6

It is clear that this EA is insufficient to determine the direct, indirect and cumulative impacts of the proposed action. It is insufficient to determine whether or not significant impacts will occur, namely the technical oversights in the EA are:

1. DOT regulations require the identification of logical termini for a proposed action. The justification for this appears to be political boundaries, which is an insufficient justification for logical termini. The logical termini needs to be clearly defined. 7

2. While some reasonably foreseeable future actions have been defined, those appear to be confined to future MDT actions. Reasonably foreseeable future actions need to include ALL actions regardless of what agency undertakes them. The timeframe used for the cumulative impact analysis is undefined as is the study area. For these reasons, the cumulative impact analysis done is insufficient to reach a conclusion that significant impacts will not occur. 8

3. A cumulative impact analysis also requires that both direct and indirect impacts of the proposed action be disclosed. Since it is clear that Tar Sands energy development could not continue but for completion of this proposed action, that energy development must be considered as an indirect effect of the proposed action. For this reason as well, the indirect and cumulative impacts analysis for this project is insufficient to reach a conclusion that significant impacts will not occur. 9

4. See Section 3.6.2.2 of the EA.

5. See the response to Common Comment G. Section 3.6.2.6 of the EA the mitigation measures developed in the EA in Section 3.13 of EA.

6. See responses to Common Comments H1, H2, and H3. See Section 4.8 of the MTP.

7. See the response to Common Comment E1 and E2.
8. The cumulative effects were analyzed based on activities as defined in 75-1-200(3), MCA. Those activities are described in Section 3.2.of the EA See response to Common Comment S. Those activities are described in Section 3.2.of the EA.
9. See response to Common Comment E1.

10 4. The historic property analysis does not discuss whether or not the SHPO or the THPO concurred with the Determination of Effects. Without this information, there is insufficient information to determine whether or not the proper process was followed in compliance with the National Historic Preservation Act or in compliance with Section 4(f) of the DOT Act.

11 5. There is minimal discussion of the effects of tree trimming on historic properties through the Town of Choteau and adjacent to Bonner Dam and Mine. The analysis needs to address the criteria that resulted in the significance of these properties for inclusion on the National Register. Tree trimming may affect the setting of historic properties. This has not been defined

12 6. The parks, recreation areas and wildlife refuge section is insufficient to determine whether or not a Section 4(f) use will occur. Utility relocations do not address all potential Section 4(f) properties. This section has insufficient information to determine whether or not any future planned parks or trails would be affected. The minimal information provided about potential effects to access and parking in the vicinity of Section 4(f) properties. There is no discussion of consultation with Officials with Jurisdiction regarding existing or future Section 4(f) properties, and in fact, compliance with Section 4(f) is not even mentioned. Overall, this discussion is insufficient to determine whether or not a Section 4(f) use will occur.

13 7. Compliance with the Environmental Justice Executive Order is not even mentioned. There are likely to be effects to minority and low income communities due to noise (especially since transportation of the modules will occur at night), air pollution, the possibility of spills and other negative effects.

14 8. The assessment in the document of potential effects to wetlands does not meet the requirements of the Clean Water Act nor the requirements of the Executive or DOT Order for Protection of Wetlands. There is no functional assessment of wetlands that has been done. Broad statements are made that "the location will be adjusted or mitigation applied to avoid impacts to wetlands" or that "two of the six locations appear to have wetland characteristics and need to be reviewed." Both of these statements indicate that wetland impacts are likely to occur and yet there is a concluding statement that "the proposed project is not expected to affect water resources including wetlands." This assessment is completely insufficient and does not meet the requirements of the FHWA Technical Advisory, the Protection of Wetlands Executive Order nor the Clean Water Act. Full survey and delineation of wetlands, including functional assessment needs to be completed. Then both direct and indirect impacts to wetlands needs to be done. Practicable alternatives to the impacts to wetlands needs to be prepared and documented and mitigation needs to be fully defined and committed to.

15 Additionally, it is without merit that MDT is repeatedly stating in public that issuing of permits for 200 loads is all that is being considered in this EA. The EA describes future use of the route by other oversize trucking projects as a "Reasonably Foreseeable Activity" (page 16); it states that "MDT believes it is reasonably foreseeable that additional oversized loads [beyond those of

10. See Section 4.1.1.2 and 4.1.2 of the EA and Sections 4.5 of the Decision Document for information on consultation. Section 4(f) of the DOT Act does not apply to the KMTP.

11. See response to Specific Comment C.

12. Section 4(f) does not apply.

13. Environmental Justice is not a MEPA issue. Executive Order 12898 is a presidential executive order that requires federal agencies to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high, and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Because MDT is a state rather than federal agency, it is not required to comply with EO12898. That said, MDT does not expect this project to have any disproportionately high and adverse effects on minority populations and low-income populations. Please see the EA and Decision Document for additional impacts discussion.

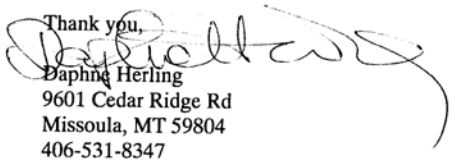
14. See the response to Common Comment I.

15. See response to Common Comment K.

the Exxon/Imperial project] would want to use the route" (page 24); and notes that following completion of construction, "additional oversized loads may want to use this route" (page 34). Establishing a High/Wide Corridor will happen de facto with the raised utility lines, swiveling traffic signals, and construction of 75 additional oversized turnouts. Permanent infrastructure is to be built to supposedly accommodate only those loads for which permits are requested? It is both disingenuous and bordering on arrogant to think that Montanans can not understand that this is totally illogical. Please reconsider and ask for a full EIS,

16

Thank you,



Daphne Herling
9601 Cedar Ridge Rd
Missoula, MT 59804
406-531-8347

16. See response to Common Comment B.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Alix Hollenback
608 S. 10th Ave
Bozeman, MT 59715
alix.hollenback@gmail.com

1 ***Comments:*** I support

HOLLENBACK, ALIX

1. Comment noted

Mr. Tom Martin 4-27-10
MDT Environmental Services Bureau
2701 Prospect Ave.
P. O. B. 201001
Helena, Mt 59620-100

RE: Big Rigs

Dear Mr. Martin,

1 My family is all in favor of letting these BIG RIGS use our highways. We are in favor of logging, mining, drilling, what ever. It means jobs, jobs, jobs. Not only that, but the more lumber, mining, drilling means more products on the market, which means cheaper lumber, cheaper copper and gold and cheaper fuel prices.

We can't all be entitlement people.

Sincerely,

Elden L. Inabnit
9245 Butler Creek Road
Missoula, Mt 59808

INABNIT, ELDEN

1. Comment noted.

MAY 0 4 2010

MONTANA MDT DEPARTMENT OF TRANSPORTATION TRANSPORTATION PLANNING

Comment form

Project name: Kearl Module Transport Project EA
Control Number: **CN 6800**
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

ORRIN Johnson, PO Box 8532, Missoula, MT 59807
owj5454@yahoo.com

Comments: I attended the public meeting in Missoula on 4-29-10; leaving with unanswered questions and a number of concerns.

1. On the descent from Rogers Pass, a steep grade, there are several hairpin, switchback curves with 30-35 mph speed limits! How can a 170-210 Truck/Module/Trailer configuration navigate these? What about winter's ice, snow, winds? (Lolo's summit area has weather problems too) What about sudden spring/autumn storms?

2. The Rocky Mountain Front is notorious for it's extreme winds. I drove from Missoula to Choteau last weekend in a small station wagon. winds on the front were a steady 40-50mph with gusts of 60mph and my wagon was being buffeted severely on Hwy 287. How could a 14'-30' module possibly keep upright under these, or worse winds, especially in winter?

1

JOHNSON, ORRIN

1. T See Appendix 2 of the MTP. During the descent of Rogers Pass, the transport will be travelling at 10 mph or less. Also see Section 4.8 of the MTP regarding inclement weather.

2 (3) What are the contingency plans should a module overturn?

3 (4) Highways 12 & 200, in particular, are noted for vehicle collisions ~~etc~~ with large game animals: deer, elk, moose and an occasional bear. Was this possibility been factored in?

4 (5) Montana's 2 senators & our governor have helped broker a deal to protect the North Fork of the Flathead (west side of Glacier NP) from mining & oil & gas leasing. Also, in 2006 federal oil and gas leasing was halted on the Rocky Mountain Front.

Although the Kearl Oil/Tar Sands are in Alberta, Canada by permitting the module transport project to proceed through Montana, isn't this a double standard - saying environmental degradation is ok in Alberta, but not in western Montana?

5 (6) Finally, this module transport project has been in the works since at least August 2008 (probably ~~earlier~~) yet the public is given only a 30day comment period! This is outrageous ... please extend the comment period to at least ~~a~~ 90 days

I need more time for further investigation of this project

2. See responses to Common Comments H1 and H2.
3. See response to Common Comment I.
4. See response to Common Comment E1.
5. See response to Common Comment F1.

Aleta Kantor
PO Box 5513
Missoula, MT 59806

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MAY 13 2010
ENVIRONMENTAL

Tom Martin
MDT Environmental Services
PO Box 201001
Helena, MT 59620

Dear Sir:

1 I am deeply concerned about the proposed transport of oil equipment "big rigs" through some very wild and scenic areas of Montana. Such a project and the road changing/widening it would require is discordant with such areas. I

2 urge you to lengthen the public comment period so the citizens affected by this project can have adequate time to become informed and voice their opinions.

Sincerely,
Aleta Kantor,
Missoula

KANTOR, ALETA

1. Comment noted.

2. See response to Common Comment F1.

RECE
MAY 1
ENVIRON

Mike Kantor
PO Box 5513
Missoula Montana,59806

May 10, 2010

Tom Martin
MDT Environmental Services Bureau
PO Box 201001
2701 Prospect Ave ,
Helen, MT 59620

Dear Mr. Martin,

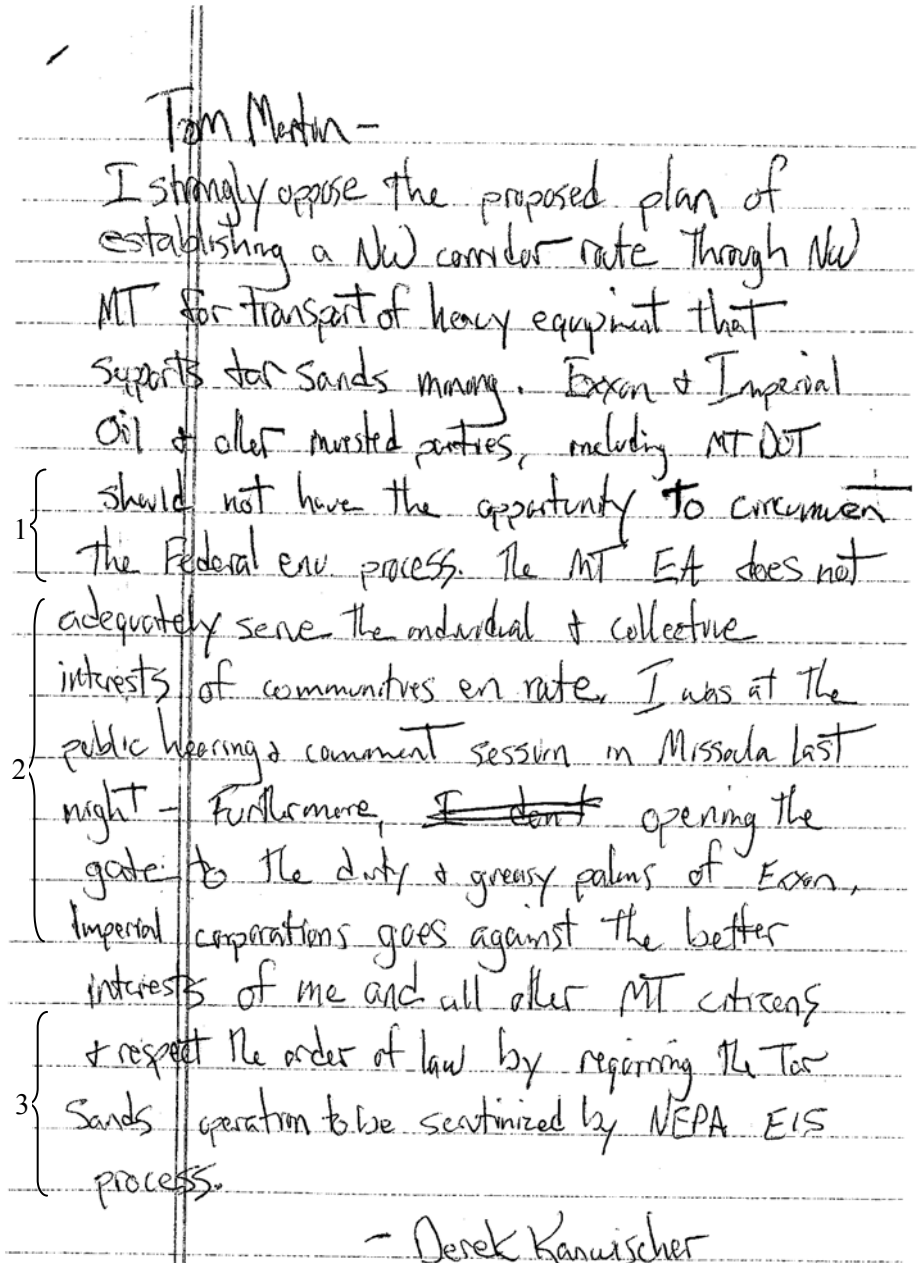
1 I am strongly opposed to the Kearle Module Project. These "Big Rigs" are totally inappropriate for Highway 12 along Lolo Creek and along the Blackfoot River. Highway 12 along Lolo Creek is a narrow winding road. It is a wildlife corridor and provides fishing, camping [redacted] , and hunting sites. This proposal, with its turnouts would greatly damage Lolo` Creek and all these recreational sites. At least, please extend the comment period. Beyond May 14.

Sincerely,

Mike Kantor

KANTOR, MIKE

1. Comment noted. See response to Common Comment F1.



Tom Martin –

I strongly oppose the proposed plan of establishing a NW corridor route through NW MT for transport of heavy equipment that supports tar sands mining. Exxon & Imperial Oil & other invested parties, including MT DOT should not have the opportunity to circumvent the Federal env process. The MT EA does not adequately serve the individual & collective interests of communities en route. I was at the public hearing & comment session in Missoula last night – Furthermore, ~~I don't~~ opening the gate to the dirty & greasy palms of Exxon, Imperial corporations goes against the better interests of me and all other MT citizens & respect the order of law by requiring the Tar Sands operation to be scrutinized by NEPA EIS process.

– Derek Kanwischer

KANWISCHER, DEREK

1. See response to Common Comment A.

2. Comment noted.

3. See response to Common Comment E1.

Kent Watson & Associates
LAND & WATER PLANNING & DESIGN LANDSCAPE ARCHITECTURE

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MAY 13 2010
ENVIRONMENTAL

RECEIVED
MAY 12 [illegible]
MT DEPT. OF TRANSPORTATION
DIRECTOR'S OFFICE

11 May 2010

Dwayne Kailey
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

RE: Kearl Module Transportation Project

Dwayne:

I am writing to express my deep concern regarding the Kearl Module Transportation Project, which is the subject of the current environmental review process being undertaken by MDT. Please enter these comments into the public record as part of that Environmental Assessment process. Further, because of the magnitude and complexity of this entire issue I request that the comment period be extended beyond the current 30-day period. 1

Given the recent events involving the tragic explosion, fire and subsequent oil spill in the Gulf of Mexico, I am appalled that the Department is pursuing only an EA and not a full-blown Environmental Impact Statement for a project that could have some extremely serious environmental impacts in the case of any sort of accident. According to the Department of Interior's own analysis of the BP "exploratory" project in the Gulf the agency concluded that a large spill was "too remote and speculative an event" to warrant analysis. Now, we are to live with the enormous consequences of this seemingly innocent action on the part of a DI bureaucrat. As this catastrophic event shows, accidents can and do happen. It is, therefore, incumbent on the Department to undertake a complete EIS that fully analyzes all possible scenarios and impacts relative to this project. 2

As you know, a large portion of the KMTP's route through Montana follows some of our most scenic and vital creeks and rivers. For example, all but about ten miles of the 32-mile stretch of U.S. 12 from the state line to Lolo closely follows Lolo Creek. Similarly, MT 200 is adjacent to the Blackfoot River for at least 25 miles, and is close to the river for at least another dozen miles. Both of these streams are highly prized as premier trout streams, and, in the case of the Blackfoot, extremely popular for swimming and rafting. The nature of these roadways is not conducive to accommodating loads of this length or width, regardless of the number of new turnouts that are constructed. It is difficult to visualize how turnouts and parking areas can be expanded and newly constructed, particularly along river banks, without significant environmental degradation. The EA simply pays lip service to the construction concerns 3

KENT E. WATSON, FASLA *Principal • Landscape Architect*
210 North Higgins Ave., Ste. 334, Missoula, MT 59802-4462 • Ph: 406/721.3500
Cell: 406/240-0274 • Fx: 406/541.3541 • E: Kentwla@aol.com

KENT WATSON AND ASSOCIATES

1. See response to Common Comment F1.

2. See responses to Common Comments B, H1, and H2.

3. See responses to Common Comments J and I.

and assumes that building these new facilities will address numerous issues without truly assessing the impacts of the construction along these scenic and fragile corridors. Due to the nature of this route, we will likely end up with one or more of these rigs in one of our rivers or creeks and the damage to the roadways, banks, native vegetation and aquatic life will be significant, if only because of the sheer mass of equipment. 4

Tourism is a major industry in Montana, particularly in the region affected by this project. The impacts to this critical segment of our economy have not been addressed as is evidenced in Table 1, Summary of Effects and Section 6, Economic and Community Impacts. The EA only assesses the impact of one time and short term money being spent in the state. The impacts of the project's construction and hauling on our tourist industry have to be considered, even if impacts to our citizens are not. Millions of dollars are spent here each year by people coming into Montana to fish, backpack, hike, hunt and just sight see. This review does not address the impacts of construction delays, accident delays, inconvenience created by the large rigs and impaired access to rivers and trails. Neither does it address the public relations impact that the project activity might have on our tourism industry. The impact to Montana's outfitters could be significant, but the EA does not address that or any of these economic impacts. 5

Given the short time frame for the current comment period, I cannot adequately address the other shortcomings in the EA. It is critical, therefore, that we, as citizens of our great state be given this extra time, and that the Department should be begin the process of conducting a full EIS as soon as possible. 6

Respectfully,

Kent E. Watson, FASLA
Landscape Architect

4. The proposed route is an existing transportation corridor that currently facilitates oversize and commercial loads. See responses to Common Comments H1 and H2.

5. See response to Common Comment M.

6. See responses to Common Comments F1 and B.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Cody Kitchin
1501 S. 11th St. W
Missoula, MT 59801

Comments: I support the Kearl Module Transport Project. It brings jobs to the state of Montana and increases revenue for the state. 1

KITCHIN, CODY

1. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Josh Kitchin
129 2nd AVE NW
Kalispell, MT 59933

Comments: I support the Kearl Module Transport Project. This project will bring jobs to the State of Montana.

1.

KITCHIN, JOSH

1. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Brandon Knoles
Box 957
Fremontaon MT 59834

Comments: I think it wodd be anexillent idea to bring thise jobs through the state in our current job market, especialy with the Smurfit stone lay offs.

KNOLES, BRANDON

1. Comment noted.

LARSON, WILLIAM

RECEIVED
MAY 11 2010
ENVIRONMENTAL

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

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Control Number: **CN 6800**
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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

WILLIAM E LARSON 8 MAY 2010
12500 Hwy 93 South
Lolo MT 59847
406-273-6608

Comments: I HAVE LIVED AT THIS ADDRESS SINCE OCT of 1945. Hwy 93 WAS A NARROW TWO LANE PAVED ROAD UNTIL 1966-68; Hwy 12 WAS NOT IMPROVED FROM A GRAVEL COUNTY ROAD UNTIL 1949-50 WHEN IT WAS STRAIGTENED & PAVED TO MILE MARKER 16 - GRAVES CREEK.
Hwy 200 WAS PAVED ONLY TO CLEARWATER JUNCTION UNTIL THE LATE 1950s AND DIDN'T GO OVER ROGERS PASS UNTIL 1956-56.
DURRING ALL THIS EARLY 1950s & 1960s THERE WAS A LOT OF LOGGING TRUCKS, LUMBER TRUCKS, & GENERAL FREIGHT HAULED. MANY LOADS WERE OVERSIZED AND REQUIRED PERMITS

I DONT RECALL ANY "HORRIBLE" ACCIDENTS HAPPENING THEN OR IN THE LAST THIRTY YEARS. YES THERE HAVE BEEN FATALITIES WITH HEAVY TRUCKS, BUT NOTHING DRASTICLY MORE THAN OTHER ROADWAYS IN MONTANA.

THERE ARE STILL A LOT OF OVERSIZE & OVER WEIGHT LOADS THAT PASS THROUGH COMING FROM LEWISTON IDAHO, UTAH, NEVADA VIA HWY 93 AND I-90 FROM SPOKANE & WEST.

THESE LOADS HAVE TO BE PROPERLY PERMITTED WITH APPROPRIATE PILOT VEHICLES. THE UTILITY COMPANIES ARE INVOLVED TO PROTECT THE OVERHEAD LINES & THE PERSONNEL INVOLVED. THE HEAVY HAUL COMPANY WORKS WITH EVERYONE INVOLVED AS THE COMPANY RULES & INSURANCE POLICYS NEEDS ARE MET.

1 I DONT SEE ANY REASON THIS PROJECT CAN NOT MOVE FORWARD ON ITS ORIGINAL SCHEDULE, NOR DO I SEE ANY REASON TO EXTEND THE COMMENT TIMEFRAME. THIS NOT SOME SECRET PROJECT THAT TRYING TO SNEAK BY. LAST OF ALL THE ROUTE TO BE USED IS FEDERALY FUNDED ROADWAYS, NOT BY MISSOULA COUNTY, THE SIERRA CLUB, WESTERN WHITEWATER RAFTERS OTHER SPECIAL INTREST GROUPS.

William E Larson
12500 Hwy 93 S

1. Comment noted.

ENVIRONMENTAL

Margaret Leverton
P.O. Box 93
Corvallis, MT 59828

Attention: Tom Martin
Montana Dept. of Transportation
P.O. Box 201001
Helena, Montana 59620

May 12, 2010

Dear Mr. Martin:

I am writing to you with regard to the proposal to haul Tar-Sands equipment through Montana en route to Alberta. I oppose tarsands mining itself due to its numerous adverse effects on the environment: water quality, particulate matter, clearing of old-growth forests, and greenhouse gas emission from burning it. But I also oppose transporting the equipment through Montana. I would like to request the following:

1 { 1- Consider the effects of tarsands development. Encourage development of cleaner, renewable energy.

2 { 2- Prepare a full environmental impact statement on what transporting this equipment can do to Montana's main roads, especially along waterways.

3 { 3- Consider how travel will be affected for others during Montana's peak season. The numerous convoys of oversized

LEVERTON, MARGARET

1. See response to Common Comment E1

2. See response to Common Comment B.

3. See response to Common Comment G.

Vehicles leaves room for a LOT of accidents!
With all due respect to the Canadiens,
I feel that they can find another route for
their equipment (across Canada) if it is that
important.
Thank you for your time and I hope
that you will consider this matter long and
hard before your final decision.
With best wishes to you and your staff.

Sincerely,
Margaret Leverton
Margaret J Leverton

4

4. See response to Common Comment D1.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

MAY 17 20 ENVIRONMEN

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Robbie Liben
436 ½ S. 6th St. West
Missoula, MT 59801

After May 24, 2010:
1372 Dickinson St.
Missoula, MT 59802

Robbie@Liben.net

Comments:

Comments on Section 4, the Emergency Response Plan
(As described in the "Montana Transportation Plan" by Mammoet issued to the public by MDT 3/15/2010. KMTP.pdf)

Mammoet's Emergency Response Plan (ERP) primarily addresses traffic accidents and minor mechanical breakdowns that do not affect the modules being transported. Section 4.7 is the only section that deals with Environmental Splls, and then only with possible fuel or fluid leaks from the trucks. Section 4.7 says that "no dangerous goods will be shipped in/with process modules."

1 The ERP does not describe what happens in the event that a trailer loses its load, has its structural integrity compromised or requires repairs that cannot be performed while a module is on board. At the April 29 public hearing on the environmental assessment (EA) in Missoula, officials went to great lengths to say that such situations are "highly unlikely." Indeed they may be unlikely, but nonetheless can happen. And so an emergency response plan must address them. Remember: It is unlikely that an offshore oil drilling platform will explode. (Missoulian, 5/1/2010 "BP: Major accident was unlikely", p. 1)

Possible scenarios include but are not limited to the following:

- A module falls off the trailer and blocks all portions of the road.
- A module falls off the trailer and into a steep ravine.
- The trailer overturns either blocking the road or falling into a ravine.

LIBEN, ROBBIE

1. See responses to Common Comments H1, H2 and H3.

1
- An accident or mechanical failure occurs compromising the integrity of the trailer, making it unable to safely transport a module further.
- Road or bridge failure occurs underneath the trailer preventing its further movement.

See response above.

2
At the April 29 public hearing Ken Johnson Representing Exxon/Imperial Oil said that their ERP does not address any such possibilities. He said that the EA would be amended to include an ERP to cover these them. He said that, if such a disaster were to occur, the transport company would procure a crane to remove the module. When I asked if cranes with a large enough capacity exist in Western Montana he said "Yes." When asked if they are transportable he also said "Yes."

The maximum weight of the modules is 344,000 lbs. The combined weight of the module and the trailer is substantially more than that. The immense weights involved imply certain critical questions:
- Do cranes exist in Western Montana that have the capacity to hoist that much weight?
- Are they transportable?
- How long would it take to move such a crane to a disaster sight?
- How long would it take to assemble and disassemble such a crane at the disaster sight?
- What is the availability of such cranes, even if they do exist in Western Montana?
- Can such cranes even be used on the narrow and winding roads of the route?
- Can a single crane handle all of the possible disaster scenarios? Or are different types of cranes necessary depending on the terrain in which the disaster occurs?

If no such cranes exist in Western Montana or if they are not transportable then MDT must deny the transportation permit. If one of the modules were to block a road, it would be almost impossible to remove it.

2. See responses to Common Comments H1, H2, and H3. In some cases the module would have to be removed in parts due to crane limitations.

I presume that you can't just go to Lowe's or Home Depot to rent a crane of that capacity. Indeed they are very expensive and are usually in use. If there are such cranes in Western Montana, there is no guarantee that they would be available in the event of a disaster.

In order to hoist a heavy load, a crane must be on stable ground. It must have room for outriggers to keep it upright. It must have room behind it for the counter-jib to pivot. There are stretches along Lolo Creek and the Blackfoot (and possibly elsewhere) where one side of the road drops off steeply to the stream and the other side rises sharply above. If a module were to be dumped down the ravine in such a location, would there be enough room to extend the outriggers appropriately? Would there be enough room behind the crane for the counter-jib? Would the road be able to hold the crane as it was hoisting hundreds of thousands of pounds? Remember that the transport trailers spread this weight out over almost one hundred wheels. It is likely that weight of the crane load would not be spread out as much and so there would be more force on the road surface.

If a load were to roll down a ravine a significant horizontal distance from the edge of the road would available cranes be able to hoist it towards the road without stabilization from the rear? Would there be enough room on a narrow road to stabilize the crane?

In the event of a disaster in which a crane is required, much time would likely be required to remediate the disaster:
- It could take several days until the crane is available.
- It could take a day or perhaps several days to transport it to the disaster site.
- It could take a day or perhaps several days to assemble it.
- It would take time to remove the load and put it on a new trailer.

- It would take time to disassemble the crane.
- It would take time to repair damage to the road caused by the disaster and the recovery.

In other words, it would likely take several days minimum to clean up a disaster during which time the road would be impassable. It could even take weeks.

2 The environmental assessment must estimate how much time a road might be impassible after a disaster, and what remediation would be done on behalf of the road's users. Because of the probable lack of easy availability of such large cranes, MDT should require that Mammoet have an appropriate crane and operator at the ready in Western Montana during the whole time frame of the shipments.

One possible way to remove a module or trailer that is blocking a highway is to cut it into smaller, more easily manageable pieces. It is likely that such a maneuver would destroy the functionality and monetary value of the module and/or trailer. If destroying a module to remove it in a timely manner appears to be an appropriate course of action, officials from MDT or other State agencies should be authorized to order such destruction. Such authority should not be solely at the discretion of the applicants.

Liability

Though probability of a disaster as described above is low, the affects would be severe. What are Mammoet's, Imperial Oil's and Exxon/Mobile's liabilities?

Direct damage: If one of the shipments damages the road, a bridge, a power pole or some other infrastructure, who is responsible for the repairs and will they be performed in a timely manner? I would presume that the Company would pay for all such damages and would perform them in a timely manner. Please verify that this is explicitly spelled out in any permit.

Indirect damage: In the event of a disaster as described above that makes a critical stretch of roadway impassible, what restitution will be made to the users of that road? If, for example, a disaster strikes along the Blackfoot on Highway 200 between Missoula and Johnsrud, commuters from Potomac would be cut off. If the road was cut off for several days or weeks the impact would be severe.

- Who will pay the lost wages of commuters unable to get to work?
- Who will pay the lost revenues of businesses whose workers cannot get to work?
- 3 Who will pay the lost revenues of businesses along the route while access by deliveries, regular customers and tourists is cut off?
- Ambulances to Missoula will have to be replaced by much more expensive helicopter support from Missoula. Who will pay for the extra expense?
- Delivery trucks would be either unable to transport their goods, or would have to go considerably out of their way. Who will pay the added expenses?
- If power lines or other utility lines are damaged who will compensate their users for lost usage and revenue?

There are likely many other scenarios to be considered

None of these questions are addressed in the EA, let alone answered. It is imperative that the all possible scenarios be addressed in the EA. It is also imperative that liability for them lie explicitly with the companies. In a disaster situation it is important that funds form the companies be available immediately and without hesitation. It is imperative that state, county and local governments, as well as local citizens and businesses not be left holding the bag.

See response above

3. See responses to Common Comments L and M. Detours would have to be addressed on a case by case basis.

During the EA hearing in Missoula, one woman asked questions about this sort of liability for indirect damage. Mr. Johnson said that she could pursue legal action if she so chose. In other words, the companies' response to questions of liability is "Sue me."

Please recall that after the *Exxon Valdez* disaster in Prince William Sound, Alaska in 1989, Exxon kept litigation tied up in court at least until 2008. That's almost 20 years. This is the same Exxon for whom the Kearl Modules will be transported. "Sue me" is completely unacceptable as a liability plan, particularly given the well-known past behavior of the applicant.

The liability plan must address all of the possible disaster scenarios and include all of the possible direct and indirect damages. It must explicitly assign full liability to the companies. It must require a bond to be paid in advance to cover every penny of the worst-case scenario. In case a disaster happens in which the liabilities exceed the worst-case scenario, damages claimed against the companies cannot be limited to the bond or that expectation.

It is possible that a natural disaster precipitates a module transportation disaster. For example, an earthquake or a microburst may cause a trailer to overturn. On May 3 this year a tractor-trailer was knocked over by wind in Florence, not too far from the proposed KMTP route. (*Missoulian*, 5/4/2010, p. 1) These are real risks. There cannot be any "act of God" exclusions from liability.

The EA asserts that weather conditions will be considered daily with each shipment, and that the shipments will be halted if weather conditions are not favorable. The EA does not, however, explicitly spell out the criteria used for making such decisions. These criteria must be included in the EA so that MDT can evaluate their accuracy and efficacy.

4

It is also conceivable that a disaster could be caused by a terrorist act. There must not be any "act of war" exclusions either. The companies must be fully liable for any transport disasters regardless of the cause. There cannot be exclusions for any reason whatsoever. Such exclusions would imply that State, county and local governments, as well as individuals would be left without compensation.

Scope

The problem with limiting the scope of this EA to the Montana portion of the route is that impacts from other parts of the route do affect Montana. For example, the Port of Lewiston, ID is expanding its infrastructure with the expectation that transportation of this sort of high-wide cargo will continue well into the future. In other words, the time scope of this EA is too limited because it does not cover future transportation that Lewiston is already planning on.

US Highway 12 runs through both Montana and Idaho. Conditions on the Idaho side do affect Montana. If there is a disaster on the Idaho side of US-12, for example, that prevents travel for days or weeks, truck and car traffic will be cut off on the Montana side as well. In other words, the geographical scope of this EA is too limited because direct affects of the project are excluded simply because they could happen in a different state.

5

The global warming aspects of the Kearl Tar Sands Project must be included, as well. Montana is already suffering the affects of global warming, from the greatly lengthened fire season, to the dramatic decrease in winter snow pack, to the forests being destroyed by pine bark beetles. The production of oil from the Tar Sands generates three times more carbon dioxide per gallon than production of oil by more traditional methods. In other words, the scope of applicant actions considered in this EA is too limited

4. See the MTP, Section 4.8. Acts of God and terrorist acts would have to be managed on a case by case basis.

5. See responses to Common Comments E1 and E2.

because the EA focuses narrowly on the transportation and on the project as a whole.

5 Overall, the scope of the EA is too fragmented. Direct effects on and hazards to Montana by the transport and mining are not addressed because analysis of the project is broken down into too many parts each with too narrow a focus. The only real way to understand the full extent of the effects of this project is to look at its full scope, not just the Montana transportation portion of it. To that end, MDT must request a full Federal Environmental Impact Statement. The MDT EA is simply inadequate.

Long Term Wear and Tear

6 As you can see from the attached photograph, bridges flex under the immense weight of these modules. Though bridges are designed to flex when under load, it does cause wear and tear that is beyond normal use. The repeated flexing caused by the transport of 200 overweight trucks will shorten the lifespans of the bridges these trucks will use. The inevitable future shipments of heavy high-wide cargo after the KMTP project will continue to degrade the highway infrastructure. Future shippers will argue that they are not responsible for maintenance costs because Exxon did not pay a share of them either with this project.

The EA must be revised to analyze the effect on the lifespan of each of the bridges in the route. The MDT must charge the applicant for the calculated cost of the reduced lifespans. These are costs that should not be incurred by the State of Montana.

Infrastructure Changes

7 The proposed infrastructure changes are not improvements and it is misleading to describe them as such. New and enlarged turnouts do not benefit Montanans, tourists, other truckers or other travelers. They only benefit the Exxon and future high-wide shippers. In many ways the infrastructure changes will diminish the quality of the roads for Montanans. Montana already has two heavy truck corridors: Interstate 90/94 and Interstate 15. There is no need for any more.

Conflict with Safety Infrastructure

8 Reserve Street in Missoula is known to be one of the most dangerous places in the state for pedestrians. Last year MDT turned down a request by a school to build a pedestrian overpass over Reserve St. because it was soon to become a high-wide corridor. The existence of the KMTP project means that we have been prevented from installing the infrastructure changes that would actually benefit our communities.

Summary

9
- The EA in its current form does not include an adequate emergency response plan (ERP).
- If a trailer looses its load or becomes incapacitated, a vital road could be blocked for days or weeks until it is removed.
- The EA does not address liability in the event of a disaster. We don't want individuals or state, local or municipal governments stuck paying for disaster remediation. We don't want to be tied up in court for decades attempting to get restitution from Exxon.
- The EA doesn't include criteria for judging weather conditions. It must be ammended to do so.
- If the applicant resubmits the EA with a revised ERP or liability, the public comment period should be extended.
- The EA doesn't include long term wear and tear on bridges and other infrastructure. It must include an analysis of this and MDT must charge the applicants for reduced lifespans.
- The infrastructure changes are not improvements to for Montanans.

Robert Liben, Comment on Kearl Module Trasport p. 5

See response above

6. See response to Common Comment L.

7. See section 3.6 of the EA.

8. MDT decided to increase signage and reduce speed limits through this area in addition to the presence of a signal for the pedestrian crossing.

9. See above responses.

- The existence of a high/wide corridor has prevented us from building needed safety infrastructure.
- The scope of the EA is too limited in time, geography and effects. The only way to remedy this limitation is to use a Federal Environmental Impact Statement instead.

10 Because the potential effects of a disaster are so great, the project should be denied, no matter how unlikely a disaster is. The meager benefits for Montana are simply not worth the risks. As victims of global warming, we in Montana must not further contribute to it. The Kearl Tar Sands Project and the associated transport are a really bad ideas.

For all of the reasons above. I request that the Montana Department of Transportation deny the application for the Kearl Module Transport Project. Do not allow any infrastructure changes to take place. At the very least please require that the applicants produce a Federal Environmental Impact Statement.

Thank you for your attention.

Robert A. Liben

Robbie Liben
Missoula, MT

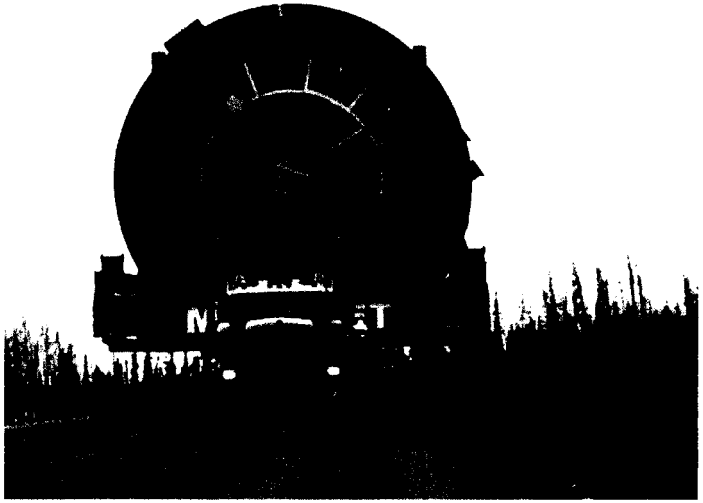


Photo of a Mammoet truck and trailer carrying one of the loads proposed for Montana. Note the distortion of the bridge on both sides due to the weight. (Source: http://www.roadtransport.com/blogs/big-lorry-blog/2008/11/mammoet-moving-an-800-tonne-he.html)

See above response.

10. See response to Common Comment B.

May 14, 2010

Dwayne Kailey
Tom Martin
Montana Department of Transportation
Post Office Box 201001
Helena, Montana 59620-1001

Ref.: Kearl Module Transportation Project

Dear Sirs:

As a 45 year full time resident of the Blackfoot Valley, I wish to submit my objections to the minimal public review period allowed for the proposed Kearl Module Transport Project. This project will obviously have serious potential impacts on the residents of this valley, and long term implications for the recreational and economic well being of all the citizens of this state.

1 Respectful of the difficult job you have in this regard, I have to consider your Environmental Assessment as being a superficial effort at best, as it does not do justice to what is truly at stake here for all of us.

While economic considerations are important, so too are the long term investments many of us have put into preserving and enhancing the natural assets and community well being of the project's potential impact area.

2 Furthermore, not nearly enough consideration has been given in the E.A. to what this project will end up costing us locally in real dollars when we have to adjust our daily travel schedules (school runs, medical appointments, job requirements, recreational trips) to accommodate this project.

3 And then there is the critical matter of having to deal with inevitable medical emergencies. Life Flights aren't always appropriate or available, and with the number of trip days and running rigs currently anticipated to be blocking our only road access to local hospitals, this has to be a serious concern.

4 We surely have a responsibility to require a much deeper analysis of how this proposed project may burden us in the future, and not allow the permitting decision to be based on merely short term impacts and narrowly focused concerns.

LINDBERGH, LAND

1. See response to Common Comment F1.

2. See response to Common Comment M. MDT has determined the effects will not be significant.

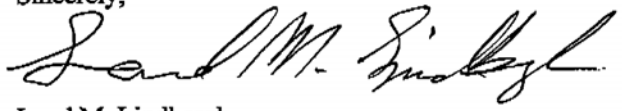
3. See response to Common Comment H3.

4. See response to Common Comment L.

5 Given the above mentioned issues, I now feel obligated to request that a full blown Environmental Impact Statement be required as a part of your permitting process.

I thank you for considering my comments.

Sincerely,



Land M. Lindbergh
10120 Sunset Hill Road
Greenough, MT 59823 - 9619

5. See response to Common Comment B.

Subject: Comment to Tom Martin - EIS for large trucks through MT
From: lastlyman <lastlyman@blackfoot.net>
Date: Thu, 13 May 2010 08:11:54 -0600
To: mtdcommentsskearl@mt.gov

RECEIVED
MAY 14 2010
ENVIRONMENTAL

Dear Mr. Martin,
I am writing to voice my strong opposition to the planned movement of large equipment over Lolo pass and through western MT to Alberta. I see no reason that these loads should take this route which would impose unreasonable costs and unknowable risks for Montana. This is a case where a large corporation will transfer costs that they should bear to people that have no stake in the downstream profits that might accrue from the tar sands exploitation. Why should the people of Montana subsidize the environmental destruction that will result from tar sand development? It makes no sense that equipment that will be installed in the far north of Canada has to be made in South Korea. It makes no sense that such equipment couldn't be made in smaller pieces ans be assembled on site. All the decisions made by Exxon/Mobil are based on costs to them without regard to the enormous costs, environmental and other, that are passed on to all of us without regard. It seems certain that if this transit project is allowed to proceed we will see no end to similar projects in the future. All costs and risks, environmental and monetary as well as disruptions in the economic life of Montana, must be accounted for in a full EIS and the company held accountable for the costs. Best Regards,
Dave Lyman
34 Beaver Peak Road
Heron, MT
59844

1
2
3
4

LYMAN, DAVE

1. Comments noted.
2. See the response to Common Comment D3.
3. See response to Common Comment K, L, and M.
4. See response to Common Comment B.

RECEIVED May 11, 2010
MAY 14 2010
ENVIRONMENTAL

Dear Tom Martin,

I believe the truck convoy of "Tar Sands" equipment should be denied access through Montana. A full and complete EIS should be done before this travel access is even Considered. This is a massive project and an EA is not adequate to the potential effects of accidents or disruption this will cause. 1

I also believe that the Mining Company is trying to do this as cheaply as possible. They should build the needed equipment in Alberta and leave South Korea & the US out of it. There is no reason we should be "carrying their water." 2

As far as Montana getting jobs (flaggers, Construction) they are not worth the potential dangers of environmental degradation this project will cause. 3

Let the Canadians deal with this project. It is for their benefit and will

LYMAN, DEBBIE

1. See response to Common Comment B.

2. Comment noted.

3. Comment noted.

Cause Montana to be exploited.

4 Please do an EIS.

5 Please consider every aspect of this project.

Please listen to the public input.

Thank you,

Debbie Lyman
34 Beaver Peak Rd.
Heron, MT 59844
406-8472388

4. See response to Common Comment B.

5. Comment noted.



RECEIVE
MAY 0 4 2010
TRANSPORTATION PLA

Mr. Tom Martin
MDT Environmental Services Bureau
P.O. Box 201001
Helena, Mt 59620

April 30, 2010

Dear Mr. Martin:

I am writing in regards to the "big rigs" controversy and hearing that are occurring within the area's of the proposed traffic.
I am totally in favor of this happening in our state. I know it could be a slight disadvantage for some people who are traveling at the time of the "rigs" moving; however this can happen when one follows any large "rig" that today moves on our highways.
I do believe that much of the opposite opinion you are hearing are from opponents of oil drilling.
1 We must have energy products available in Montana for the use of the many thousands of farmers who raise the food we partake of.
The idea of the company providing the many turn-outs and fixing the bridges and burying the electrical lines are very appealing to me as this is something the department cannot afford to do at the present time.
All in all, I believe this is a win-win for Montana.

Respectfully

Dale Mahlum

MAHLUM, DALE

1. Comment noted.

April 28, 2010

RECEIVED
APR 30 2010
ENVIRONMENTAL

Tom Martin
Montana Department of Transportation
P O Box 201001
Helena, MT 59620

Subject: Permit for Tar Sands Development Equipment

Dear Mr. Martin:

1 I urge you to prepare a *full environmental impact statement*—not just an environmental assessment before you issue a permit to transport tar sands development equipment across Montana! I am particularly concerned about the negative impacts this type of oil production will have on the environment, including: greenhouse gases, harmful particulates that will compromise air quality, requisite clearing of old growth forests and negative effects on water quality.

2 Allowing this equipment to be moved across Montana will impede the ability to travel throughout a significant portion of Montana—this could have serious impacts on tourist travel, local residents, and, most importantly, it is *dangerous* to have these huge pieces of equipment on our highways.

3 Please, do the right thing for Montana citizens, and prepare a full environmental impact statement before issuing a permit to transport the tar sands development equipment.

Respectfully,

Deborah J. Massett
1611 Laurel Street
Helena, Montana 59601

MASSETT, DEBORAH

1. See responses to Common Comments B, E1, P.

2. See responses to Common Comments M, G, H1, and H2.

3. See response to Common Comment B.

Tom Martin
MDT Environmental Services Bureau
2701 Prospect Ave
PO Box 201001
Helena, MT 59620

May 11, 2010

RECEI
MAY 14
ENVIRONM

Dear Mr. Martin,

I am writing to express my opposition to the Kearl Transportation Module project.

1 The idea of hauling these huge loads through the heart of some of Montana and Idaho's most pristine and environmentally sensitive areas does not seem warranted or to make common sense. Why take the risks of an accident during winter months when road conditions can be treacherous? A two lane highway route over several mountain passes does not seem like the best way to transport such huge loads. The necessary road modifications will mean even more delays and inconvenience due to road construction during the busy summer months prior to the hauling. And after the hauling project is complete we will be the not-so-proud owners of an established industrial haul route.

2 I would love to know just how much money the MDOT will get from this project? And as for local job creation?...show me where the jobs will be. The whole concept of hauling these huge loads seems to be a "caving in" to industry and a very environmentally destructive industry at that.

3 My personal opinion of how MDOT chooses to spend taxpayer money on making our Montana roads safer is very low as a result of 1) the pervasive use of magnesium chloride on our highways in winter, 2) four huge electronic signs on Highway 2 (Columbia Heights, Essex, West Glacier and East Glacier) that could potentially give useful information but never do, 3) recent Highway 2 guard rail installation in places where there is no apparent danger other than the fact that now it is impossible to pull safely off the road in case of an emergency.

Please take another long, hard look at this project and weigh the benefits vs. the risks. I do not see any benefits to the people of Montana.

Sincerely Concerned,

Ursula Mattson

Ursula Mattson
PO Box 256

MATTSON, URSULA

1. See responses to Common Comments H1, H2, L, and K.

2. See response to Common Comment Q. Please see also the Economic and Community Impacts discussion in Section 3.6 of the EA.

3. Comment noted.

May 12, 2010

RECEIVED
MAY 17 2010
TRANSPORTATION PLANNING

RECEIVED
MAY 14 2010
MT DEPT. OF TRANSPORTATION
DIRECTOR'S OFFICE

Dear Mr. Kailey,

I am deeply concerned about the plan to truck industrial equipment on giant trucks 162 feet long along the Lochsa River, over Lolo Pass, through the Blackfoot River Corridor and over Rogers Pass. The Alberta Tar Sands project comes at great expense to all of us here in Montana who have raised our families along the Blackfoot River as I have, or who love our Rivers and Valleys deeply and forever.

1 { 1.) Please conduct a review for the establishment of this permanent industrial Corridor.

2 { 2) Please require real alternatives to be considered

3 { 3) Please provide an economic analysis that demonstrates the impacts to our recreation and tourism industry, and to the wildlife that inhabits the corridor.

4 { 4) Please coordinate with the DEQ and the federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts

over →

MILLER, SUSAN

Form Letter 1.

1. See response to Common Comment C2.

2. See responses to Common Comments D1 and D2.

3. See response to Common Comment M.

4. See response to Common Comment A

Thank you for giving serious consideration to my concerns -

Sincerely,

Susan Lindbergh Miller
27044 Gray Wolf Dr.
Arlee, MT 59821

Kearl Module Transport Project Environmental Assessment

Public Comment

ENVIRONMENTAL

Comments Submitted by:

Missoula Advocates for Sustainable Transportation

Contact: Jordan Hess
Phone: (406) 431-3222
Email: wjordanhess@gmail.com

MISSOULA ADVOCATES FOR SUSTAINABLE TRANSPORTATION

Kearl Module Transport Project Environmental Assessment – Public Comment

1 The Kearl Module Transport Project Environmental Assessment has many deficiencies. For a project of such scope, an Environmental Assessment (EA) is not an adequate tool for determining whether or not there are significant impacts associated with the project. The Montana Department of Transportation should issue a record of decision that this EA is inadequate and that a full Environmental Impact Statement (EIS) must be written. Only through an EIS can an adequate assessment of the costs and impacts of this project be conducted.

The many reasons for this concern are outlined in the following pages.

Please address any response to:

Missoula Advocates for Sustainable Transportation
ATTN: Jordan Hess
P.O. Box 976
Helena, MT 59624

Phone: (406) 431-3222
Email: wjordanhess@gmail.com

1. See response to Common Comment B.

EA Deficiency: Failure to Consider Cumulative Impacts of Entire Tar Sands Project

The Kearl Module Transport Project is part of a major tar-sands mining project that will likely last fifty to one-hundred years. The project EA addresses only a narrow subset of environmental and economic concerns associated with the transport of equipment through Montana. By granting a 32-J permit to Imperial Oil, the State of Montana will be party to an environmental disaster of major proportions in Alberta. The equipment transported through the state will be used in a way that exacerbates the process of climate change which will in turn have major economic impacts on the State of Montana – none of which were considered in the EA. These costs include loss of agricultural productivity due to prolonged drought in Montana; loss of tourism revenue due to Glacier National Park losing its namesake glaciers; loss of timber industry tax revenue due to declining forest health, not to mention increased fire suppression costs; and loss of non-resident fishing and hunting permit revenues due to diminished fish and wildlife populations, to name a few.

2. See response to Common Comment E1 and Common Comment P.

EA Deficiency: Failure to Delineate Logical Boundaries

The US Department of Transportation regulations require the identification of logical termini for any proposed action. The Kearl Module Transport Project EA assumes political boundaries which are not sufficient justification. This project does not start and end at the Montana borders. It passes through Montana as a portion of the route. The US–Canadian border is a logical terminus – it is a major jurisdictional boundary. On the contrary, the entire route through Montana and Idaho should be considered using the federal NEPA process. Only a federal EIS could consider the route in its entirety.

3. See response to Common Comments A, B, and E2.

EA Deficiency: Failure to Consider Lost Tourism Revenue

The EA fails to address potential loss of tourism and outdoor recreation revenue. The proposed route for the Kearl Module Transport Project traverses through some of the most cherished recreation lands in the State of Montana. The EA does not address how establishing an oversized load corridor through the heart of these recreation areas will affect the character of these areas, whether perceptually or actually. The EA assumes no job loss in these sectors; however the document does not adequately indicate that these sectors of employment will not be impacted adversely.

4. See response to Common Comment M.

EA Deficiency: Failure to Accommodate Potential Accidents

The EA does not address the possibility of minor or catastrophic accidents caused directly or indirectly by the transport rigs or the associated traffic control crews. An accident involving one of the transport rigs could block a major Montana highway for days until a crane large enough to clear the wreckage can be brought in from out of state. If an accident were to occur in between Lolo and Missoula, for example, thousands of commuters would be unable to get to and from their jobs until the wreckage could be cleaned up. This could cause millions of dollars in impacts. While accidents happen in all industries and the potential for accidents only is not a reason to deny a permit, the EA fails to outline what would happen in the event of an accident. This is a very real concern that needs to be addressed.

5. See responses to Common Comments H1 and H2.

EA Deficiency: Environmental Justice

Compliance with the Environmental Justice Executive Order is not even mentioned. There are likely to be effects to minority and low income communities due to noise (especially since transportation of the modules will occur at night), air pollution, the possibility of spills and other negative effects.

6. Executive Order 12898 is a presidential executive order that requires federal agencies to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Because MDT is a state rather than federal agency, it is not required to comply with EO12898. That said, MDT does not expect this project to have any disproportionately high and adverse effects on minority populations and low-income populations. Please see the EA and Decision Document for additional impacts discussion.

EA Deficiency: Failure to Consider Bicycle Tourism

The bicycle routes of Adventure Cycling Association (ACA) are coincident with over 175 miles of the proposed Kearl Module Transport route. This could have a very negative financial impact on tourism in Missoula, Great Falls, Helena, and all other cities that are accessed by bicycle tourists via Missoula. Additionally, this could negatively impact the financial security of Adventure Cycling – a nationwide non-profit organization with nearly 45,000 members – which relies on cycling route map sales for a major portion of its revenue.

7 Affected ACA routes include the TransAmerica Trail, Great Parks North, Lewis & Clark, and Great Divide. The TransAmerica Trail, colloquially know among cyclists as the TransAm, is ACA's most popular route, with thousands of cyclists passing through Missoula via scenic Highway 12 annually. According to the Institute for Tourism and Recreation Research, 58% of road/touring cyclists that visit the state have incomes in excess of $60,000. These cyclists support local businesses including restaurants, campgrounds and RV parks, hotels and motels, and other hospitality and service industry businesses. Many cyclists cite the presence of oversized loads as a major barrier to safe bicycle touring. The economic fallout to the state's hospitality industry from losing even just a portion of these bicycle tourists would be staggering.

The project EA does not address these economic impacts.

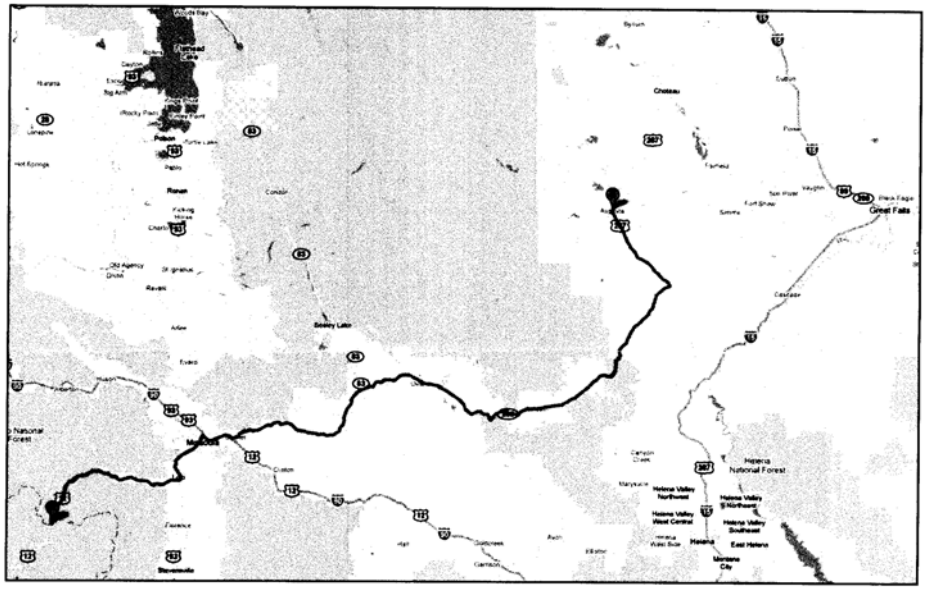


Figure 1: Over 175 miles of the proposed Kearl Module Transport route coincide with existing Adventure Cycling Association bicycle routes. One of these routes, the TransAmerica Trail, has been in exsistance since 1976 and brings thousands of tourists each year to Missoula via U.S. Highway 12. The highlighted road segments represent segments that would be shared by the Kearl Module Transport Project shipping route and Adventure Cycling Association routes.

7. See response to Common Comment M.

EA Deficiency: Failure to Address the Enforcement of the "10-Minute Rule" and the Cumulative Impact of Time Wasted by Travelers

8 While the EA provides for a maximum traffic delay of ten minutes at a time, the document does not address how this will be enforced. There are similar instances of this type of arrangement causing problems. As provided in MCA 61-9-415, slow-moving vehicles must pull over to let traffic pass, however this law is often not adequately heeded and there is little enforcement. Additionally, freight trains are only allowed to block rail crossings for a limited amount of time, however there is also very little enforcement of this regulation, often leaving motorists stuck waiting for a train for a long time. There is no assurance that the "10-minute rule" will be enforced with regards to the Kearl Module trucks.

9 Even if this rule were adequately enforced, delaying traffic for any amount of time wastes productivity and costs drivers money in fuel and opportunity costs (i.e. "What could I be doing if I weren't stuck behind this truck moving 6 MPH?"). Some of the highway segments along this route have average daily traffic counts (ADT) in excess of 20,000 cars per day. If even just a fraction of these cars were delayed, that is a lot of wasted time and productivity! To illustrate this example, suppose fifty cars per day are delayed for a period of ten minutes each. If each person's time conservatively estimated to have a value of $7.25 per hour (the current minimum wage in Montana), then $108,750 worth of time would be wasted over the course of 200 days. Montanans should not have to waste their time for an out-of-state corporate interest. This economic issue is not addressed by the EA.

EA Deficiency: Failure to Address Long Range Road Maintenance

10 The construction of massive pull-outs along the proposed corridor will cost the state of Montana a fortune in future road maintenance costs. While Imperial Oil may have made arrangements to pay for the so-called improvements upfront, these additional pull-outs would become state property and would have to be maintained by the State of Montana. The EA does not address the impact this will have of on allocation of FHWA funding. If local and federal dollars must be used to maintain unused and unneeded pullouts, there will be less money available for highway projects that really need the money, such as Russell Street in Missoula, or I-15 interchange improvements in Helena.

EA Deficiency: Non-compliance with Clean Water Act

11 The assessment in the document of potential effects to wetlands does not meet the requirements of the Clean Water Act nor the requirements of the Executive or DOT Order for Protection of Wetlands. There is no functional assessment of wetlands that has been done. Broad statements are made that "the location will be adjusted or mitigation applied to avoid impacts to wetlands" or that "two of the six locations appear to have wetland characteristics and need to be reviewed." Both of these statements indicate that wetland impacts are likely to occur and yet there is a concluding statement that "the proposed project is not expected to affect water resources including wetlands." This assessment is completely insufficent and does not meet the requirements of the FHWA Technical Advisory, the Protection of Wetlands Executive Order nor the Clean Water Act. Full survey and delineation of wetlands, including functional assessment needs to be completed. Then both direct and indirect impacts to wetlands needs to be done. Practicable alternatives to the impacts to wetlands need to be prepared and documented and mitigation needs to be fully defined and committed to.

Missoula Advocates for Sustainable Transportation *Page 4*

8. The ARM provides for confiscation of permits and administrative penalties at 18.8.901 and 18.8.902.

9. See response to Common Comment G. If the $108,750 calculated by the commenter were considered in the economic analysis, it would not change the conclusion that the proposal will not result in a significant adverse economic impact.

10. See response to Common Comment L.

11. Executive Order 11990 is a presidential executive order that requires federal agencies to protect wetlands. Because MDT is a state rather than federal agency, this executive order is not mentioned in the Environmental Assessment. That said, MDT does not expect this project to adversely impact wetlands. Please see the response to Common Comment I, the EA and the Decision Document for additional impacts discussion.

EA Error: Lolo Creek Watershed

12 The EA incorrectly stated that there would be no significant impacts on water quality associated with this project, however, Lolo Creek is one of the most sensitive watersheds in the area. Any disturbance created during construction would require substantial mitigation, none of which was provided for in the EA.

MEPA Process Deficiency: EA does not Consider Federal 4(f) Impacts

13 There are substantial 4(f) impacts associated with this project that must be assessed through the federal Environmental Impact Statement (EIS) process, including historic sites, wild and scenic rivers, parkland, and areas of cultural significance. The parks, recreation areas, and wildlife refuge section is insufficient to determine whether or not a Section 4(f) use will occur. Utility relocations do not address all potential Section 4(f) properties. This section has insufficent information to determine whether or not any future planned parks or trails would be affected. The minimal information provided about potential effects to access and parking in the vicinity of Section 4(f) properties. There is no discussion of consultation with Officials with Jurisdiction regarding existing or future Section 4(f) properties, and in fact, compliance with Section 4(f) is not even mentioned. Overall, this discusion is insufficient to determine whether or not a Section 4(f) use will occur.

General Project Concerns

There are many general concerns about this project that cannot be addressed by the limited scope of the Montana Environmental Policy Act. These concerns are worth briefly noting:

14
- Exxon/Imperial Oil have a terrible track record of environmental and human rights disasters.
- This project, despite objections from MDT, creates a corridor that welcomes 32-J permit applications and creates a revolving door of massive loads travelling through some of very sensitive watersheds in Western Montana.
- There is no guarantee that jobs associated with this project will go to Montana residents.
- Throughout history, Montana has been taken advantage of by one extractive industry after another. Tar sand mining is the next one knocking on the door waiting to perform its dog and pony show.
- Most importantly, tar sand strip mining is an environmental disaster, and the State of Montana should not be complicit in its development.

Missoula Advocates for Sustainable Transportation *Page 5*

12. MDT has received no new information to indicate potential impacts to Lolo Creek. MDT maintains its conclusion that there will not be significant impacts to water quality. See responses to Common Comment I and O.

13. Section 4(f) of the Department of Transportation Act (DOT Act) of 1966 stipulates that the Federal Highway Administration (FHWA) and other federal DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless certain conditions apply. Because MDT is a state rather than federal agency, Section 4(f) requirements are not mentioned in the Environmental Assessment. That said, MDT does not expect this project to create a "use" of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites. The proposed project will occur within exiting rights of way. Please see the EA and the Decision Document for additional impacts discussion.

14. See also responses to Common Comment K, Q and E1.

MISSOULA COUNTY

BOARD OF COUNTY COMMISSIONERS
200 W BROADWAY ST
MISSOULA MT 59802-4292

PHONE: (406) 258-4877
FAX: (406) 721-4043

BCC 2010-109
May 12, 2010

RECEIVED
MAY 14 2010
ENVIRONMENTAL

Mr. Tom Martin
Environmental Services Bureau
Montana Department of Transportation
P.O. Box 201001
Helena, MT 59620-1001

RE: Kearl Module Transportation Project

Dear Mr. Martin:

Thank you for the opportunity to review and provide comment on the Environmental Assessment prepared for the Kearl Sands Transportation Project. Included with this letter are our initial comments.

1 We believe inadequate time has been provided to fully evaluate the environmental assessment in conjunction with the supplemental information provided on your website. We also believe that the environmental assessment does not examine the true impacts to local communities.

We, therefore, respectfully request a ninety (90) day extension to better understand the project and its likely effects on our community.

Thank you in advance for your consideration.

Sincerely,
BOARD OF COUNTY COMMISSIONERS

Michele Landquist, Chair

Bill Carey, Commissioner

Jean Curtiss, Commissioner

BCC/ppr
cc: Greg Robertson, Public Works Director
Jim Lynch, Director, MDT

MISSOULA BOARD OF COUNTY COMMISSIONERS

1. See response to Common Comment F1.

KEARL SANDS TRANSPORT PROJECT

Missoula County has a number of concerns related to the Kearl Sands Transport Project.

2 Missoula County did not receive the draft environmental documents until April 13, 2010, and has not had adequate time to fully evaluate its contents. There are significant potential public safety and welfare issues related to this project. Missoula County and other agencies require more time to provide meaningful input. An additional ninety (90) days is warranted to provide adequate, substantive comment.

Missoula County's concerns are related to **insufficient analysis and outreach,** specifically:

3
- **Alternate Routes.** The environmental assessment lacks adequate analysis of alternate routes. There is very little information provided explaining why no other route is feasible. No photos or plans are provided identifying "restrictions" or their location. No design alternatives, or their requisite costs, are offered investigating the feasibility of getting past these restrictions, such as temporarily improving on/off ramps to accommodate the modules, bridge deck modifications, alignment modifications or feasibility of repackaging the offending modules.

4
- **Public Safety.** The analysis provided and outreach conducted regarding conflicts with emergency response vehicles is inadequate. The County's emergency responders have had very little contact from representatives of the project. Considerable work needs to be accomplished before a record of decision is issued to adequately address emergency response plans and response times. Additionally, the EA states that the modules will be transported at night, yet the traffic control plans do not identify how the work areas will be illuminated within the work zone and approaching traffic. In the interest of public safety, the transport work zone should be illuminated, and the EA should state as much.

5
- **Recreation.** The analysis provided on impacts to recreation or tourism is inadequate and may underestimate impacts to our local community.

6
- **Cultural Resources.** Extensive consultation should have occurred to identify all cultural resources along the route. The plan should also include proposed mitigation efforts for each resource listed.

2. See response to Common Comment F1.

3. See responses to Common Comments D1, D2, and D3.

4. See response to Common Comment H3. The work areas will be appropriately illuminated, See Section 2.2.1.7 of the EA

5. See response to Common Comment M.

6. See response to Common Comment N. See Section 3.3 of the EA and also the Decision Document.

7 • **Public Transportation.** The environmental assessment does not provide contingency plans in the event of vehicle breakdown, spill, schedule delays or other hazard that may have an adverse impact on the traveling public. The document also fails to provide information on the impacts to adjacent public roads and the delays that users of those roads might experience. Further analysis examining the delay impacts to intersecting roads and driveways must be included in the proposed plan.

8 • **Public Infrastructure.** The Environmental Assessment fails to address impacts to the sewer main running directly under the approach to the weigh station that will stage the modules. The sewer main serves Highway 12 as part of Rural Special Improvement District No. 901. Large boulders in the vicinity restricted the sewer main from being installed at an adequate depth. The wheel loads created by the large vehicles required for the project will likely have adverse impacts to the sewer main, including the possibility of crushing the pipe. Missoula County requires the EA to include mitigation measures to this critical piece of public infrastructure.

9 • **Environmental Impacts.** Construction of pull-outs along the route may adversely affect significant environmental resources including damage to riparian areas, watersheds, and hillsides. There is a lack of analysis in the Environmental Assessment relative to environmental impacts resulting from constructing pull-outs.

10 • **Economic Impacts.** The analysis with respect to economic impacts is incomplete. The document fails to portray the true economic impact to local businesses, tourism and employment. Especially lacking are the effects to the transportation and timber products industry that are so important to our economy.

11 • **Inadequately Rigorous Analysis.** The issuance of a special use permit by the US Forest Service and potential impacts to cultural resources constitute federal actions. The Environmental Assessment should justify why an Environmental Impact Statement is not required and the project's exclusion from NEPA.

12 • **Unclear Project Scope.** The document discussion involves establishing a permanent route through Missoula County for these and other types of oversized loads. Requiring a full Environmental Impact Statement to study the cumulative impacts of making such a route permanent would bring the necessary analysis to bear in the context of greater public discourse.

7. See Section 3.6.2.6 of the EA, which specifies the location in the MTP where these issues are addressed. See also the response to Common Comment G.

8. Axle weights will not exceed limits set by MDT and will not harm the sewer line near the staging area. See response to Common Comment L.

9. See responses to Common Comments I and O. MDT concludes that potential impacts from turnout construction are adequately analyzed in the EA.

10. See response to Common Comment M.

11. See responses to Common Comments A and B.

12. See responses to Common Comments B and K.



14 May 2010

RECEIVED
MAY 17 2010
ENVIRONMENTAL

Tom Martin
Montana Department of Transportation
Environmental Services
Helena, MT 59620

Dear Mr. Martin,

I wish to make known my strong opposition to the proprosed Kearl Module Transport Project.

This route, where it affects Montana, and specifically along Hwy. 12 and Lolo Creek, then along Hwy. 200 and the Blackfoot River, is well-known for its remote nature, spectacular beauty, and access to abundant recreational opportunities. I travel these roads many times a year in all seasons, both for business and pleasure. I would strongly argue that they are not at all suitable for the proposed use.

1 Hwy. 12 coming down from Lolo Pass is narrow, winding, steep, and treacherous in winter. I routinely see places where cars have slid off into a snowbank, and a vehicle ends up in the adjacent creek at least once a year. Much of the surrounding forest lands were recently acquired with federal funds from Plum Creek timber, to go with adjoining USFS lands, as land managers clearly recognized the unique character and recreational opportunities of the area, everything from XC skiing and snowshoeing to hunting, fishing, and snowmobiling. Hwy. 200 is less twisting and steep, but it traverses country no less beautiful. Certainly you know that it parallels the Blackfoot River for many miles. There are few rivers in Montana as legendary for their scenery and fishing as this river. The Blackfoot valley, as well, has been the subject of intense efforts to protect and preserve its rural character and scenice views. These roads are no place to be transporting mega-sized industrial equipment!

2 Our organization transports people on a daily basis in the summer months up and down the proposed route. While I recognize that a night-time schedule should help avoid traffic concerns, it would only take one incident to cause us severe problems and potentially lost business. In our permit with Lolo National Forest, we can only be in very specific places on specific days that were scheduled months ahead of time. As well, I can tell you that our clients very much enjoy the scenic nature of these roads, and they are not impressed by seeing turn-outs and monster rigs parked beside the road. MOLA is but one of many outdoor-based organizations in our immediate area who stand to be negatively impacted.

3 A question to you: Why would we even consider creating this "high and wide" travel corridor through such remarkable country to accommodate the interests of a large multi-national private business who routinely posts profits in the $billions of dollars?! The crux of the issue seems to be that Imperial Oil/Exxon Oil is proposing this route because it is easiest and cheapest for them. Never mind Montana! This is a slap in the face to all Montanans, and it is especially insulting to those of us who work hard to create business in our state based on natural resources. While Imperial/Exxon has promised some fantastic economic benefit with the project, I find the numbers hard to believe, and they are short-term benefits at best.

Please say no to this ill-conceived project that threatens Montana's future and the livelihoods of hardworking Montanans. I hope you'll ask Imperial/Exxon to look for a more suitable route for their business. Thank you for your time.

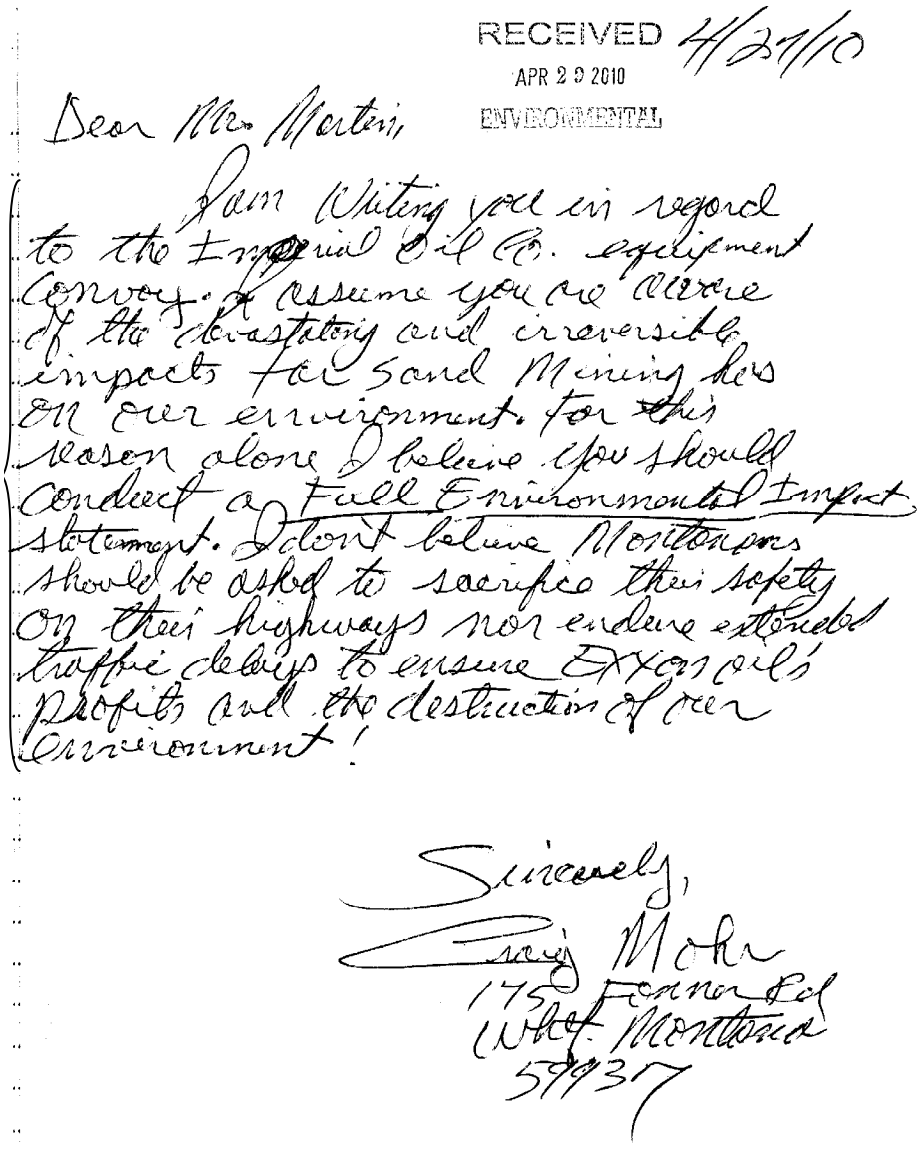
J. Porter Hammitt, Founder and Director
Missoula Outdoor Learning Adventures (MOLA)
1304 Jackson St., Missoula, MT 59802
Porter@MissoulaOutdoors.com
406.240.2458

MISSOULA OUTDOOR LEARNING ADVENTURES – J. PORTER HAMMITT

1. See response to Common Comment K.

2. See responses to Common Comments M and J.

3. See response to Common Comment K.



RECEIVED 4/27/10
APR 29 2010
ENVIRONMENTAL

Dear Mr. Martin,

I am writing you in regard to the Imperial Oil Co. equipment convoy. I assume you are aware of the devastating and irreversible impacts tar sand mining has on our environment. For this reason alone I believe you should conduct a Full Environmental Impact statement. I don't believe Montanans should be asked to sacrifice their safety on their highways nor endure extended traffic delays to ensure EXXON oil's profits and the destruction of our environment!

Sincerely,
Craig Mohr
175 Fannon Rd
West Montana
59937

1

MOHR, CRAIG

1. See response to Common Comment E1 and B.

David R. Montague
P.O. Box 903
Bonner, MT 59823
Phone or fax: (406) 244-5068
Email: d33rtsm9@blackfoot.net

RECE
MAY 1
ENVIRON

May 11, 2010

Tom Martin,
MDT,
P.O. Box 201001
Helena, MT 59620

Dear Mr. Martin,

An email I sent today was returned because your box was full. Hence I am writing you via snail mail.

1 I'm a resident of Potomac on highway 200 northeast of Missoula, one of the primary routes in the plan to transport tar sands mining equipment to Canada. Not only do I object to the potential delays and wear on the highway, I strongly object to use of Montana roadways to transport equipment that, when used, will do nothing but add to environmental woes and all for the sake of corporate profits. I say No! in aces, and I urge the department to disallow this use. Would we as a state allow transport of gas ovens to an Auschwitz? Would we permit transport of inadequate "fail safe" equipment to an offshore oil rig? There is nothing whatsoever that should compel us to help private corporations pollute and destroy a nearly pristine area near our border so that their shareholders can reap more profits and their executives ever larger bonuses. Surprise! We, citizens of Montana and the U.S., do not exist solely to serve corporate needs. Neither do our roadways.

Sincerely,

David R. Montague

Author of "*In Greed We Trust: Secrets of a Dead Billionaire,*"
a satire that deconstructs greed, plutocracy and the American Dream.
Visit the book's website at www.greedwetrust.com

MONTAGUE, DAVID

1. Comment noted.

10/19/1996 14:58 0000000000 000000 PAGE K1

MEIC

MONTANA ENVIRONMENTAL INFORMATION CENTER

"Protecting Montana's Natural Environment Since 1971"

RECEIVED
MAY 13 2010
ENVIRONMENTAL

May 12, 2010

Director Jim Lynch
Montana Department of Transportation
2701 Prospect Ave.
Helena, MT 59620

Sent via Facsimile: (406) 444-7643

Dear Director Lynch,

1 The Montana Department of Transportation's system for those submitting comments via e-mail on the proposed Kearl Module Transportation Project is not working. I called to inquire about the problem because many of our members are trying to submit comments before the May 14 deadline. The woman who answered the phone told me that the inbox was full and she would speak with someone to have it cleared out by this afternoon. The woman I spoke with was neither friendly nor accommodating.

This is a major inconvenience for people who are trying to submit comments before the deadline. We feel that it is necessary to extend the comment deadline so that the public is provided with a reasonable time frame to provide input on this project.

Thank you for your consideration of this request.

Sincerely,

Kyla Wiens, Policy Advocate
Montana Environmental Information Center

P.O. Box 1184 • Helena, MT 59624 • Phone: (406) 443-7520 • Fax: (406) 443-7507 • E-mail: meic@meic.org • www.meic.org

printed on recycled paper

MONTANA ENVIRONMENTAL INFORMATION CENTER - WIENS

1. See response to Common Comment F2.

RECEIVED
MAY 10 2010
ENVIRONMENTAL

3270 Kleinschmidt Flat Road
Ovando, MT 59854
May 9, 2010

Tom Martin
Montana Department of Transportation
Helena, MT 59620

Mr. Martin,

Please re-consider approving the transportation permit allowing the transport of tar sands mining equipment through Montana. I urge you to consider all the factors when making your decision.

1 First of all, tar sands development releases significant amounts of greenhouse gasses into our atmosphere. Allowing transport of the equipment only facilitates this global environmental degradation. The environmental assessment does not adequately address the potential impacts to the environment and public health resulting from global warming if this project is carried out.

2 Second, the impacts of the actual equipment transport will be severe. I live in Ovando, a small town along highway 200, a route proposed as adequate for equipment transport. The Blackfoot Valley, which highway 200 bisects, is invaluable habitat for many sensitive and keystone wildlife species. The impacts to these species—grizzly bears, wolverines, gray wolves—not to mention large elk herds—will be significant. Not only will there be wildlife mortality, but the impacts of the increased travel to migration and movement will be high. Incidentally, much of highway 200 follows the Blackfoot River. Impacts to the riparian water quality and sediment load are not addressed in the EA.

3 Third, the impacts of this proposed transportation permit to our local economy, our public safety and the condition of our highway are also too high to warrant approving this permit. Ovando depends on recreational tourism to keep it afloat. Bad publicity about Montana highway conditions could cause a decrease in tourism dollars. Public safety issues are not adequately addressed in the EA. Far flung volunteer fire departments and sparse EMT groups cannot respond quickly if there are accidents or rollovers along highway 200.

4 Lastly, Montana does not need to facilitate the profits of an international oil company. We will not benefit with lots of long term, well paying jobs. We will end up with damaged roads, damaged reputations, and damaged wildlife populations.

Thank you for your time,
Andrea Morgan

Andrea Morgan

MORGAN, ANDRE

1. See responses to Common Comments E1 and P.

2. See response to Common Comment I and O.

3. See responses to Common Comments L, M, and H3.

4. Comment noted.

Montana Department of Transportation,

I am a 62 year old, 4th generation Montanan. Over the years I've watched my state, " Montana, the last best place," incrementally sliding toward " Montana, a place like every other."

Senic two lane roads were never intended to be corridors for international heavy haulers. Imperial/Exxon Mobil of Canada intends to raze mountain sides in order to accomodate passage of 200 modules of oil extraction equipment. Ecuipment manufactured in Korea to be transported to Canada. This is a problem for Imperial/ Exxon Mobil of Canada, not for citizens of Montana.

Big corporations do not hesitate for ethical consideration. Tell Imperial/Exxon Mobil of Canada, that " the last best place " is not for sale.

Sincerely,

Rocky Morrison

1

MORRISON, ROCKY

1. See responses to Common Comments J and K.

MAY
ENVIRONMENTAL

MONTANA
MDT
DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Mick Mulholland
1661 S. 7th ST. W.
Missoula, MT. 59801
Mickey@montanabakers.com

Comments: I would urge the Montana Department of Transportation approve the use of Montana Highways as proposed by Imperial Oil for Fluor module transportation to Canada. This will employ Montanans working in Montana thus helping the tax base & local wages + benefits to workers & their families

1

MULHOLLAND, MICK

1. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

RECEIVED
MAY 10 2010
ENVIRONMENTAL

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Karen Myers
PO Box 143
Drummond, MT 59832 (Helmville resident)
myerssull@yahoo.com

Comments:

1 The impact of this project is huge. It is not just the matter of a few trucks using scenic byways. This project will change the face, beauty and soul of the Lolo and Blackfoot River corridors and the Rocky Mountain front.

2 Because of this, a 90 day extension to the public comment period is in order. The public was not adequately informed and even the Missoula County Commissioners recieved the EA too late to propevly assess it in the Time allotted.

3 Because of the endangered species of fish in the rivers and streams adjacent

MYERS, KAREN

1. See responses to Common Comments J, K and O.

2. See response to Common Comment F1.

3. See responses to Common Comments I, O, and B.

to this project, a full Environmental Impact statement is necessary.

4 Because the validity of Exon-mobil's figures has been called in to question, a full economic assessment by an independent agent is warrented

5 Montana needs to retain its character for its citizens and the many tourists this state depends on. The number of unsightly turnoffs along the proposed route will have a negative impact on the scenic beauty of this area. Not only the turnoff but large cuts in the mountainsides and the amount of fill that will have to be brought in from somewhere will destroy an important aspect of Montana.

A company ~~might~~ have has the right to use Montana's highways if they stay under the 10 minute wait limit, but do they have a right to disfigure the road with many large unsightly unnecessary turnoffs we do not want that our state will have to maintain and plow?

6 The beauty of this state is an asset we can not afford to lose. Once gone it cannot be replaced. ~~Something~~ things are more important than the so called "promise of cheap oil".

7 I would rather wait 30 minutes than to have the behemoth turnoffs destroy the integity of Montana's scenic byways and her character, her soul.

4. See response to Common Comment M.

5. See response to Common Comment J. The proposal being evaluated does not include "large cuts in the mountainside"; some fill will be used for the new and modified turnouts. Associated potential impacts were analyzed in the EA and found to be insignificant in terms of MEPA. See response to Common Comment L.

6. Comment noted.

7. The 10-minute delay requirement is from the Administrative Rules of Montana 18.8.1101, as a result, other delay periods were not evaluated.

Dear Governor Schweitzer,

I have tried to email this comment to the Dept. Of Transportation, and it bounces back to me with the error message that it is "Undeliverable" and the "address is not recognized."
Since DOT is a public agency, and I sincerely want to add my comment to those opposing the big rigs with oil equipment going up Highway 12, I am concerned that my comment won't go through.

I know you both are busy. You're also my elected representatives. I've never asked anything of a politician, but I'd sure be grateful if either of you could get this through to MTDOT for me. They apparently aren't extending the comment period, despite the response they're getting.
And I wasn't able to get this done until the last minute, I realize that.

And despite the advice of CB. Pearson I'm going to leave the expletive in the next sentence.

The damned email address they have should work.

Sincerely

Noelle Naiden
406-543-7780

1 Hi, I'm a school psychologist and live in Missoula where I've been for thirty years. I've kayaked, driven and hiked the areas of the Blackfoot, Lolo creek and the Lochsa most of my time in Montana. Many people use these rivers and highways for access to recreation, homes, livelihoods - I've spent more time in a boat on the blackfoot than I could even tally....you could say I spent my life on that river. Highway 12 is a major corridor

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NAIDIN, NOELLE

1. Comment noted.

for river use and river recreation. It is precious for hunters, anglers, boaters, bikers, and folks also live there, have families and are invested in it. That means more than anything else.

Having lived in Missoula since the 70's I've watched it change a great deal over time.

I have significant concerns about the enormous impact and infrastructure effects these Exxon rigs carrying overseas oil equipment will have on the proposed route. I know the lower Blackfoot corridor intimately - it's tight and narrow and the road should stay that way since the river is a priority. But huge trucks on this narrow highway seem like a fish with a bicycle - makes no sense any way you cut it.

Different values exist on Lolo, the upper Blackfoot and the Lochsa but all have to do with the overriding value of the wild lands and wild waters trumping the roadways. To have hundreds of these trucks coming through, to create roads specifically to carry them, when there's no real benefit to Montana (lord knows Exxon needs no more benefits, they've posted record profits year after year and are only interested in their own bottom line) is another example of an out-of-state corporation wanting to exploit Montana without having to be invested in the state.

2 This project demands close scrutiny. Oil companies are not known for their responsible stewardship or respect for the states they operate in, just ask the folks in Louisiana. This should require an environmental impact statement and a really hard look at the nature of their request.

The Blackfoot river is irreplaceable, as is Missoula and every other small town these trucks will barrel through. They do not need to use this route and probably can't demonstrate real need to use it, other than wanting to save a buck.

Please, do an environmental impact statement. Please, don't allow their passage.

Noelle Naiden
5141 Elk Ridge Road Missoula Mt 59802

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2. Please see the response to Common Comment F2 for an explanation of the reason for the email outage.

SUMMER NELSON
SUMMER NELSON LAW OFFICE, PLLC
114 W. PINE ST., OFFICE 3
MISSOULA, MONTANA 59802
summer@summernelsonlaw.com

ROBERT M. GENTRY
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May 14, 2010

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Tom Martin
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

RE: Kearl Module Transport Project Environmental Assessment (KMTP EA): Public comment

Dear Mr. Martin:

Thank you for the opportunity to comment on this project. On behalf of Northern Rockies Rising Tide (NRRT), and on behalf of the undersigned named individuals, we submit the following comments on the KMTP EA. Please note that the undersigned, by joining in this letter, do not state or imply that they practice in partnership or other organization.[1]

1. The public comment period should be extended.

The Montana Department of Transportation (MDT) has some discretion in determining the level of analysis and public review employed in its preparation of an EA.[2] A public comment period is one method by which MDT may adjust public review to reflect the complexity and seriousness of the environmental issues associated with the proposed action.[3] Recognizing this, MDT opened a 30-day public comment period for the KMTP EA.

1 Consistent with the complexity of this project, the EA, Transportation Plan and appendices are quite voluminous. MDT has been actively working on this project with Imperial Oil (IO), the permit applicant, for over a year. While the public comment period granted in this case is consistent with MDT's regulatory authority, it would also be consistent with that authority, the spirit and letter of the Montana Environmental Policy Act[4] (MEPA), and good governance to extend the comment period to allow the public adequate time to learn about this project, review the EA and associated documents, and provide informed, meaningful public comment.

2 Further, technical difficulties with the MDT email link for electronic submission of public comments came to our attention on Tuesday, May 11, 2010, three days before the close of the public comment period. These difficulties occurred and are ongoing during a critical time period for submission of public comments, and resulted in comments submitted being "bounced back" to senders due to full email boxes at MDT. Please consider this unanticipated breakdown in an essential component of the

[1] See Montana Ethics Opinion 900308. Summer Nelson Law Office, PLLC and Robert Gentry Law, PLLC are separate organizations under Montana law.
[2] ARM 18.2.240(1).
[3] ARM 18.2.240(3).
[4] Title 75, chapter 1, parts 1 through 3, MCA.

1

NELSON, SUMMER AND GENTRY, ROBERT

1. See response to Common Comment F1.

2. See response to Common Comment F2.

solicitation of public comments an additional reason to extend the public comment period in order to provide meaningful public participation in this government decision, as required by the Montana Constitution and MEPA. MDT is statutorily authorized to extend applicable deadlines for completion of its environmental review in order to accommodate this request.[5]

2

Not only is MDT statutorily authorized to extend a comment period, the Montana constitution requires that the public be given a meaningful opportunity to participate in governmental decision-making before a final decision is made. The breadth of this project, the volume of the documents to be reviewed, and the great public concern demand a comment period that will accommodate public participation, and the 30 day period cannot accomplish that task.

The Montana Supreme Court has recognized the fundamental link between the public's constitutional right to know and the right to participate.[6] In Bryan, the Supreme Court held a citizen's fundamental right to participate was violated when a school district did not provide all information relied upon and available to the decision-making body during the time the public could participate. While MDT has provided information requested by the public (specifically, the NRRT information request), none of the important requested information was made available in the EA. Instead, members of the public had to identify critical missing information and seek it out during the 30-day comment period.

Other additional information requests are pending with federal agencies, as not all the relevant information about impacts, project scope, and other aspects of the project was provided by MDT in the EA. It follows that without all information provided in a timely manner, such that the public can reasonably be expected to obtain and review all the relevant information, the public's right to participate and know are not being upheld. Also, the sheer volume of the additional requested information, along with the volume of information in the EA and accompanying documents requires more than a 30-day comment period to satisfy the public's fundamental constitutional rights to know and to participate in government decision-making.

3

The public hearing held in Missoula (and presumably those held in other locations) were of such a nature that they did not satisfy the need for adequate, meaningful public participation. Instead of providing an opportunity for the public to make their comments at the time advertised as the start of the hearing, or even shortly thereafter, MDT allowed the applicant Imperial Oil to dominate the hearing for hours before MDT even began recording comments as part of the official public comment record. Not only was the public comment portion of the meeting so substantially delayed that many of the attending public had departed by the time public comment was taken (after 9:00 p.m. on a week night), but the comments were not allowed until after Imperial Oil was given the floor to present its one-sided view of the project, which minimized the potential impacts and uncertainties of the project, and severely limited the scope of the discussion. Thus, possibly many members of the public were either dissuaded or influenced in their comment-making by the delay, extra-record supplemental information session conducted by IO, and the direction of the applicant corporation of this public meeting presenting an MDT decision.

During the question and answer session, it became apparent that many members of the public were treating their questions as an opportunity to make comments to the agency. These questions, however, were not being treated by MDT as actual comments or public input. MDT should remedy the inadequacies of the public participation process. It can do so by extending the comment period for this EA, so that the public has time to become adequately informed of the issues, identify additional potential impacts and concerns for the agency's consideration, and provide other meaningful input. Alternatively

[5] MCA § 75-1-208(5).
[6] Bryan v. Yellowstone County School Dist., 2002 MT 264.

See response above.

3. See response to Common Comment F1.

The Missoula hearing format was consistent with the format MDT generally uses in conducting its MEPA/NEPA public involvement. See Section 2.0 of the Decision Document.

4 or additionally, MDT can remedy the inadequacies of the public participation process by abandoning the EA and initiating a public scoping process to prepare a full EIS to in cooperation with all involved federal, state, tribal, and local entities, to comply with both MEPA and NEPA.

2. An EA under MEPA is legally insufficient to fulfill MDT's constitutional and statutory responsibilities to the people of Montana.

IO requests that MDT provide state government permits necessary to construct one segment of its Kearl Project[7] on Montana highways and requests permits to allow the movement of equipment manufactured in Korea over Montana roads destined for IO's tar sands resource extraction project near Fort McMurray, Alberta, Canada. The road construction, utility relocation, signal modification and tree trimming required under the requested oversize load permits in Montana are but one portion of IO's proposed route that crosses international boundaries and state lines, a project informed by IO's "global execution strategies."[8]

5 As the state government agency asked to approve the penultimate segment of this global route, prior to committing significant state environmental and fiscal resources, it is reasonable[9] for MDT to ask whether the preceding portions of the route have received final federal, state, tribal, and local governmental approval, including requisite environmental review under state and federal law.[10] And it is appropriate for MDT to ask whether IO is asking MDT to participate in a segmentation of their project in order to facilitate an evasion of legal responsibilities under NEPA. Putting at risk the natural resources and economic viability of western Montana and substantial public funds, MDT has chosen not to ask these questions, preferring to allow state lines and the permit applicant's characterizations of the project to limit its consideration of the scope of this project. The undersigned ask that MDT respond to these questions before making a final agency decision in this matter.

3. MDT should deny IO's permit applications pending environmental review of this project, as a whole, under NEPA.

The Montana Supreme Court has stated that "because MEPA is modeled after the National Environmental Policy Act (NEPA), when interpreting MEPA, we find federal case law persuasive."[11]

[7] KMTP EA, p. S-1.
[8] Id.
[9] Such an inquiry is also consistent with: the public trust responsibilities of all state government employees, MCA § 2-2-103; the policy that executive branch agencies be responsive to the needs of the people of the state, MCA § 2-15-101; the principle of accountability for addressing issues, MCA § 2-15-142; the principle of government accountability, MCA § 2-11-101 et seq.; the manifestation of popular sovereignty, Montana Constitution Art. II, Sec. 1; the duty of strict accountability of all revenue received and money spent by the state, Montana Constitution Art. VIII, Sec. 12; the inalienable right of Montanans to a clean and healthful environment, Montana Constitution, Art. II, Sec. 3; and the maintenance and improvement of a clean and healthful environment in Montana for present and future generations, Montana Constitution, Art. IX, Sec. 1.
[10] In its "USDOT TIGER Grant Application, Expansion of Port of Lewiston Dock and State Highway 129," the Idaho Transportation Department is applying for $11.4 million in federal stimulus funds to "provid[e] an oversized equipment transportation route for oil (Kearl Oil Sands)." "Permits Approved and Approvals Secured" and "Other Agency Approvals" are scheduled to occur in September 2010. This project will "enhance the Port's ability to be competitive with a new opportunity to offload oversized equipment being transported to the Kearl Oil Sands Project in Alberta, Canada, coal plants in Wyoming, and wind turbines for the U.S. mid-west." "Oil companies working in the Kearl Oil Sands Region of Alberta, Canada have discovered the Columbia-Snake Port System. . . . If one oil company is successful with this alternate transportation route, many other companies will follow their lead. The port dock will reduce transportation time and costs for the American-based oil companies." http://itd.idaho.gov/tiger/Lewiston_docs/Lewiston_TIGER_Application%20Final%209%2015%202.pdf
[11] Ravalli County Fish and Game Ass'n., Inc. v. Montana Dept. of State Lands, 903 P.2d 1362, (Mont. 1995).

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4. See response to Common Comment B.

5. See responses to Common Comments S, E1 and E2.

MDT is not only authorized to prepare a joint environmental review document with involved federal agencies,[12] it is also required to prepare environmental review to satisfy NEPA as well as MEPA where a state action also involves federal action.[13] Thus, not only does analogy and guidance from NEPA case law apply to the MEPA process, but NEPA compliance is required in this instance, for reasons set forth in the sections below. 6

A. MDT may not substitute IO/Tetratech's analyses of the scope, purpose and need, alternatives, and environmental impacts of this project.

As with Montana law, under federal regulatory guidance, a federal agency may prepare an EA in-house, or it may allow a permit applicant to prepare the EA. But the agency must make its own evaluation of the environmental issues and take responsibility for the document's scope and content.[14] Federal agencies, and by extension MDT, must "exercise considerable caution" when an EA is prepared by an entity with an interest in the proposed action so that the agency does not substitute the entity's analysis for its own.[15]

MDT is therefore not restricted solely to the content of the EA submitted by IO and prepared by its consultant Tetratech in determining the appropriate scope, purpose and need, alternatives analysis and analysis of impacts of this proposal. In the event that information upon which an agency significantly relies in reviewing an EA is challenged as being inaccurate or incomplete, the agency must conduct an independent investigation to verify or discredit the information.[16] MDT is under an affirmative duty to confirm the analyses and representations contained in the EA through reference to all available information about the proposal. The undersigned request that, prior to making a final agency decision, MDT respond to this request that MDT conduct an independent investigation to verify or discredit the information referenced in the EA, as well as the information raised in this and other public comments received. 7

B. The scope, purpose and need, alternatives and environmental impacts analyses contained in the EA do not encompass the fact that IO is proposing to construct a permanent high/wide corridor through Montana.

In the EA, MDT restricts its consideration of IO's permit applications to the one-time (over one year) transport of around 200 oversize loads through Montana. The purpose for this project, however, is much broader than this. As stated in the EA, the purpose is "for Imperial Oil to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads through Montana to the Canadian border and return trailers through Montana to the Idaho border."[17] The permanent nature of 8

[12] ARM 18.2.250(2), "The agency shall cooperate with federal and local agencies in preparing EISs when the jurisdiction of the agency is involved. This cooperation may include, but is not limited to: joint environmental research studies, a joint process to determine the scope of an EIS, joint public hearings, joint EISs, and, whenever appropriate, joint issuance of a record of decision."

[13] ARM 18.2.250(3), "Whenever the agency proposes or participates in an action that requires preparation of an EIS under both the National Environmental Policy Act and MEPA, the EIS must be prepared in compliance with both statutes and associated rules and regulations. The agency may, if required by a cooperating federal agency, accede to and follow more stringent requirements, such as additional content or public review periods, but in no case may it accede to less than is provided for in these rules." Federal case law also indicates a state action can be a federal action when federal funding, approval, or other substantial or necessary involvement exists, and thus subject a state agency to NEPA's requirements.

[14] 40 CFR § 1506.5(b). See Stephens v. Adams, 469 F.Supp. 1222, 1227 (E.D. Wis. 1979).

[15] Brandon v. Pierce, 725 F.2d 555, 564 (10th Cir. 1984).

[16] Van Abbema v. Fornell, 807 F.2d 633, 639-42 (7th Cir. 1986).

[17] EA at section 1.2, Purpose of the Project, p. 1

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6. See response to Common Comment A.

7. See response to Common Comment S. MDT takes full responsibility for the accuracy, scope, and content of the EA and Decision Document.

See response on next page.

this project as a High/Wide corridor through Montana is expressly recognized in the EA as a "Present and Reasonably Foreseeable Activit[y] by Others"[18] and in the statement that "MDT believes it is reasonably foreseeable that additional oversized loads would want to use the route."[19]

The conclusion that this project proposes to develop a permanent oversize load ("High/Wide") corridor through western Montana is further supported by the statements of Jim Lynch, Director, MDT. In a "Proposed High and Wide Corridors Briefing" presented before the Montana Revenue and Transportation Oversight Committee in July 2009[20], Mr. Lynch prepared slides stating that IO "[p]ropose[s] to create permanent 'High/Wide Corridors' through Montana." Mr. Lynch also presented a slide in this briefing stating that "there are numerous companies with leases from Alberta to develop areas of the Kearl Oil Sands."

Mr. Lynch's July presentation to the MRTOC is available online.[21] In this presentation, Mr. Lynch made the following statements: This project will be "setting the stage for a high/wide corridor in Montana for things we haven't even imagined yet;"[22] this project "lends itself more to an EIS than an EA;"[23] and that this project will create a "firestorm in the community" and will be "invasive." Throughout the presentation, Mr. Lynch emphasized his many concerns including the fact that due to the nature of the route, there are no alternatives to this corridor for travelers to avoid these big rigs, the size of the turnouts, and the potential for a "significant impact to the state."

Mr. Lynch's statements 10 months ago more accurately depict the scope of this project and its potential impacts than the EA prepared by IO. As recently as January, 2010, Tom Martin, MDT's Environmental Services Bureau Chief, clearly stated this concern and the need for the environmental document to analyze the impacts of establishing a permanent high/wide transportation corridor in Montana. As stated by Mr. Martin:

- On the other hand, leaving the turnouts in place does promote more of a permanent high-wide route. This coupled with utility and sign/light pole adjustments creates features that have been designed to allow high-wide loads – one of very few in the state. This has not been analyzed or disclosed in the last draft e-doc. It needs to be. However, I think it will be difficult to do so. It could be a weakness that savvy litigators look to if an e-doc challenge is pursued.[24]

Several other MDT Environmental Services personnel have voiced similar concerns, including the following statements:

- I always thought that the turnouts would be permanent since Page 4 of the draft Environmental Review stated "These turnouts, traffic structures, and utility relocations would be permanent." The cumulative impacts section needs to address the long term consequences (good and not so good) of these features.[25]

[18] EA at section 3.2, p. 16, "Past, Present, and Reasonably Foreseeable Actions." "Future 32-J permit loads using any portion of the proposed route similar to this project. These types of loads would be governed under same applicable regulations and laws as the proposed KMTP."
[19] EA, section 3.5.2.7 "Cumulative Impacts," p. 24.
[20] http://www.mdt.mt.gov/other/transplan/external/dirpresentations/RAT_EXXON_HIGH-WIDE_LYNCH_070109.pdf
[21] http://leg.mt.gov/css/Committees/interim/2009_2010/Revenue_and_Transportation/default.asp
[22] Minute 30:00 of the presentation.
[23] Minute 42:00 of the presentation.
[24] Email of Tom Martin to Michael Tierney, January 29, 2010 6:54 AM.
[25] Email of Susan Kilcrease to Eric Thunstrom and Tom Martin, January 27, 2010 4:33 PM.

5

8. See response to Common comment K.

9. The cited quotes of the MDT personnel demonstrate the prudent and thoughtful efforts that went into developing the environmental document. These statements were made as the project scope and applicable regulations were being determined. The comments were appropriate for the time they were made.

- By leaving the infrastructure (turnouts, traffic structures, and utility relocations) in place, does this send a message to the "world" that Montana is open to permitting high wide loads? Will leaving the infrastructure make this route more appealing to future use? Perhaps we need to analyze these questions in the cumulative impacts section of the environmental documentation.[26]

- The scope of the EA should include but not be limited to the following: . . . Impacts to the Human Environment are potentially substantial when viewed corridor wide and when considering the long-term impacts of Montana having a permanent "high load corridor."[27]

9 This conclusion is supported by public statements from various entities associated with other segments of this project, as well.[28] Plainly, MDT is aware that the purpose of this project and its impacts extend far beyond the scope of IO's analyses in the EA. Implicit in the requirement that an agency take a hard look at the environmental consequences of its actions is the obligation to make an adequate compilation of relevant information, to analyze it reasonably and, perhaps most importantly, not to ignore 'pertinent data.'"[29] IO's semantic exercise in attempting to hide this fact is transparent. MDT is under a clear duty to "exercise considerable caution" and **not allow** IO's analysis of this project to substitute for its own. The undersigned request that MDT exercise considerable caution and consider pertinent data and known information prior to adopting IO's characterization of this project in a final agency decision.

C. Improper segmentation of this project by IO.

10 The actual scope of this project, the geographic extent of the planned corridor, and the inadequacy of an EA[30] under MEPA to address direct, secondary and cumulative adverse environmental impacts of this project, as a whole, require the initiation of scoping efforts for preparation of a joint environmental impact statement under NEPA, programmatic in scope. The Kearl Project crosses three

[26] Email of Eric Thunstrom to Tom Martin, January 27, 2010 2:31 PM.
[27] Email of Stephanie Maes to Mike Bousliman, May 28, 2009 11:27 AM.
[28] The Idaho Transportation Department is applying for $11.4 million in federal stimulus funds to "provid[e] an oversized equipment transportation route for oil (Kearl Oil Sands)." USDOT TIGER Grant Application, Expansion of Port of Lewiston Dock and State Highway 129 (http://itd.idaho.gov/tiger/Lewiston_docs/Lewiston_TIGER_Application%20Final%209%2015%209.pdf);
"We have some new opportunities now with oversize cargo from three different areas – The Port of Lewiston could be called on to move heavy cargo to the oil sands area in Alberta Canada the second largest oil reserve in the world right now. Also Wind turbines built overseas destined for the mid-west, and also coal equipment destined for Wyoming. A lot of this equipment is manufactured in China or South Korea. Because of the trucking laws it's almost impossible to get these trucked across Washington so they're looking at the Port as a way to get this cargo to the interior of the mid-west. This cuts a significant mileage off the movement of cargo. The Port has talked to Shell, Exxon and Conoco and several large oil companies about moving this equipment though here." Port of Lewiston at Crossroads, May 23, 2009 (http://idahofarmbureau.blogspot.com/2009/05/port-of-lewiston-at-crossroads.html);
"Utilizing this route as a viable alternative has only been recently 'discovered' by logistics companies representing companies who have oversize equipment destined for the interiors of Canada and the U.S. Midwest." (http://www.portoflewiston.com/SColumbia.html);
"Last summer the port played a key role in the shipment of a large pressure vessel to Fort McMurray in the Alberta oil sands via the Columbia/Snake River system. Korean equipment manufacturers had been looking for an efficient route to get their machinery to Canada. They found that they could bring the equipment to the Port of Vancouver, U.S., then up river to Lewiston (435 miles) and lastly by land through Montana and up to Alberta. The route cuts 5,300 nautical miles plus 1,400 road miles off the traditional route." (http://www.washingtonports.org/member_resources/publications/Letters/march09.htm).
[29] Ravalli County Fish and Game Ass'n, Inc. v. Montana Dept. of State Lands, 273 Mont. 371, 903 P.2d 1362, 104 Ed. Law Rep. 488 (Mont. 1995), citing Sierra Club v. United States Army Corps of Engineers, 701 F.2d 1011, 1029 (2nd Cir. 1982).
[30] See section 4 of this comment, infra.

6

See response above.

10. See responses to Common Comments A and B.

state lines and two international boundaries. To facilitate this movement of equipment, the involvement of a number of state and federal government agencies, multiple county and city governments, and the Nez Perce and Blackfeet nations is required. Necessary permits are sought for this activity from city, county, state, federal, and tribal governmental agencies and state agencies have applied for federal funding to construct portions of this route.[31] The geographic and long-term extent of the adverse environmental impacts of this project spread not only across Montana and the western United State, but worldwide.

Even with foreknowledge of these factors, and the express prior MDT statements acknowledging these factors and the need for a robust environmental review process, MDT adopted IO's EA, the least extensive and most piecemeal environmental review possible short of no review at all.[32] Compliance with MEPA and NEPA require much more.

Piecemeal consideration of the impacts of **large scale projects** by governmental agencies is referred to as "segmentation" of an environmental analysis, and such practices have been repeatedly rejected by US courts as violating the letter and spirit of NEPA, in highway[33] construction projects and in other contexts.[34] Segmentation of a project is the division of actions with significant impacts into smaller actions, thereby hiding the significance of the impacts. US government agencies act under a clear regulatory proscription to avoid segmentation and instead conduct site-wide[35] NEPA reviews. Among other benefits, a site-wide environmental review:

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- is an efficient way to present cumulative impact information so that the decision makers have a clear understanding of the totality of impacts from past, present and reasonably foreseeable future activities at a site;
- provides for a more efficient NEPA review strategy by assessing multiple proposed projects in one document and saves both time and money by consolidating impact analyses and public participation activities and streamlining internal review procedures;
- facilitates comprehensive and responsible land use planning and allows governmental agencies to exercise good stewardship of resources entrusted to their care;
- supports federal and state public participation policies and invites public participation early in the process through the planning and scoping stages; and
- is an effective and efficient means of responding to stakeholder concerns.

According to Council on Environmental Quality (CEQ) regulations, agencies are required to consider "connected actions" for environmental review purposes, including actions that "are interdependent parts of a larger action and depend on the larger action for their justification."[36] Thus, a project's "independent utility" is essentially determinative of whether it is "connected" to another action

[31] See fn. 8, supra.
[32] IO sought a "categorical exclusion" from any environmental review under MEPA for issuance of the MDT permit, arguing that the construction measures amounted to maintenance activity normally exempt from environmental review. KMTP EA, Sec. 1.5, p.2.
[33] See e.g., Piedmont Heights Civic Club v. Moreland, 637 F.2d 430 (5th Cir. 1981); Swain v. Brinegar, 542 F.2d 364 (7th Cir. 1976); Indian Lookout Alliance v. Volpe, 484 F.2d 11 (8th Cir. 1973); Clairton Sportsmen's Club v. Pennsylvania Turnpike Comm'n, 882 F.Supp. 455 (W.D. Pa. 1995).
[34] City of West Chicago, Illinois v. U.S. Nuclear Regulatory Comm'n, 701 F.2d 632 (7th Cir. 1983).
[35] http://nepa.energy.gov/nepa_documents/TOOLS/GUIDANCE/Volume2/3-2-benefits-sitewide.pdf
[36] 40 CFR § 1508.25(a)(1).

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See response above.

in such a way that a collective environmental impact assessment is required under NEPA.[37] Courts are particularly skeptical of attempts to divide highway projects into segments in order to circumvent the mandate of NEPA.[38]

Courts have permitted segmentation in the highway context where it was demonstrated that the "independent utility" for the segment, its sole purpose, was not merely as one necessary piece of a larger planned road or network of roads.[39] An "independent justification" or "independent utility" test has also been applied in non-highway cases.[40] It is also clear that federal courts will view with skepticism attempts to characterize planned and definite future stages of an action as "indefinite" in an effort to avoid a determination of significance and the consequential obligation to prepare an EIS.[41]

10

IO's high/wide corridor through Montana has no independent utility apart from its being a necessary piece of a larger planned network of rivers, ports, and roads. Without permitting for the shipping of materials to the Port of Lewiston, without construction of port facilities in Lewiston and the necessary road and utility work in Idaho, IO's modules will not even make it to Lolo Pass, and if MDT approves the EA and proceeds with construction, Montana will have built its own "bridge to nowhere" and facilitated the circumvention of federal and state law. Prior to adopting the EA as a final agency decision, the undersigned request that MDT respond to the improper segmentation of this project by IO.

D. MDT should initiate a process for preparation of an EIS under NEPA.

11

To avoid the pitfalls of segmentation and comply with NEPA and MEPA, all aspects of this project, from the entry of ships into US territorial waters to the ultimate use of equipment to be transported along this corridor, should be considered in the environmental review of this project. This

[37] See Hammond v. Norton, 370 F. Supp. 2d 226 (D.D.C. 2005); Town of Huntington v. Marsh, 859 F.2d 1134, 1142 (2d Cir. 1988) cert. denied, 494 U.S. 1004 (1990); Coalition for a Liveable Westside, Inc. v. U.S. Dep't of Housing and Urban Development, 1997 U.S. Dist. LEXIS 8860 (S.D.N.Y. 1997).

[38] See e.g., Old Town Neighborhood Assn., Inc. v. Kauffman, 333 F.3d 732, 734 (7th Cir. 2003) (enjoining city from seeking federal reimbursement for local street widening project, which plaintiffs alleged was an attempt to circumvent NEPA by completing project without federal involvement and thus avoid preparation of EIS for subsequent, much larger federal highway project that was dependent upon the local street widening); Ross v. Federal Highway Administration, 162 F.3d 1046 (10th Cir. 1998)(where federal government had contributed over $10 million to highway project and FHWA was heavily involved in planning and construction, state authorities could not circumvent NEPA merely by withdrawing the last segment of the project from federal funding); The New River Valley Greens, et al. v. U.S. DOT, 1998 U.S. App. LEXIS 22127 (4th Cir. 1998) ("[t]he hallmarks of segmentation are where the proposed component action has little or no independent utility or involves such a large and irretrievable commitment of resources that it may virtually force a larger or related project to go forward notwithstanding the environmental consequences"); North Carolina v. City of Virginia Beach, 951 F.2d 596 (4th Cir. 1991) (in determining whether illegal segmentation has occurred, courts ask whether the completion of the first action has "direct and substantial probability of influencing [the] decision" of the second).

[39] See Preserve Endangered Areas of Cobb's History, Inc. v. U.S. Army Corps of Eng'rs, 87 F.3d 1242 (11th Cir. 1996); Piedmont Heights Civic Club, Inc. v. Moreland, 637 F.2d 430, 440 (5th Cir. 1981); Citizens for Balanced Environment & Transportation, Inc. v. Volpe, 376 F. Supp. 806 (D. Conn.), aff'd, 503 F.2d 601 (2d Cir. 1974), cert. denied, 423 U.S. 870 (1975); Conservation Law Foundation v. Federal Highway Administration, 827 F. Supp. 871 (D.R.I. 1993), aff'd, 24 F.3d 1465 (1st Cir. 1994).

[40] See e.g., Earth Island Institute v. U.S. Forest Service, 351 F.3d 1291, 1305 (9th Cir. 2003); Environmental Defense Fund, Inc. v. Armstrong, 356 F. Supp. 131, 139 (N.D. Cal. 1973). Compare Bragg v. Robertson, 54 F. Supp.2d 635(S.D.W.Va. 1999)(while first phase of project possessed some independent utility, utility alone may not sustain the phasing of operations. The court explained that the intentional splitting of operations to allow commencement of mining operations under a less critical agency review, which delayed more detailed scrutiny until after significant work had begun, was a paradigmatic example of illegal segmentation).

[41] Sierra Club v. Marsh, 769 F.2d 868 (1st Cir. 1985).

8

11. See responses to Common Comments A, B, C1 and C2.

review could be programmatic[42] in scope. A programmatic EIS evaluates the environmental impacts of broad agency actions with impacts that may occur over a long time period, and it may be prepared jointly by the various governmental entities involved in a large scale project, such as the construction of a permanent high/wide corridor for shipment of oversize loads to Canada and the US Midwest.

11 While a programmatic EIS is a broad document, site specific impacts must also be considered. An agency or agencies responsible for preparation of a programmatic EIS must determine what additional NEPA documents must be prepared before implementing project-level activities.[43] To comply with the spirit and letter of MEPA and NEPA, the undersigned request that MDT abandon the KMTP EA and initiate communication with federal, state, tribal, and local governmental agencies involved in this project to begin scoping, involving full public participation, for preparation of a programmatic EIS under NEPA.

4. The EA does not comply with MEPA or the Montana Constitution.

12 As discussed previously, there are significant deficiencies in the KMTP EA due to its limited scope, purpose and need, and improper segmentation. Even under a hypothetical in which this project was not one necessary piece of a larger planned network and it had independent utility, with the KMTP modules perched on Lolo Pass waiting for MDT approval to descend into Montana, the level of analysis in the EA is insufficient to satisfy the requirements of MEPA and the Montana Constitution.

Because MEPA is a reflection of Montana's constitutional guarantees to a clean and healthful environment[44], it is critical that all potential impacts are analyzed and disclosed before any irretrievable commitment of resources is made. Without fully analyzing impacts of the project as a whole, meaningfully involving the public, and disclosing all impacts and mitigation (or lack of), the state cannot ensure that a project will in fact uphold the constitutional duties it has to protect the right to a clean and healthful environment and other constitutional rights and protections.

13 MEPA and the constitutional provisions it reflects, demands the MDT analyze and disclose impacts of this project on global climate change through emissions or other factors of the transport, as well as energy use, emissions, and other factors affecting climate change due to tar sands development at the destination of the proposed route. Not only should MDT analyze and disclose these impacts in order to comply with MEPA's procedural mandate and "think before you act" purpose, MDT should analyze in its MEPA/NEPA review document whether such facilitation of tar sands development and associated climate change acceleration is contrary to Montanan's fundamental right to a clean and healthful environment.

A. The EA does not comply with MEPA's requirement that alternatives to the proposed action are considered.

The proposed action is described in detail[45] in Section 2.1 of the EA. A "no action" alternative is addressed in one paragraph[46], and each of four "Alternatives Considered but Eliminated" are summarily

[42] See 40 CFR §§1508.18(b)(3), 1500.4(i), 1502.20, 1502.4, 1508.18(b)(3).
[43] See California v. Block, 690 F.2d 753 (9th Cir. 1982).
[44] **75-1-102. Intent -- purpose.** (1) The legislature, mindful of its constitutional obligations under Article II, section 3, and Article IX of the Montana constitution, has enacted the Montana Environmental Policy Act.
[45] EA Section 2.1 - 2.2.1, pp. 5-13.
[46] EA Section 2.2.2, p. 14.

9

12. See responses to Common Comments S and R. See Section 4.O of the EA and Section 4.5 of the Decision Document.

13. See responses to Common Comments E1 and P.

addressed in section 2.3 of the EA.[47] An alternatives analysis in an environmental review should sharply define issues and provide a clear basis for choice among options by the decisionmakers and the public.[48]

The alternatives "considered but rejected" include four Canadian highway routes and one US Interstate Highway Transportation System route. There is no identification of the US Interstates this theoretical route encompasses, so there is no way to meaningfully examine that route and verify the assertion that this route is impassible.[49]

It is noteworthy that all of the alternatives "considered but rejected" describe routes that are possible alternatives for the entire Kearl Project route,[50] the movement of equipment manufactured in Korea to Fort McMurry, Alberta, Canada. None describe an alternative way to move the modules through Montana, with the possible exception of the Interstate route, the description of which is too vague to locate on a map or compare to the selected alternative in any meaningful way. The EA, therefore, contains no alternatives analysis, each of these are actually "no action" alternatives for all practical purposes.

Further, the EA briefly describes impassable barriers encountered along each of the "considered but rejected" routes, but while many pages of the EA are dedicated to a detailed description of extensive construction measures necessary to make the Montana route passable, there is no discussion of whether construction could be undertaken to bypass the supposed barriers on any of the alternative routes described. 14

MDT is required to prepare a "description and analysis of reasonable alternatives to a proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternative would be implemented."[51] MDT is constrained to consider alternatives that would "appreciably accomplish the same objectives or results as the proposed action," or "for agency-initiated actions, a different program or series of activities that would accomplish other objectives or a different use of resources than the proposed program or series of activities," and these alternatives must be "realistic and technologically available."[52]

From the summary treatment of the alternatives discussed in the EA, not only would they not "appreciably accomplish the same objectives or results" as the selected alternative, but it is impossible to determine whether any of the "considered but rejected" alternatives constitute a "realistic or technologically available" alternative. By stopping its analysis at the bridge on Canada Highway 16 ("no possible detours around this bridge"), the overpass on Canada Highway 1, the tunnel on Highway 5, the train overpass on Highway 3 ("no possible detours available around all of these restrictions"), and the unidentified overpasses on the unidentified US Interstate Highways ("do not have bypass ramps or feasible detours") MDT considers no alternative routes in the EA. Without some comparative discussion of the potential costs of implementing construction measures to bypass restrictions on any of these alternate routes, it is impossible to even compare alternatives to the entire Kearl Project route from the Port of Vancouver to the Port of Sweet Grass. And that comparison is meaningless relative to the selected alternative.

[47] EA Section 2.3, pp. 14-15.
[48] See Surfrider Found. V. Dalton, 989 F. Supp 1309 (S.D. Cal. 1998).
[49] KMTP EA, section 2.3.2, p. 14.
[50] KMTP EA, p. S-1.
[51] ARM 18.2.239(3)(f).
[52] ARM 18.2.236(2).

14. See responses to Common Comments D1, D2, and D3.

Further, MDT is aware of a feasible and presently-utilized alternative route for creating a permanent High/Wide load corridor through Montana. High/Wide loads are regularly shipped from the Port of Houston, TX, through Billings[53] to Alberta, the so-called "traditional route."[54] Commercial carriers offer transportation services on this route.[55] MDT Director Lynch described a portion of this "traditional route" in his July 2009 briefing of the Montana Revenue and Transportation Oversight Committee report.[56] In contravention of the letter and spirit of MEPA, this most obvious of alternatives was not considered. The undersigned request that MDT withdraw the EA to conduct a meaningful evaluation of alternatives to the selected route.

14

B. Due to the improperly narrow scope and impacts discussion of the EA, the EA fails to include a meaningful consideration of the direct, secondary and cumulative environmental and economic impacts of this project.

Section 3 of the EA examines the environmental impacts of the proposal. While a number of potential impacts are discussed, the scope of that discussion is limited to IO's specific proposal to transport 200 modules through Montana, and does not contemplate the impacts of creating a permanent High/Wide corridor through Montana. Nor does the EA discuss at any point the environmental and economic impacts on Montanans this state action specifically facilitates, the Alberta tar sands (bitumen) strip mining. This is a failure of scoping, in first principle, and a specific failure to comply with the letter and spirit of MEPA as it relates to a consideration of the environmental impacts of the proposed IO project.

15

MEPA and its implementing regulations require the agency to examine the direct, secondary and cumulative[57] impacts[58] of a proposal. Direct impacts are those that occur at the same time and place as the action that triggers the effect. Secondary impacts are those that occur at a different location or later time than the action that triggers the effect. Cumulative impacts are defined as "the collective impacts on the human environment of the proposed action when considered in conjunction with other past, present, and future actions related to the proposed action by location or generic type."[59] Cumulative impact analysis includes a review of all state and nonstate activities that have occurred, are occurring, or may occur that have impacted or may impact the same resources as the proposed action.

16

In order to determine the significance of impacts in an EA, MDT must consider a number of criteria.[60] These substantive criteria help an agency to consider context and intensity of a proposal in order to evaluate the impacts of a project.

17

[53] Billings Gazette, January 31, 2009, "Superloads on our roads" http://findarticles.com/p/news-articles/billings-gazette-the/mi_8084/is_20080131/superloads-roads/ai_n50843489/

[54] "Last summer the port played a key role in the shipment of a large pressure vessel to Fort McMurray in the Alberta oil sands via the Columbia/Snake River system. Korean equipment manufacturers had been looking for an efficient route to get their machinery to Canada. They found that they could bring the equipment to the Port of Vancouver, U.S., then up river to Lewiston (435 miles) and lastly by land through Montana and up to Alberta. The route cuts 5,300 nautical miles plus 1,400 road miles off the **traditional route**" [emphasis added]. (http://www.washingtonports.org/member_resources/publications/Letters/march09.htm).

[55] 2007 Perkins Motor Transport online pamphlet http://perkinsonline.com/images/3()_07perkinsnwsltrweb.pdf.

[56] http://www.mdt.mt.gov/other/tranplan/external/dirpresentations/RAT_EXXON_HIGH-WIDE_LYNCH_070109.pdf

[57] Mont. Code Ann. § 75-1-208(11), ARM 18.2.236(7).

[58] Mont. Code Ann. § 75-1-201, ARM 18.2.237(2)(e)

[59] Mont. Code Ann. § 75-1-220(3).

[60] ARM 18.2.238(1).

11

See response above.

15. See responses to Common Comment K and E1.

16. See response to Common Comment S.

17. Comment noted.

1) The EA contains no analysis of the impacts of establishing a permanent high/wide corridor

While section 3.2 of the EA identifies the "future 32-J permit loads using any portion of the proposed route similar to this project," the entire document fails to discuss the impacts of such future use, steadfastly refusing to acknowledge the future[61] intended use of this project as a permanent high/wide corridor. IO's answer to this concern is that any similar future users of the route will be "governed under same applicable regulations and laws as the proposed KMTP."[62] This statement is only partially accurate.

18 None of those future users will have to obtain encroachment permits for turnout expansion and construction, none will have to obtain utility relocation agreements, and none will have to move and replace signals and signs. None of the future users of the corridor will be the first to build a high/wide corridor through the scenic roads of western Montana. The time to examine the cumulative impacts of building a permanent high/wide corridor in Montana is now or never. Some of these impacts could include the premature deterioration of highway infrastructure such as bridges and road surfaces due to repeated use of the facilities to move loads in excess of the design specifications of the facilities, and increased administrative expenditures to amend maintenance, oversight, and snow removal schedules to accommodate each future use of the corridor.

Each time a 32-J load moves along this route, Montanans will suffer incremental losses due to travel delays, increased risk of accidents by encountering unanticipated obstacles (200 to 300 foot truck-trailer units), lost opportunity and general inconvenience. Each time a 32-J load moves along Montana's scenic river corridors including Lolo Creek and the Blackfoot River, the natural resources of Montana are threatened due to the increased potential for accidents causing stream bank and bed destruction, spills, increased sedimentation through snow removal and road sanding needed to support these vehicles, and other damages to natural resources.

2) The EA improperly weights the purported economic benefits of the project with no analysis of the adverse economic impacts to western Montana

19 The discussion in the EA of the economic benefits of this project is based upon an unenforceable promise. IO is under no enforceable obligation to hire Montana citizens or residents to perform the work necessary to complete this project. Further, while the EA spends a substantial amount of pages describing the economic benefits of this project, no consideration is given to an analysis of the adverse and unaccounted for economic impacts of this project, the future use of this High/Wide corridor, and the devastating economic effects on every Montanan by the acceleration of climate change facilitated by this project. Analogy may be made to a statement of the Montana Supreme Court regarding state lands management,[63] economic benefits are "a" consideration, not "the" consideration.

As stated by the Court in Ravalli County:

[i]t is the continuing responsibility of the state of Montana to use all practicable means consistent with other essential considerations of state policy to improve and coordinate state plans,

[61] ARM 18.2.238(1)(a) requires MDT to consider "the severity, duration, geographic extent, and frequency of occurrence of the impact."
[62] KMTP EA, Sec. 3.2, p. 16
[63] Ravalli County Fish and Game Ass'n, Inc. v. Montana Dept. of State Lands, 273 Mont. 371, 903 P.2d 1362 (Mont. 1995).

12

18. See response to Common Comment K.

19. See responses to Common Comments L, M, P, and Q. MDT conducted the economic analysis in order to determine if there would be a significant adverse economic impact. MDT concludes there would not be a significant adverse economic impact with the proposal.

functions, programs, and resources to the end that the state may: (a) fulfill the responsibilities of each generation *as trustee of the environment* for succeeding generations.[64]

20 In the discharge of its MEPA obligations, "Article IX, Section 1 of our Constitution clearly and unambiguously imposes upon the State the obligation to 'maintain and improve a clean and healthful environment in Montana for present and future generations.'"[65] MEPA requires that an agency be informed when it balances preservation against economic benefits. The flawed economic analysis and failure to discuss the detrimental impacts of this proposal on local residents and users of the highways, outfitters, river guides, the tourism industry and recreationalists does not allow MDT to make an informed decision regarding the impacts of this project.[66]

3) The EA provides no analysis of the severity of environmental impacts that may result from accidents during transport of the IO modules

21 IO representatives acknowledged that no provision of the EA or transportation plan establish a procedure or set contingencies in the case of accidents. While NEPA regulations do not require a "worst-case scenario" analysis, an accident or breakdown involving one of these modules is far from a worst-case scenario.[67] Normally restricted to day-time travel under a 32-J permit,[68] these loads will be travelling at night, in all seasons, crossing two mountain passes, along two winding river corridors, and along the Rocky Mountain Front range, an area familiar with high winds and difficult travel conditions. IO's response to this concern is that an accident will not happen. Accidents do happen every year under these travel conditions, and the EA fails to weigh the adverse impacts that will result from such an event.

4) The EA contains no acknowledgment of the uniqueness and fragility of the environmental resources impacted by this project, nor does the EA acknowledge the importance to the state and to society of the environmental resources that will be affected by this project.

22 The potential for an action's environmental effects to be significant increases if the affected area has unique characteristics or is important to the state and to society.[69] The modules in question enter Montana by Lolo Pass, move along some of the most scenic river corridors in America and along the Rocky Mountain Front. Along this route are more than 140 historic, prehistoric, archaeological and cultural sites, including historic buildings, bridges, roads, trails, forts, irrigation ditches, commercial buildings, lodges, farms, mines, historic matter scatters, grain elevators, railroads, transmission lines, prehistoric trails, Paleolithic scatters, scarred trees, fossils, and buffalo jumps.[70] IO offers a 100 foot buffer and the relocation of a few turnouts as mitigation of the impacts of creating a permanent high/wide

[64] Id. At 1370-1371.
[65] Hagener v. Wallace, 309 Mont. 473, 47 P.3d 847 (Mont. 2002).
[66] ARM 18.2.238(1)(c) requires MDT to consider the "growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts."
[67] ARM 18.2.238(1)(b) requires MDT to consider "the probability that the impact will occur if the proposed action occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur."
[68] Class 1 and Class 2 32-J loads "may be moved only during daylight hours." See the MDT 32-J Permit Application form, http://www.mdt.mt.gov/publications/docs/forms/mcs/permit/large_objects_32-j_app.pdf.
[69] ARM 18.2.238(1)(d) requires MDT to consider "the quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources or values," and ARM 18.2.238(e) requires MDT to consider "the importance to the state and to society of each environmental value that would be affected."
[70] KMTP EA, Sec. 3.3, p. 17.

20. See response to Common Comment R.

21. See responses to Common Comments H1, H2 and H3.

22. MDT concludes the impacts analyses of this proposal are appropriate.

corridor through this astounding land. This is simply an insufficient analysis of the adverse impacts this project will have on these sites.

5) The EA contains no analysis of the impacts of climate change

Each time equipment is transported through Montana, IO's tar sands operation expands and the environmental destruction associated with that operation, the acceleration of climate change, and the profound and far reaching environmental and economic harm caused thereby is increased. None of these impacts were evaluated in the EA.

Whether climate change should be considered a reasonably foreseeable impact of the accelerated emissions of greenhouse gasses (GGs) is a MEPA[71] and Montana Constitutional[72] issue that MDT should address. Under NEPA, federal agencies are charged to "recognize the worldwide and long-range character of environmental problems" in order to prevent a "decline in the quality of mankind's world environment."[73] As of February of this year, the federal government issued NEPA guidance[74] requiring the consideration of the effects of climate change and GG emissions. Several federal courts have concluded that NEPA requires particular actions to take into account climate change.[75]

23

MEPA similarly requires the state to "**recognize the national and long-range character of environmental problems** and, when consistent with the policies of the state, lend appropriate support to initiatives, resolutions, and programs designed to maximize national cooperation in anticipating and preventing a decline in the quality of the world environment..."[76] Given the purposes of MEPA, and the broad consideration of impacts demanded by it, along with increasing federal climate change analysis pursuant to NEPA, it would be appropriate for MDT to consider and disclose the impacts of this project on advancing global climate change. Such analysis is critical to ensuring the agency makes a fully informed decision (and ensures the public is fully informed), and such analysis would be critical to a determination whether such a project would uphold or violate the fundamental right to a clean and healthful environment,[77] and the requirement that the state and each person "maintain and improve a clean and healthful environment in Montana for present and future generations."[78]

---

[71] "MEPA was **purposeful** in establishing a *process* whereby Montana can *anticipate* and *prevent* unexamined, unintended, and unwanted consequences rather than continuing to stumble into circumstances or cumulative crises that the state can only *react to* and *mitigate*. A Guide to the Montana Environmental Policy Act, Legislative Environmental Policy Office, rev. 2009. http://leg.mt.gov/content/Publications/Environmental/2009mepaguide.pdf

[72] The inalienable right of Montanans to a clean and healthful environment, Montana Constitution, Art. II, Sec. 3; The maintenance and improvement of a clean and healthful environment in Montana for present and future generations, Montana Constitution, Art. IX, Sec. 1.

[73] 42 USC §4332(F).

[74] Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions, http://ceq.hss.doc.gov/nepa/regs/Consideration_of_Effects_of_GHG_Draft_NEPA_Guidance_FINAL_02182010.pdf

[75] See City of Los Angeles v. National Highway Traffic Safety Administration, 912 F.2d 478 (D.C. Cir. 1990); Border Power Plant Working Group v. Department of Energy, 260 F. Supp. 2d 997 (S.D. Cal. 2003); Mid States Coalition for Progress v. Surface Transportation Board, 345 F.3d 520 (8th Cir. 2003); Mayo Foundation v. Surface Transportation Board, 472 F.3d 545 (8th Cir. 2006); Center for Biological Diversity v. National Highway Traffic Safety Administration, 508 F.3d 508 (9th Cir. 2007); Friends of the Earth, Inc. v. Mosbacher, 488 F.Supp. 2d 889 (N.D. Cal.).

[76] MCA 75-1-201(1)(b).

[77] Mont. Const. Art. II, Sec. 3

[78] Mont. Const. Art. IX, Sec. 1

23. See response to Common Comment P.

The available scientific evidence indicates that accelerated climate change is an impact of the massive emission of GGs and environmental destruction caused by the Alberta Tar Sands strip mining. The KMTP EA is a portion of and constitutes MDT's participation in the Kearl Project, designed to facilitate the transport of tar sands mining equipment from Korea to Alberta.

C. Programmatic environmental review under MEPA is required.

If this segment of the Kearl Project had independent utility and there was no federal involvement sufficient to trigger NEPA review of this isolated segment, MEPA alone requires a programmatic review of this proposal that will examine the direct, indirect and cumulative environmental impacts of constructing a permanent high/wide corridor in Montana. Programmatic environmental reviews under MEPA are appropriate "whenever the agency is contemplating a series of agency-initiated actions, programs, or policies which in part or in total may constitute a major state action significantly affecting the human environment," and "whenever a series of actions under the jurisdiction of the agency warrant such an analysis as determined by the agency, or whenever prepared as a joint effort with a federal agency requiring a programmatic review."[79]

24

By allowing IO's limited description of the scope of its proposal to supplant MDT's independent judgment,[80] there is no analysis in the EA of the impacts of continued use of this corridor over time by the multitude of oil companies employing similar strategies of transporting equipment to the Alberta tar sands. A programmatic EIS under MEPA would allow MDT to at least examine the potential accelerated deterioration of Montana's roads and bridges caused by this proposed use of highways in Montana, and examine the question of whether MDT needs to reevaluate projections for future federal highway funding needs to address accelerated infrastructure deterioration.

D. Federal permitting necessary for this project, within Montana, invoke NEPA environmental review.

Again, viewed in isolation from other segments of the Kearl Project, and notwithstanding the argument that this project as a whole invokes programmatic NEPA review, IO's proposal should be elevated to a NEPA environmental review. The EA states that the project will need *at least* a Special Use Permit[81] from the U.S. Forest Service, an NPDES permit from the U.S. EPA, and Clean Water Act[82] permits[83] from the U.S. Army Corps of Engineers. The federal agencies issuing these permits will need to engage in consultation with and receive concurrence letters from other federal agencies, including the USFWS regarding possible impacts to species listed as threatened or endangered under the Endangered Species Act ("ESA"), as well as to Bald and Golden Eagle Protection Act listed species.

25

A non-federal project is considered a "federal action" if it cannot "begin or continue without prior approval of a federal agency."[84] IO's proposal cannot move forward without the required EPA and USFS Permits. In addition, Imperial will need to determine whether any section 404 permits are needed from the U.S. Army Corps of Engineers, which must be issued before the project can begin.

[79] ARM 18.2.251.
[80] See discussion of this issue, infra section 3.B.
[81] KMTP EA, p. 3.
[82] 33 U.S.C. § 1251 et seq., section 404.
[83] KMTP EA, p. 62.
[84] Maryland Conservation Council v. Gilchrist, 808 F.2d 1039 (4th Cir. 1986), citing Biderman v. Morton, 479 F.2d 1141, 1147 (2nd Cir. 1974).

24. See response to Common Comment C2

See response below.

25 In Gilchrist, the Fourth Circuit considered a highway project funded solely by state highway funds that required a number of federal permits before the project could begin. The Court found that "because of the inevitability of the need for at least one federal approval, we think that the construction of the highway will constitute a major federal action."[85] The Court ruled that the state highway department could not simply construct the portions of the project not needing federal permits, and then apply for the permits, stating "[n]onfederal actors may not be permitted to evade NEPA by completing a project without an EIS and then presenting the responsible federal agency with a fait accompli."[86] By finalizing this proposal and beginning construction without the required federal permits, MDT is engaging in exactly the type of activity the Gilchrist court was prohibiting. As such, MDT should engage the federal agencies now, and conduct a comprehensive NEPA review for this project.

Sincerely,

Summer Nelson

Robert M. Gentry

[85] Id. at 1042.
[86] Id.

16

25. See responses to Common Comments A and S. See Section 4.O of the EA and Section 4.5 of the Decision Document.

May 11,2010 ENVIRO

Mr. Tom Martin
MDT Environmental Services Bureau
P.O. Box 201001
27091 Prospect Ave
Helena, Montana 59620

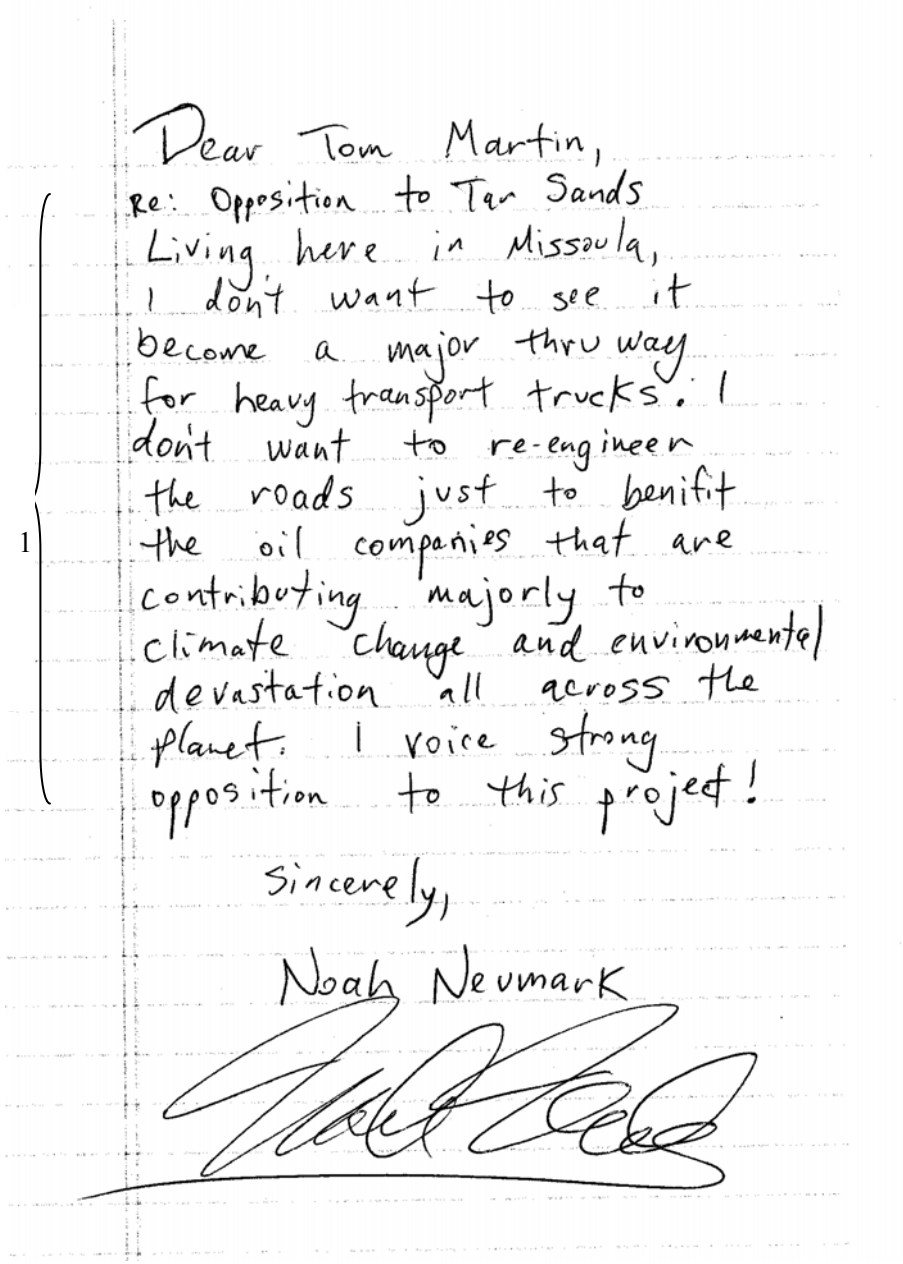
Dear Sir:

1 We do NOT have any objections to using Highway 200 to transport the huge rigs for construction in the oil sands of Alberta. We travel highway 200 to Great Falls to see our son. One just needs to pay attention to your driving.

Thank you,
Ted & Rosemarie Neuman
Ted and Rosemarie Neuman
3866 Peery Lane
Stevenssville, Montana 59870-6600

NEUMAN, TED AND ROSEMARIE

1. Comment noted.



Dear Tom Martin,
Re: Opposition to Tar Sands
Living here in Missoula,
I don't want to see it
become a major thru way
for heavy transport trucks. I
don't want to re-engineer
the roads just to benifit
the oil companies that are
contributing majorly to
climate change and environmental
devastation all across the
planet. I voice strong
opposition to this project!

Sincerely,

Noah Newmark

1

NEWMARK, NOAH

1. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

RECEIVED
MAY 13 2010
ENVIRONMENTAL

Project name: Kearl Module Transport Project EA
Control Number: **CN 6800**
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Rick Nez Perce
710 S 34 St
Billings, MT,
59101

Comments: I believe the equipment should be let through MT, to Canada to help our economy for the better.

1

NEZ PERCE, RICK

1. Comment noted.

.ay 10, 2010

RECEIVED
MAY 14 2010
ENVIRONMENTAL

Tom Martin
MDT Environmental Services Bureau
P.O. Box 201001
Helena, MT 59620

Dear Mr. Martin:

This letter is in response to the requests for public comment regarding the mammoth size truck shipments ExxonMobil wants to send through our state. I strongly oppose these trucks for numerous reasons.

1 These trucks are obviously well over the weight limits set forth to ensure that our Montana Highways are not damaged. Once ExxonMobil has used our highways to their advantage, the tax payers of the state will be left to pay for the damage to our highways and environment. The size will also be a safety concern. These trucks will not be able to stop or maneuver very well on the proposed Montana routes. A zero accident risk is ludicrous. Even on dry roads with no wind, these roads are dangerous. Add snow, ice, high winds, average Montana weather, and the risk is greatly increased. The last thing I want to see in my rearview mirror as I travel down Rogers Pass is the driver of one of those behemoth trucks frantically trying to stop his grossly overweight and oversized rig as the effects of gravity, snow and ice take hold.

2

3 ExxonMobil's environmental track record is repugnant. The Valdez oil spill is not easily forgotten. The environmental impact these rigs will have on one of the most scenic areas of our state is not negotiable.

4 The negative economic impact on the Montana taxpayers will far outweigh any jobs being created for Montanan's, if any at all will be created.

This corporation's concern for the average person is best illustrated by the fact that while the majority of our citizens were struggling financially under the burden of over inflated oil prices, ExxonMobil was posting historically high quarterly profits, the likes of which have never before been amassed by any corporation in the world. This flies in the face of every hard working Montanan and will not be tolerated.

5 The MDT's willingness to allow these rigs in our state and on our roads intimates bribery. What else could account for such poor judgment with regards to these trucks traversing our state?

Sincerely,

Frances O'Neill

O'NEILL, FRANCES

1. See response to Common Comment L.
2. See responses to Common Comments H1 and H2.
3. Comment noted.
4. See response to Common Comment L.
5. MDT has evaluated this proposal in terms of Montana law and concluded that the permits can legally be issued.

Tom Martin
MDT
Helena, Mt

ENVIRONME

For what my comments are worth, the so-called hearings and comment period on the Lochsa- Shelby route to the Alberta tar sands strike me as designed to minimize if not ignore public scrutiny and participation.

It is obvious that this project has been in progress for years. Yet we have heard nothing from the governor, Tester, Baucus, or Rheberg. And we are allowed a couple of weeks to comment. There has been nothing in the media to illustrate in detail just how the route will be re-engineered and managed to facilitate this monster equipment.

1 We are told that we don't merit an environmental study or impact statement because this will be a "one-time" event. But we have no guarantee of that.

2 To me, this issue is just the latest in a series of proofs that the public be damned and that we have no real power.

3 You can prove me wrong by backing off and describing this project in detail, along with various alternatives. Surely this is not the only way to get these machines to Alberta, just the cheapest for the people financing it.

I am alarmed and disappointed.

Martin Onisheeb

Martin onishuk
5855 pinewood
Missoula, Mt 59803

ONISHUK, MARTIN

1. See response to Common Comment K.

2. See response to Common Comment K.

3. Please review the EA, MTP, and Decision Document.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

MAY 13 2010

ENVIRONMENT...

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Shawna Page
400 Alder Cr Rd
Wise River, mt. 59762

Comments: How dare they try a stop going paying jobs in Mt. They need to get the equipment to Canada. You stop them crossing mt. It well effect many people & many jobs- Step aside & get out of our way!

1

PAGE, SHAWNA

1. Comment noted.

RECEIVED
MAY 12 2010
ENVIRONMENTAL

Dwayne Kailey
Montana Department of Transportation
P.O. Box 201001
Helena, Montana 59620-1001

Dear Sir;

I am very concerned to learn that Exxon-Mobile is planning to establish an industrial route for massive equipment right next to the Ladisa and Blackfoot Rivers, over Lola and Rogers passes and through Missoula. I believe the effect of trucking this enormous equipment on an almost daily basis for at least a year (and likely for decades to come) will be devastating for wildlife, water quality, recreation and tourism, to say nothing of the ultimate impact on the earth's climate.

ExxonMobil has made more profits in the last few years than ever in the history of profit and can well afford to use a more appropriate route that doesn't impact our wild and scenic rivers, our quality of life, our peace and quiet.

I urge you to consider the impact of this Heavy Module Transportation Project as a permanent industrial corridor, to seriously consider real alternatives, to accurately weigh the impacts, economic and environmental, to recreation and tourism, and coordinate with DEQ

-1-

PAPE, F. TAYLOR

1. See response to Common Comment K.

2. See responses to Common Comments I, M, and P.

3 and federal permitting agencies to properly analyze the transportation project as a whole under both the Montana and National Policy Acts.

Sincerely,

Taylor Jape
19445 Twin Lakes Road
Evergreen, Montana
59834

3. See Section 4.O of the EA and in Section 4.5 of the Decision Document. See also response to Common Comment A.

April 29,2010

FEB 0 9 20
AIR
ENVIRONME

Governor Schweitzer
Helena, Montana

Dear Governor,

Thank you for your recent letter to me explaining your opinion on developing the Otter Creek Coal. It in no way changes my opinion on the negative and destructive handling of coal. In my opinion it encourages Canada to feel you are an enabler to their plans for the coal sands in their country. It makes them so bold as to feel it is their right to trespass with the enormous equipment to develop their coal sands, across Montana leaving distruction of our highways and communities in their wake, and irreversible damage to the world environment in processing these sands. Canada on the other hand is not inconvenienced in the least by having their roads deteriorate or traffic fouled.

It is my opinion that Montana and the U.S. should not become a party to their plan. Since you have not to my knowledge objected or refused to allow this trespass. Nor have I heard of your taking this to Congress or the President and on to the United Nations in protest of damage to the world environment and public health as well as Montana's environment and quality of life for over a year while Canada uses Montana's highways for shipping this huge equipment

1 I am also respectfully requesting that you meet with Canada and advise them that if they feel getting this horrible huge equipment to the Kearl Oil Sands Project in Northern Alberta is non reversible that they build a highway within Canada's Boarders to use to transport it. A good neighbor would not expect a neighbor to provide them the means to inflict this damage on the world. Canada should accept the total cost both material and moral of this venture as I am sure they will be willing to accept the total profit. Canada should not draw Montana and U.S. into this scheme which I am sure the world will not sanction if they should come to know of it.

Speaking of neighbors what about Idaho? Meeting with them would be a good idea also since they are providing the first leg of the journey by accepting the barge at Lewiston. Surly they are aware of what they are doing by providing the means to access our Montana highways. Is what they are getting as compensation and Montana is getting in compensation the driving force in this situation? Clearly this plan has not been thought out by Idaho or Montana. Since we are downhill from Alberta we will have the risk of damage to surface and underground water contamination. I request you proceed with much caution and not rely on environmental impact statements.

If I have not made my thoughts clear enough here are six specific reasons to not let Canada use Montana's highways:

Mining tar sands has irreversible impacts to the environment and public health.

PLOUZEK, MORLENE

1. See response to Common Comment D1.

This mining will produce 108-125 million metric tons of greenhouse gases each year. That's more greenhouse gasses than conventional oil production by a factor of 3-1.

This mining produces excessive levels of harmful particulates that impair air quality.

2 This mining requires the clearing of valuable old-growth forests.

This mining severely harms water quality.

Nothing has been mentioned as to what damage doing this mining will have on the wild life.

I will be faithfully waiting to hear your decision on this project. I trust you will have to make one.

Sincerely,

Morlene Plouzek

Morlene Plouzek
15 River View Drive
Thompson Falls, Montana 59873

2. See responses to Common Comments E1 and P.

RECEIV
MAY 1 4 201
ENVIRONMEN

PONDEOSA SNOW WARRIORS
SNOWMOBILE CLUB

PO BOX 933
Lincoln, MT 59639

JIM PARIS-PRESIDENT
406-362-4140
mjparis@linctel.net

13 May 2010

MDT Environmental Services Bureau
PO Box 201001
Helena, MT 59620

To Whom It May Concern:

1 The Ponderosa Snow Warriors support the approval of the Kearl Transportation Project which proposes to move large loads through the Lincoln area on Highway 200. As the project has been explained to the club, we can see no adverse effects and the creation of new pullouts and the expansion of existing ones can be of lasting benefit to the club and our sport. Once the project is completed, several of these pullouts are in a position to provide safe parking for snowmobile related vehicles. This is especially true in the First, Second, and Third Gulch areas east of Lincoln. In the proposed Winter Travel Plan the "Gulch" areas will be opened to motorized winter recreation (snowmobiling) and at present there is no adequate, safe parking in the area. As stated, the proposed pullouts would help meet this need.

The Club sees no long-term ill effects of the project and does support it.

Sincerely:

James L Paris

PONDEROSA SNOW WARRIORS – JAMES PARIS

1. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

MAY 18 2010
ENVIRONMEN

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

JAMES PUTNAM
2050 Clubhouse Way #4
Billings, MT 59105

Comments: By stopping this eqoipment from getting to Canada lots of good paying jobs will be stopped. Please don't stop this project.

1

PUTNAM, JAMES

1. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

MAY 13 2010
ENVIRONMENTA

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Claire Qubain
354 Knowles Hall
Missoula, MT 59801
cqubain@gmail.com

Comments: To whom it may concern:
I am writing regarding the tar sands transport project which directly effects the
1 city of Missoula. First, I encourage you to extend the public comment period. Second,
2 An environmental impact statement needs to be performed for the project. It is ridiculous to assume that surrounding areas' ecosystems
3 will not be impacted by this project. Not only will tourism and the economy of Missoula
4 suffer, but key forest habitat on Lolo Pass and into Idaho will suffer from the expansion of turnouts and increased traffic along the corridor. Not to mention this →

QUBAIN, CLAIRE

1. See response to Common Comment F1.
2. See response to Common Comment B.
3. See response to Common Comment M.
4. No turnouts will be constructed on Lolo Pass. See response to common Comment E2.

project with [illegible]

5 ecosystem diversity, and environmental degredation by being directly related to tar sands mining in Alberta. I urge you to further asses the impacts this project will have on the community of Missoula as well surrounding areas. Thank you for your time, and I hope you regard the resolution that the City Council of Missoula has put together A document with much support from the Missoula community and students of the University of Montana

Sincerely,
Claire Dubois

5. See response to Common Comment E1.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

James Reardon
1135 Avian Rd
Helena MT 59602

Comments: I believe sufficient review has been done regarding the transport of oil sands equipment through Montana. This will be a good opportunity for good jobs for Montana workers for the next year.

1

REARDON, JAMES

1. Comment noted.

MAY 1 7 2010

ENVIRONMENTAL

SCOTT W. REED, Attorney at Law/P.O. Box A/Coeur d'Alene, Idaho 83816/(208) 664-2161
FAX (208) 765-5117/E-mail: scottwreed@verizon.net

May 12, 2010

RECEIVED
MAY 1 7 2010
MT DEPT. OF TRANSPORTATION
DIRECTOR'S OFFICE

Dwayne Kailey
Montana Department of
Transportation
P. O. Box 201001
Helena, Montana 59620-1001

Dear Mr. Kailey:

This letter is written in opposition to the proposed industrial corridor along the Blackfoot River as sought by Exxon Mobil. For a long period of time, I have represented clients who are property owners and residents within the Wild and Scenic Lochsa River which goes over Lolo Pass. The road is narrow and hazardous.

1 My clients have reported to me on several logging accidents in one or more which the truck has ended up in the river.

Bringing the equipment the size as sought would create great hazards to the travelling public and also face the possibility of damage to the river in the event of an accident.

On behalf of my clients, I ask that you reject the application.

Yours truly,

Scott W. Reed

SWR:kgb

REED, SCOTT

1. See Common Comments H1, and H2.

ENVIRONMENTAL

RE: REQUEST OF IMPERIAL OIL CO. (EXON) TO MOVE TAR SAND DRILLING EQUIPEMENT TO ALBERTA CANADA USING MT. HIGHWAYS

I HAVE FAMILY LIVING UP NEAR HELENA, ALTHO I NO LONGER LIVE THERE. I WAS HORRIFIED TO LEARN OF A REQUEST BY THE ABOVE TAR SAND DRILLING OPERATION TO USE OUR HIGHWAYS!

1 MT. HIGHWAYS WERE NOT BUILT TO HANDLE THE HUGE LOADS THESE PEOPLE WOULD MOVE ON THEM. IT COULD HAVE DISASTEROUS EFFECTS ON THESE ROADS, NOT TO MENTION THE EFFECTS ON THE PEOPLE LIVING ALONG THEIR ROUTE.

2 I ALSO UNDERSTAND THAT THE GREENHOUSE GASES THAT WOULD BE RELEASED FROM THE DRILLING ITSELF AND THE OIL IT PRODUCES WOULD BE HORRENDOUS. PLUS ITS EFFECT ON WATER QUALITY AND TIMBER CUTTING. HERE IN THE U.S. WE ARE FRANTICALLY TRYING TO CUT GREENHOUSE GASES WHICH ADD TO GLOBAL WARMING AND THEY ARE BUSILY ENGAGED IN ADDING TO IT! MT. SHOULD NOT ENCOURAGE CANADA IN THIS ENDEAVER.

3 I STRONGLY URGE THE STATE TO DO A FULL IN-DEPTH ENVIRONMENTAL IMPACT STATEMENT BEFORE EVEN CONSIDERING PERMISSION FOR THIS OIL CO. TO USE MT. HIGHWAYS.!

PLEASE INCLUDE THE ABOVE COMMENTS IN THE OFFICIAL HEARING RECORD. THANK YOU.

RESPECTFULLY,
Judy Reynoso
JUDY REYNOSO
308 TERRY LANE
WASHINGTON, MO. 63090

REYNOSO, JUDY

1. See response to Common Comment L and G. Please see the Economic and Community Impacts analysis in Section 3.6 of the EA.

2. See response to Common Comments E1, and P.

3. See response to Common Comment B..

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
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Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

PIERRE RHOUAUH
BOX 17573
MISSOULA, MT. 59808
rhouauh-pierre@yahoo.com

Comments:

1 I SUPPORT THE KEARL MODULE TRANSPORT PROJECT EA FULLY.

RHOUAUH, PIERRE

1. Comment noted.

MAY 7 2010

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: **CN 6800**
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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Kim Rickard
5820 North Montana Ave F1
Helena, MT 59602
kimr@montanalaborers.com

Comments: I strongly urge the MDT Environmental Services bureau to proceed with the transportation of the vessels through Montana to Canada Tar Sands project. I believe that the transportation of those vessels will bring employement opportunities to the citizens of Montana through building turnouts & traffic control. The jobs will also add to the tax base of Montana employing Montana workers on these projects. 1

RICKARD, KIM

1. Comment noted.

Tom Martin
MDT Environmental Services Bureau
PO Box 201001
Helena, MT 59620-1001

RECEIVED
MAY 17 2010
ENVIRONMENTAL

Re: Kearl Module Transport Project

Dear Mr. Martin,

Thank you for this opportunity to comment on the Kearl Module Transport Project Environmental Assessment.

1 • The logical termini needs to be clearly defined. The EA uses political boundaries to do this. That is not sufficient when this project starts on either side of the political boundaries of the state of Montana.

2 • The EA doesn't take into account all of the future trucks that could use this as a permanent high and wide corridor. Nor does it take into account the cumulative impacts of such a corridor. The cumulative impact analysis done is insufficient to reach a conclusion that significant impacts will not occur.

3 • Direct and indirect impacts of the proposed action should have been taken into account. Canadian oil sands energy development could not continue except for the completion of this corridor. So the oil sand mining is an indirect effect of the proposed corridor that was not taken into account.

4 • It is unclear in the EA whether the SHPO or the THPO concurred with the Determination of Effects of the historic properties analysis.

5 • The EA does not mention any consultation of the Confederated Salish Kootenai Tribal THPO. This tribe has numerous burials, archaeological sites, and Traditional Cultural Properties in the Lolo Creek area as well as the lower Bitterroot Valley.

6 • It is unclear in the EA whether tree trimming well effect the setting of historic properties in Choteau and adjacent to Bonner Dam and Mine. The analysis needs to address the criteria that resulted in the significance of these properties for inclusion on the National Register of Historic Places.

7 • There was no historic properties analysis or archaeological site testing done in areas where utility relocations (particularly power line burials) are set to occur.

8 • There was insufficient analysis done regarding impacts to wetlands.

9 • There needs to be a more comprehensive environmental analysis such as an Environmental Impact Statement.

10 • The analysis of the weight of the vehicles does not include the weight of additional push and pull trucks if they are needed.

11 • The comment period should be 60 days for such a large project.

ROWLEY, BRENT

1. See responses to Common Comment E1 and E2.
2. See response to Common Comment K and S.
3. See response to Common Comment E1.
4. Both the Montana SHPO and the Blackfeet TPHO were consulted. See Section 4.1.1 of the EA and Section 4.5 of the Decision Document.
5. The MOA between the CSKT and the MDT requires MDT to consult with the CSKT regarding projects on the CSKT Reservation. The proposed project does not pass through the CKST Reservation, therefore MDT did not initiate consultation. The US Forest Service (USFS) and BPA conducted consultation with the Confederated Tribes of the Salish and Kootenai. See section 4.5 of the Decision Document.
6. The minor tree trimming in Bonner and Choteau would not affect the historical setting, as stated in the EA Section 3.3.2.4. See the response to Specific Comment C.
7. Appropriate analysis was conducted to examine potential for historic or archaeological impacts. Please see Section 3.3 of the EA.
8. See response to Common Comment I.
9. See response to Common Comment B.
10. See response to Common Comment L.
11. See response to Common Comment F1.

Sincerely,

Brent Rowley

PO Box 8254

Missoula, MT 59807

MAY 17 2010
ENVIRONMENTAL

Tom MARTIN
Montana Dept of Transportation,
Environmental Services Bureau
P.O. Box 201001
Helena, MT. 59620-1001

Dear Mr. Martin:

Based upon all the real concerns thousands of Montanans have raised regarding the request of Imperial Oil/Exxon Mobil, we ask that the Montana Department of Transportation temporarily deny the request and, instead, undertake a
1 full Environmental Impact Statement (E.I.S.) Among the numerous concerns raised, several are especially in need of fuller analysis and review:

2 1. Safety. The proposed route is along primary summer and winter tourist travel corridors. Even with the proposed pullouts and opportunities to pass the oversized trucks, it is inevitable that impatient drivers of cars and trucks will try to pass, resulting in an increase of vehicular accidents. What is the percentage increase in risk? What is the percentage increase in risk of injury, death, and damage? Who will pay? Are Montanans willing to accept these increased risks?

ROY, TOM

1. See response to Common Comment B.

2. See Section 2.6 of the MTP for traffic control plans.

12

2) Economic Impact.

Montana's largest, most reliable source of revenue is tourism. The proposed travel route and modification will adversely impact tourism. How many tourists will choose not to come to Montana? One photo of the oversized trucks on the internet will have a profound effect on citizens in other states. How many tourist dollars will be lost? How many tourist businesses, perhaps in a weakened state due to the recession will fold due to the over sized trucks? How many jobs tied to the tourist industry will be lost?

3

The roads on the route will require more frequent and costly repairs due to the truck traffic. These road repairs will also cause road closures and delays, again affecting the tourist interests. How many hours/days/weeks of additional road repairs will be caused by the trucks?

Who pays for these road repairs? The Montana taxpayers. The amount proposed by imperial to pay seems woefully small. It won't even pay for the costs of road repair, much less the cost of lost tourism, and jobs and increased costs for death and injury.

4

3. See response to Common Comment M.

4. See response to Common Comment L.

(3

3. Economic – Environmental

Build a route to accomodate oversized-trucks and they will continue to use the corridor. Put differently, once the pull-outs and modifications have been constructed, Montana is inviting more over-sized truck traffic in the future. Is that what we want coming over highway 12, along a wild and scenic river, coming through one of Montana's major cities, and going up the Blackfoot river, where prominence has brought tourists to Montana?

5

One the route is established, Montana will have little to no opportunity to deny what is carried across the State – oversized trucks loaded with oil or hazardous chemicals. One accident, one spill, and Montana would be another Louisiana. The Department's comments at meetings that there are no risks of accidents and that the corridor will not be used for other over-sized trucks are disingenuous. If that truly is the conclusion, the steady and analysis of the EA are unsupportable. Where will the crane be located which will be needed when an accident occurs?

6

We have a responsibility to future generations to give this request the

5. See response to Common Comment K.

6. See response to Common Comment K, H1, and H2.

4

7{ serious, objective analyses of the EIS. Nowhere is there a consideration of the long-term costs associated with the proposed route. Instead, the ~~State~~ Department speaks only about the few extra jobs (not weighing the lost jobs) and the possibility of cheaper oil for Montanans. These inducements are the same type as used by W.R. Grace in Libby and, in the more distant past, the mining companies in Butte. Who paid? Not the Imperial Oil's but the citizens of Montana with their tax dollars and lives.

One could go on and on. All Montanans deserve and have a right to know, as citizens, the full long-term costs - in taxpayer money, lives, and injuries - and risks of the proposed route. With those costs considered, and required of Imperial Oil, its other options may look more economical. Montana has no obligation to provide Imperial Oil with the cheapest route.

Only a comprehensive E.I.S. will

8{ provide Montanans with the information we have a right to know.

Sincerely,
Tom Roy
541 Evans Ave
Miss. MT. 59801

7. See response to Common Comment B.

8. See response to Common Comment B.

RECEIVED
MAY 17 2010
ENVIRONMENTAL

SAROC, INC.
125 BANK STREET, SUITE 300
MISSOULA, MONTANA 59802
PHONE 406/728-0864
FAX 406/728-4233

RECEIVED
MAY 17 2010
MT DEPT. OF TRANSPORTATION
DIRECTOR'S OFFICE

May 14, 2010

Dwane Kailey, P.E.
Chief Engineer
Montana Dept of Transportation
2701 Prospect Avenue
P O Box 201001
Helena, MT 59620-1001

RE: Kearl Module Transport Project

Dear Mr Kailey,

Thank you for the opportunity to comment on this proposed action. I have many comments to make however; I will concentrate on the most important.

1 I'm disappointed in the amount of time which we as public citizens of the State of Montana have to comment on this environmental assessment and proposed disruption of our lives in western Montana. I personally own property along Highway 200 in the Blackfoot Valley; this is an operating ranch and requires access to and from Missoula and other places on a continual basis. Often we are not sure whether we have to go during the day or at night to insure operation of the ranch. Movement of this equipment over a period of many months along our road will definitely disrupt my operation. This I see from the economic analysis has no impact. I would disagree very much with this position. I would like to see the comment period extended at least another sixty (60) days. This will allow me to discuss this with other area ranchers who will be affected, and make comments from a community position.

2 I am concerned about the effects on Highway 200, as well as Highway 12 and the Missoula area by the movement of these heavy vehicles. I was at the comment session on the 10th in Missoula and did not get satisfactory answers to my questions about who would be repairing the road. I understand that Imperial says they will repair any damages, but I wonder how MTD or anyone else can verify damages caused by this equipment and pin the blame on them where they will respond by funding repairs. We have seen many times in the past that oil companies use extensive legal maneuvering to delay and/or minimize their responsibilities. I asked questions regarding a baseline study and was told that a film will be taken of the highway prior to the movement of the rigs. This will simply not provide enough information to enforce Imperial Oil

3 to live up to their responsibilities. Instead I think an environmental impact statement would be a

SAROC, INC – ROY O'CONNOR

1. See response to Common Comment G and F1.

2. Comment noted.

See response below.

Dwane Kailey
Page 2

much more effective way of categorizing the present shape of the highways, as well as the present shape the water resources and land resources adjacent to these highways.

3 I'm very concerned with the contingencies that they have with regards to winter transport. Knowing that these vehicles can move at night, that their weight is up to 580,000 gross when loaded with the modules and including the trailers and vehicles, I envision problems with the passes primarily during the winter. Indications that they would park the vehicles and wait during bad weather simply don't make sense. As we know Rogers and Lolo pass both get high periods of snowfall during the winter, making the roads extremely slick and icy especially at night. These roads are not plowed and snow removed typically during the night, thus any movement by these vehicles would be extremely dangerous. Also, I can envision a 580,000 pound rig sliding down Rogers pass at night on snow-packed or icy roads. There would be simply no way to stop it. I've requested information regarding how they will insure that these vehicles are prepared for and will be protected from icy conditions but, have received no response. Again, EIS as well as additional time to comment and find out the answers is necessary.

4 Vehicles of this size will definitely distribute high amounts of particulate as well as gases into the surrounding atmosphere when they pass. Missoula already has problems with air quality during the winter because of its location as well as high pressure stagnating air. The EA does not address this issue at all. If we do have smog alerts or high ozone alerts here there is no contingency for the modules to not move through the area. I would request further information regarding this issue.

5 Transportation corridor. I see that Imperial Oil has chosen to split this transportation corridor into different segments, which seems to me a maneuver to avoid an examination through MEPA and requirements of an environmental impact statement. Indeed we can see just by looking at their transportation route that it starts initially in Vancouver and ends up at the Canadian border in Montana. I would request that this transportation route be considered a single route and all the federal and state requirements which would be initiated by that are imposed and required.

6 Economic analysis. This analysis is very one sided, showing only the "benefit" to Montana. Indeed there will be many interruptions to Montana's economy vitality during this time as well. There is no question in my mind that tourism will be affected, as well as normal movement and enjoyment of Montana by its citizens and tourists. I'm sure people will hear of these huge vehicles going along these roads, and avoid both Highway 12 and Highway 200 at all costs to avoid getting stuck in whatever problems they may have and the normal transportation of these modules. I would request an extra sixty (60) day comment period on this EIS so that these economic implications can be examined by professionals. I know for me it will effect how I personally travel into these areas and any economic benefits that I might generate while I'm in the areas.

3. See response to Common Comment B. See Section 4.8 of the MTP.

4. See Section 3.7 of the EA

5. See response to Common Comment E2 and B.

6. See response to Common Comments M, G, and F1.

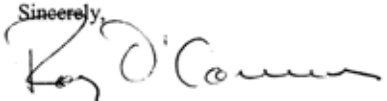
Dwane Kailey
Page 3

Permanence of the corridor. I request a truthful answer to the questions asked about whether or not the Imperial Oil and/or Montana Department of Transportation wants to set this up as a permanent large module transportation corridor. These questions have been avoided, but indeed we all understand that additional work is being done at the Port of Lewiston to handle large loads, and presumably these loads will follow a similar route. This, if indeed true, should be admitted to by the oil companies as well as the Montana Department of Transportation. This as well would initiate additional studies by MEPA, as well as require an EIS or certainly a more extensive EA. I would request prior to any decisions being made that Imperial Oil and/or any user of this corridor is pinned down to verify what their plans were on the future. Imperial can say they have no plans for the future, but we know they have been looking at this route for many years from their comments, and they must have a vision many years into the future on their use of this corridor. 7

I will be very disappointed if the Montana department of Transportation does not study this issue in depth, and make a decision based not only on use of the roads but on the requirements of the local citizens and all users of these highways. These are very small two-lane highways, not built for use of large module transports, and we will all be affected by any use of these transportation routes by over-size vehicles. 8

Thank you for considering my concerns.

Sincerely,



Roy O'Connor

ROC/mlm

7. See response to Common Comment K and B.

8. Comment noted.

May 12 '2010

RECEIVED
MAY 14 2010
ENVIRONMENTAL

Tom Martin
MDT Environmental Services Bureau

re: Karl Module
Transportation Project

Pleas accept This writing as positive no regarding The above project being considered by The MDT.

1 We feel all The ramifications on this project have not been given The publicity necessary for The general public awarness. There are Too many 'grey areas'. It just seems To be full of holes (like The scenic routes These mammoth rigs will be dipping up).

2 Is it necessary for Montana Taxpayers and businesses to be held accountable for unforseen costs just to benefit Two foreign countries? I wonder.

Thank you for your attention

Margaret K Schoonen
Box 2
Ramsay MT 59748

SCHOONEN, MARY AND K?

1. Comment noted.

2. See response to Common Comment L.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Aaron Schulte
4112 Larkspur Dr.
Missoula MT 59803
aaronschulte@yahoo.com

Comments: I support Kearl Module Transport Project. This project will bring many jobs and revenue to Montana in a time when it is much needed.

1

SCHULTE, AARRON

1. Comment noted.

- ***Tar sands mining is one of the most destructive forms of energy development and has irreversible impacts to the environment and public health and furthers global warming pollution.*** ENVI

This is test, says artist Mark Dion, if we pass, we get to keep the planet.

We love light crude oil from the east of the world for our touchy refineries. We ship our oil back to points in the east and say we are mining to relieve ourselves of the import debt burden. That has never been true.

If we lose control of tankers or oil rigs then another chunk of our diverse ecosystem dies and we fail the test.

When we destroy a diverse ecosystem we cannot get it back. It's changed. The consequences are disease and global warming. The spirit of our place is sacrificed to the God of Money and a lack of imagination: not every single person needs one or more cars. Oil and coal are not the only energy sources that belong in our national and international energy portfolio. Our niche of ecological wonder here in the northwest nurtures our spirit. This does not resonate with industrial development on the scale of a humungous industrial corridor.

The Kearl Module Transport Project is not a one-time affair. This equipment is going to work in the tar sands oil fields of Alberta Canada; this is only the beginning of plans for an industrial corridor to be built through some of our most prized scenic and diverse ecologies. It is an assumption that the energy portfolio will remain the same forever ad nauseum until all the oil and coal is gone and the profits are made in this decade or two. We do not have a plan for long-term growth that, yes, can include coal and oil. This is an egregious effort to mine one of the largest oil fields in the world, and for export. Get the money and run – no long-term development goals needed here – our spirit, our community goals are mere inconveniences to such a force of profit. 1

Remember, they have no federal EIS for casualties on this trans state and trans border project. They are bringing us into this transport corridor because we have the roads they want. If something goes wrong, we can just litigate – take our anger and broken spirit to the courts – they can afford it – we can't.

Please pass this resolution and keep our spirit alive.

Thank you,

Linda Helding Schure

Linda Helding Schure
Born in Missoula 1946
Lived here on and off all my life

SCHURE, LINDA

1. Please see Common Comments K and E1.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

MAY 10 2010 ENVIRONMENT

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Roy Seaholm
408 Charters, Box 92
Glass Range MT 59037

Comments:

1 Keep the roads open to Canada and keep the cables working and flashing

SEAHOLM, ROY

1. Comment noted.

May 5, 2010

MAY 1 3 20

ENVIRONME

Tom Martin
MDT Environmental Services Bureau
PO Box 201001
Helena, MT 59620-1001

Re: Kearl Module Transport Project

Dear Mr. Martin, et al, at the Montana Dept of Transportation Environmental Services Bureau:

1 Thank you for this opportunity to comment on the Kearl Module Transport Project Environmental Assessment. Unfortunately, the EA is severely flawed and should not be used for making a major decision that the Kearl Module Transport Project Represents. The State of Montana and MDT needs to conduct a comprehensive environmental impact assessment and open up the findings to a full public discussion with input and involvement from counties, cities and communities throughout the state and especially in western Montana.

2 The Montana Department of Transportation is about to open up Montana's scenic highways to mammoth size truck shipments of Korean manufactured equipment, weighing up to 300+ tons, (Transportation Plan, appendix 7) for ExxonMobil tar sand operations in northern Alberta. MDT's review process has been cast in economic terms rather than broader ecological and climate change issues. Unfortunately the economic analysis used in MDT's review process does not recognize all the costs that will be borne by Montana taxpayers, employers, and households. Several major cost impacts are either assumed away or ignored. Lack of credible and comprehensive costs to Montanans is especially serious since MDT's authorization of the project may be repeated for other oil companies creating an industrial transportation corridor along western Montana rivers and highways.

3 MDT is touting this proposal as a job creation stimulus; however, the environmental assessment (Kearl Transportation Module Project, www.mdt.mt.gov) lacks credible, systematic analysis of the actual jobs that would be created for Montanans. The assessment estimates 150 Montana jobs from one-time-only modifications to highways and auxillary shipment activities. The other job estimates are already employed workers including those employed by out of state firms. MDT's assessment fails to balance their claimed positive economic impact with significant associated costs to Montanans. It assumes no job or business revenue losses in Montana's outdoor recreation and tourism industry; no costs due to Big Rig accidents, and no long run costs for MDT's review, supervisory and road maintenance expenditures on the project.

Jobs in Montana's outdoor recreation and tourist industry are based on the attractive power of our scenic outdoors, mountains, forests and the highways providing access to these attractions. Tourist survey data show that visitors to Montana come for mountains and forest, open spaces and wildlife, and cold water streams full of trout. Surveys also show positive visitor perceptions of Montana giving our state high scores for road conditions and environmental stewardship.

4 The mammoth oil equipment module shipments, transported by a Dutch-based company, will be up to 210 feet long, 30 feet high, and 24 feet wide and will, according to the MDT report require significant highway construction and modifications along the scenic Loscha and Blackfoot river corridors. The MDT report assumes there will be no adverse effects on Montana's streams or on

May 5, 2010 MAY 1 3 20

SENINGER, STEVE

1. See response to Common Comment B.

2. MDT's Environmental Assessment included a full analysis of potential social, economic, and environmental impacts. Please see the EA and the Decision Document. See response to Common Comments P, L and M.

3. See response to Common Comment M and L.

4. As determined through the EA process, MDT does not view potential impacts of the project as "significant". See response to Common Comment M.

the state's outdoor recreation and tourism industry. Potential reductions in out of state visitors from the project would lead to job losses in this $4.3 billion industry.

5 Reductions in outdoor recreation and tourism visitation will affect all types of western Montana business and employers including motels, restaurants and bars, gas stations, and other businesses, many of them small businesses, who directly depend on recreation and tourism travelers on western Montana highways. It should be noted that while transports will not take place on weekends, they apparently will take place on Friday nights/Saturday mornings. Major portions of the transport route provide access to prime hunting areas; during hunting season Saturday morning delays will significantly impact hunters. Some hunters will doubtless choose to hunt elsewhere, resulting in economic losses for local businesses.

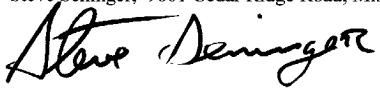
6 MDT assumes a zero accident risk for the 170 ton big rigs (as state in the EA) or 300+ tons as state in the Transportation Plan, appendix 7. The no accident assumption is particularly questionable since the 200 shipments, slated to begin this September, will run year long at night over Lolo Pass, through Missoula, up the Blackfoot, over Rogers Pass and up along the Rocky Mountain Front to the Canadian border. Visualize a 300+-ton big rig on Montana's two-lane, rural highways in just a modest winter snow storm. A credible and comprehensive analysis would allow for potential mishaps including major accidents that would adversely affect human life, wildlife and the environment. Such accidents would entail cleanup costs along with law enforcement and emergency medical costs and traffic routing issues on the two lane highways. Many of these costs would fall on local governments, communities, and taxpayers.

7 A third omission in the assessment document is an absence of explicit cost accounting for MDT's resources provided in the planning and implementation stage of the project and a reasonable projection of such costs over the life of the project. The Montana Department of Transportation is already spending taxpayer dollars which are not calculated in the environmental assessment. The analysis states that "MDT will cover costs of review of permit applications, review of the EA, construction oversight and normal obligations for road maintenance." The EA indicates that the maximum weight of the modules will be 334,568 pounds (table 9, page 12), while the accompanying Montana Transportation Plan states (page 5) that the maximum weight of a module will be 344,000 pounds, and that this does not include the weight of the tractor and trailer. The tractor and trailer will add approximately 288,450 pounds (Transportation Plan, appendix 7), for a total weight of 632,450 pounds!
These costs are ultimately paid for by Montana taxpayers with the 'normal obligations for road maintenance' potentially becoming quite significant. The omitted costs to Montana taxpayers would, indeed, be a subsidy to ExxonMobil's tar sand operations in Canada.

8 The impending decision by MDT to allow creation of an industrial transportation corridor in western Montana does not address impacts and costs to Montana taxpayers, businesses, and communities. A comprehensive programmatic review of all social, economic, and environmental impacts and their costs should be conducted. Such a comprehensive analysis showing the costs and gains to Montana taxpayers should also include the costs of alternative transport routes through Canada. The inadequate assessment conducted thus far does not answer these questions and is insufficient to make a decision with such far reaching effects on our economy and environment.

Submitted as a concerned Montana voter and taxpayer,

Steve Seninger, 9601 Cedar Ridge Road, Missoula, MT. 59804



5. MDT concludes that a 10 minute travel delay is unlikely to prompt a Montana hunter to abandon a given hunting location. As a result, this type of economic impact was not considered to be a reasonably foreseeable event and was not included in the economic analysis.

6. MDT's analysis appropriately included reasonably foreseeable events. See Section 4.8 of the MTP. See responses to Common Comments H1 and H2.

7. See response to Common Comment L.

8. See responses to Common Comments C1, K and D1.

MAY 0 4 2010

MONTANA MDT DEPARTMENT OF TRANSPORTATION TRANSPORTATION PLANNING

Comment form

MAY 6 20

ENVIRONMEN

Project name: Kearl Module Transport Project EA
Control Number: **CN 6800**
Meeting date and time: 6:00 p.m., Thursday, April 28, 2010
Location: Lincoln School, 808 Main St., Lincoln, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Bonnie Shown
4315 4x4 Rd.
Box 336
Lincoln, MT, 59639

Comments: I believe the movement of your modules be not cause any environmental problems. and the wages paid in the State To Local contractors is dearly needed.

1

SHOWN, BONNIE

1. Comment noted.

RECEIVED
MAY 13 2010
ENVIRONMENTAL

200 Imperial Way
Missoula, MT 59803
May 8, 2010

Mr. Tom Martin
MDT Environmental Services Bureau
P.O. Box 201001
2701 Prospect Ave.
Helena, MT 59620

Dear Mr. Martin:

I hope you have read the editorial by Economist Dr. Steve Seninger printed in the May 6th Missoulian which describes some of the hidden costs of allowing "big rigs" to travel through western Montana.

Personally, I am greatly concerned about the environmental degradation these massive vehicles will cause to two of the most peaceful, attractive drives we can take out of Missoula, Routes 12 and Route 200. When the wayside greenery is disturbed and cut back, these routes will lose their charm and beauty. These are places we take our out-of-state guests (and for ourselves, peace) Please, consider these losses as well as the others discussed by Dr. Seninger.

Sincerely,
Sue H. Siebert

1

SIEBERT, SUE

1. Please see response to Common Comment J. Please see also Table 5 of the Ea, which shows that only one new turnout will be constructed on Highway 12 and 12 new turnouts will be constructed on Highway 200. Please note that Steve Seninger's comments are included in Appendix D of this Decision Document.

Tom Martin
MT DOT
Environmental Services Bureau
PO Box 201001
Helena, MT 59620-1001

RECEIV
MAY 17 2(
ENVIRONME

Re: KMTP

Bio: We have family in both Lewiston ID & Havre MT. We drive both the Lolo Pass route & the Blackfoot -Rogers Pass route regularly (12 or more times) each year.

1 A. Turnouts; This proposal call for turnouts every 1.5 miles (mountains), 3 miles (winding) & 4.5 miles (flat/straight). This means that about 200+ turnouts, evenly spaced are needed. Are there even that many turnouts between Lewiston & the Canadian border along this route? Are they properly spaced. Very few currently exist that can accommodate a 270 foot rig. How are these to be designed , engineered & constructed by September 2010? What environmental safeguards are included? Or ignored?

2 B. Road maintenance: The state is proposing that Montana maintain & repair the roads along the route: So, if one of the rigs breaks down & the haulers use a D10 cat to move to a "repair site" then the taxpayers foot the bill for the damage. Or if guard rails, bridges or other infrastructure is destroyed the taxpayers pay to fix the damage. How about road surface/roadbed damage from overweight loads? Does the state even have scales able to check the load weights? Or do you plan to "take the corporations' word got it"- Like BP & Halliburton were "absolutely" prepared & capable of handling any & all possible catastrophic failures on their drilling operations-up to a blowout of 6.8 million gallons a day in their Gulf drilling operations.

3 C. Traffic flow: First & foremost: What about emergency vehicles? A significant portion of the proposed route has no alternative routes to reach homes, businesses or potential accident sites. So if ambulance &/or fire service is needed what happens? Do these vehicles wail until the next turnout? What if the rig is broken down? Then how log do they wait? Who is going to have the liability for life/property loss or damage? Do you think Exxon-Mobil or Synfuels will? Secondarily, Having traveled these routes during times of highway

4 construction, putting rigs that size on these roads is not going to add "at most 15 minutes" of delay time. More like 60 to 90 minutes - & that only if there are no breakdowns. Are the haulers going to have a system in place so that someone traveling the routes will know that there is a breakdown & that we need to take an alternative route (with the extra hours of travel time- ie if you're going to Lewiston, plan B is via Couer d'Alene: There is no usable southern route) or is it going to be "Good luck Jack", you're at the blockage so either wait or backtrack.

5 D. Economic impacts: It is sad to see our Governor dancing up & down -like Jag for a dog cookie- at the prospect of as much as $68 million. The prospect of 100 to 150 flagging, driving, line relocation, etc jobs is just that. There are no guarantees that all/any of those hires will be Montanans. The same is true of lodging (sleeper trucks), fuel (tanker trucks - I can think of few if any gas stations big enough to drag a football field through), food (certainly no parking in Missoula for a rig that size). Additionally, What this proposal does is subsidize the export of jobs overseas. Manufacture overseas, ship through the state -at our expense: both time & money- & then send it on to Canada to be used.& be a source of revenue & taxes for another country. If we are determined to continue with exploiting fossil fuels, it seems like the Bakken fields might be a better choice.

6 E. Environment: While on the face of it, simple transport of outsized rigs doesn't look to have significant impact environmentally, there are a number of serious concerns. The Lolo Pass & Blackfoot corridors are narrow, winding, steep & relatively pristine environments. They contain some of the best river ecocystems left in this part of the US. An accident, a spill, hasty turnout construction or relocation work … Any or all

SIMPSON, CHARLIE

1. See Section 3.13 of the EA for a listing of measures that Imperial Oil and its contractors will use to avoid, minimize and/or mitigate potential adverse impacts.

2. See response to Common Comment L. MDT does have equipment to weigh loads of this size. MDT management is currently evaluating appropriate means to ensure loads stay within agreed upon weights.

3. See response to Common Comment H3.

4. See response to Common Comment G.

5. See response to Common Comment Q.

6. See response to Common Comment S.

of these place these environments at risk- perhaps major risk. Also, The Synfuels spokesman described them as a mining company. Montana history is rife with examples of mining companies being under bonded for environmental damage/reclamation & then magically disappearing via bankruptcy: leaving the taxpayers with the bill. More critically, we need to quit expanding our use of & reliance on fossil fuels. This is another stopgap that risks the environment both locally & globally. It would be far better to continue to expand our acts of conservation & development of sustainable energy alternatives.

F: Greed: Exxon-Mobil has made over $100 billion these past three years. Nearly $40 billion in one quarter alone. That is profit, not gross. I sure didn't see any benefit of that reflected in my energy costs did you? The Synfuels spokesman made a point of how developing the Athabascan oil sands would provide a secure , stable source of fossil fuels for years to come. Right, remember how a few years back BP sold North Slope oil to Asia, creating a massive shortage in California-despite their promises & obligations? That one worked out well for BP: Made about $9 billion & the Bush administration fined them only $ 1 billion. Corporations are by their nature like an Amoeba: Single focus, amoral, without a conscious. Ay breaks given to a corporations must have expectations , reciprocity & costs clearly delineated & anchored in law/contract. If not, the MDOT is failing its responsibilities to the people of Montana.

Sincerely,

Charlie Simpson

Charlie Simpson

5164 Koch Lane

Florence, MT 59833

PS If it isn't clear: I am totally opposed to allowing this project to happen.

See response above.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

MAY 13 2010

Comment form

ENVIRONMENT

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Neil Skinner
368 Aristocrat
Billings MT 59105

Comments: I believe it will be a benefit To Montana in that it will create much need Jobs.

1

SKINNER, NEIL

1. Comment noted.

FAX COVER SHEET

Today's Date 5/14/10 # of Pages Including Cover Sheet 1

TO: Tom Martin FROM: Delet Smart

Company: D.O.T Company:

Location: Location:

Telephone Telephone #

FAX # 406-444-7245 FAX # 406-256-8237

Copy To:

____ Confidential ____ Urgent ____ For Review ____ Comment ____ Please Reply

Comments: I am in support of the Keart Module Transport Project. We should allow the trucks to cross Montana.

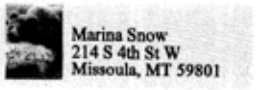
Delet Smart
860-6394
Billings, MT 59102

This telecopy is intended only for the use of the person to whom it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, you are notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us by telephone and return the original message to us at the above address via US Postal Service. Thank you.

Signature Delet Smart

SMART, DELET

1. Comment noted.



Marina Snow
214 S 4th St W
Missoula, MT 59801

RECEIVED
MAY 10 2010
ENVIRONMENTAL

Tom Martin
MDT Environmental Services Bureau
P.O. Box 201001
2701 Prospect Ave.
Helena, MT 59620

Dear Mr. Martin:

I wish to go on record as being completely opposed to the horrific transportation proposal by the Kearl Module Transportation Company.

Please, please, please read the enclosed newspaper article by Dr. Steve Seninger and stop this terrible mistake from being made.

Thank you for your attention.

Sincerely,
Marina Snow

1

SNOW, MARINA

1. Comment noted.

OPINION

GUEST COLUMN

Economic analysis of big rigs misses hidden costs

By STEVE SENINGER

What do you think?

The Montana Department of Transportation is accepting public comment on the environmental assessment of the Kearl Module Transportation Project through May 14. Send comments online at *www.mdt.mt.gov*, or in writing to Tom Martin, MDT Environmental Services Bureau, P.O. Box 201001, 2701 Prospect Ave., Helena, MT 59620.

The Montana Department of Transportation is about to open up parts of Montana's scenic highways to massive oil equipment modules, referred to as "big rigs." Unfortunately, the economic analysis used in MDT's environmental assessment process does not recognize all costs that will be borne by Montana taxpayers and employers. Several major cost impacts are either assumed away or ignored. This lack of credible and comprehensive cost analysis is especially serious since MDT's authorization of the project may be extended to other oil companies, establishing a de facto industrial transportation corridor along western Montana rivers and highways.

MDT is touting this proposal as a job creation stimulus; however, the environmental assessment (Kearl Transportation Module Project, *www.mdt.mt.gov*) lacks credible, systematic analysis of the actual jobs that would be created for Montanans. The assessment estimates 150 Montana jobs from one-time-only modifications to highways and auxiliary shipment activities. The other job estimates are already employed workers, including those employed by out-of-state firms. MDT's assessment fails to balance its claimed positive economic impact with significant associated costs to Montanans. It assumes no job or business revenue losses in Montana's outdoor recreation and tourism industry; no costs due to big rig accidents, and no long-run costs for MDT's review, supervisory and road maintenance expenditures on the project.

Jobs in Montana's outdoor recreation and tourist industry are based on the attractions of our scenic outdoors, mountains, and forests. Tourist survey data show that visitors to Montana come for mountains and forest, open spaces and wildlife, and cold water streams full of trout. Surveys also show visitors give our state high scores for road conditions and environmental stewardship.

The mammoth oil equipment modules transported by a Dutch-based company will be up to 210 feet long, 30 feet high, and 24 feet wide and will, according to the MDT report, require significant highway construction and modifications along the scenic Loscha and Blackfoot river corridors. The report assumes no adverse effects on Montana's streams or on the state's outdoor recreation/tourism industry. Potential reductions in out-of-state visitors from the project would lead to job losses in the $4.3 billion outdoor recreation/tourism industry.

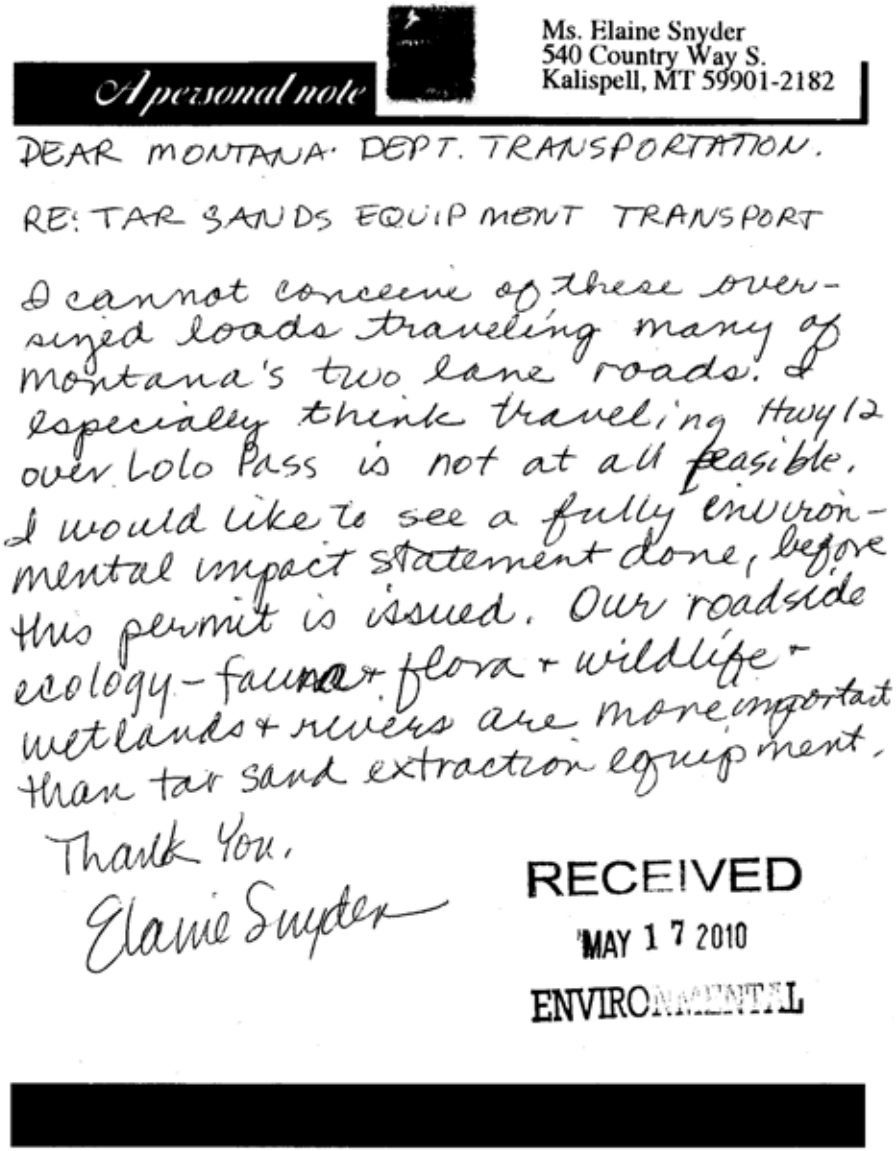
The loss of visitors will impact many western Montana businesses, including motels, restaurants and outfitters, and small employers that depend on recreation-tourism travelers. In Missoula County alone, outdoor recreation/tourist spending represents 2,200 jobs and $34 million in payrolls annually. Such jobs and wages are assumed to be completely unaffected by the big rigs.

MDT assumes zero accident risk for the 170-ton big rigs. This no-accident assumption is particularly questionable since the 200 shipments, slated to begin this September, will run year-long over Lolo Pass, through Missoula, up the Blackfoot, over Rogers Pass and up along the Rocky Mountain Front to the Canadian border. Visualize a 170-ton big rig on Montana's two-lane, rural highways in just a modest winter snow storm. A comprehensive analysis would allow for potential major accidents and adverse impacts on human life, wildlife and the environment. Accidents would impose cleanup costs, law enforcement and emergency responder costs and traffic routing issues on the two lane highways, costs that would fall on local governments and taxpayers.

A third omission is the lack of explicit cost accounting for MDT's resources provided in the planning stage and a credible projection of such costs over the project's timeframe. MDT is already spending taxpayer dollars which are not calculated in the environmental assessment. The analysis states that "MDT will cover costs of review of permit applications, review of the EA, construction oversight and normal obligations for road maintenance." These costs are ultimately paid by Montana taxpayers with the "normal obligations for road maintenance" potentially becoming quite significant. These omitted costs paid by Montana taxpayers represent a subsidy to ExxonMobil's tar sand operations in Canada.

A comprehensive, programmatic review of all social, economic and environmental impacts and their costs should be conducted. Such an analysis showing the costs and gains to Montana taxpayers must also include the costs of alternative transport routes through Canada. The inadequate assessment conducted thus far does not answer these questions and is insufficient to make a decision with such far reaching effects on our economy and environment.

Steve Seninger is a Ph.D. economist with more than 40 years of professional background in economic impact and cost analysis.



A personal note

Ms. Elaine Snyder
540 Country Way S.
Kalispell, MT 59901-2182

DEAR MONTANA DEPT. TRANSPORTATION.

RE: TAR SANDS EQUIPMENT TRANSPORT

I cannot conceive of these over-sized loads traveling many of Montana's two lane roads. I especially think traveling Hwy 12 over Lolo Pass is not at all feasible.

1 I would like to see a fully environmental impact statement done, before this permit is issued. Our roadside ecology - fauna + flora + wildlife + wetlands + rivers are more important than tar sand extraction equipment.

Thank You.

Elaine Snyder

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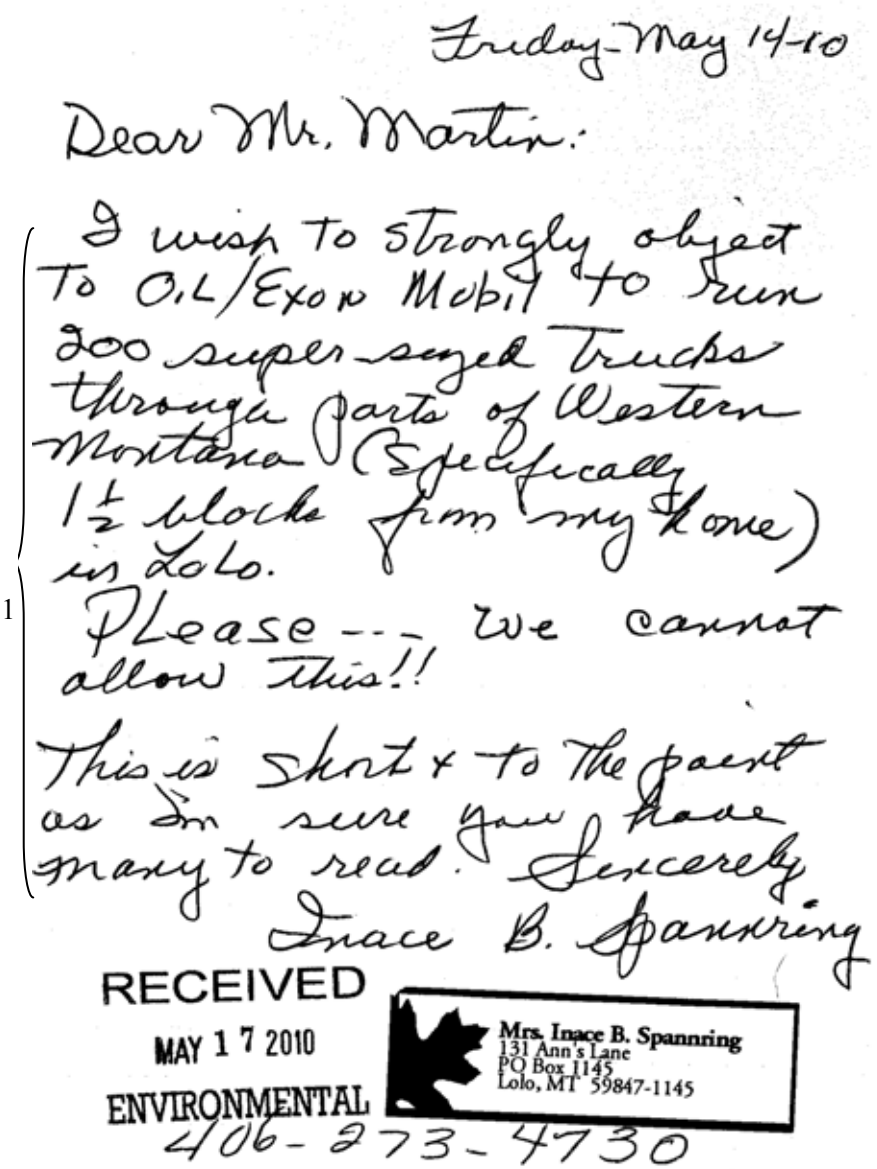
MAY 17 2010
ENVIRONMENTAL

SNYDER, ELAINE

1. See response to Common Comment B.



Friday - May 14-10

Dear Mr. Martin:

I wish to strongly object To O.L/Exon Mobil to run 200 super-sized trucks through parts of Western Montana (Specifically 1½ blocks from my home) in Lolo.

1 Please --- We cannot allow this!!

This is short & to the point as I'm sure you have many to read. Sincerely

Inace B. Spannring

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MAY 17 2010
ENVIRONMENTAL

Mrs. Inace B. Spannring
131 Ann's Lane
PO Box 1145
Lolo, MT 59847-1145

406-273-4730

SPANNRING, INACE

1. Comment noted.

MAY 14, 2010

DEAR MR MARTIN:

I WISH TO STRONGLY OBJECT TO THE PROPOSAL BY IMPERIAL OIL/EXXON MOBIL TO RUN 200 SUPERSIZED TRUCKS THROUGH PARTS OF WESTERN MONTANA WHICH WOULD INCLUDE THIS HORRIBLE DESTRUCTIVE OPERATION ONLY APPROXIMATELY 1 1/2 BLOCKS FROM MY RESIDENCE

THERE IS NO REASON FOR ME TO ELABORATE AND WASTE YOUR VALUABLE TIME TO JUSTIFY MY OBJECTION AS STATED ABOVE

SINCERELY

RAYMOND SPANNRING

Mr. Raymond W. Spannring
PO Box 1145
Lolo, MT 59847

RECEIVED
MAY 17 2010
ENVIRONMENTAL

SPANNRING, RAYMOND

1. Comment noted.

From: Edwin Speelman
(406) 752-1439

504 E Evergreen Dr.
Kalispell, MT 59901
May 5, 2010

To:
Montana Department of Transport
c/o Montana Highway Department
PO Box 7308
Kalispell, MT 59904

Invited Comment regarding proposed Colossal Convoys of Alberta Oil Sands Production Equipment over Montana Highways beginning in 2010.

1 Comment:
I am agreeable to this use of our highways.

2 I understand that turnouts are to be built for this proposed project.

If so, I strongly urge that these new turnouts be left in place for the convenience and enjoyment of all future motorists. A generous abundance of wide turnouts along highways and even gravel roads is one of the great things about Montana. Most other states are paupers in this regard.

Edwin Speelman

SPEELMAN, EDWIN

1. Comment noted.

2. Upon completion of the transport project, MDT will evaluate the new and modified turnouts and maintain in place those new and modified turnouts that provide a benefit to the Montana travelling public.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

RECEIVE
MAY 10 2010
ENVIRONMENT

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

You are invited to make your comments on this form and place it in the comment box located at the sign-in table or take it with you and mail it to: MDT Environmental Services Bureau, PO Box 201001, Helena, MT 59620-1001.

Comments may also be submitted by fax to (406) 444-7245 or online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml

The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Michael Sullivan
Box 143
Drummond, MT 59832
no email

Comments: I attended the meeting in Missoula 4/29 & found it very interesting. I have thought of some other questions about these pullouts; how will the MDT deal with them afterwards? Will they be open to the public for camping, etc? Will they need to be maintained? Plowed? Who will pay for it? It seems absurd to have a 300' pullout every 1½ mi. on these highways. Certainly not necessary for public safety. I agree with the majority at the meeting that more input & further study is necessary. The potential impacts of this plan warrant very careful consideration before it is allowed to proceed. Picking up the pieces afterward is always more difficult & expensive. I'm not interested in subsidizing the oil companys.

1

2

SULLIVAN, MICHAEL

1. See response to Common Comment L. Upon completion of the transport project, MDT will evaluate the new and modified turnouts and maintain in place those new and modified turnouts that provide a benefit to the Montana travelling public.

2. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Julie M. Swed
22460 Petty Crk. Rd
Alberton, MT 59820
Jewels_0tmuP@hotmail.com

Comments: Regarding the Kearl Module Project I highly support it. It means work for the unemployed and here in MT work is a much needed thing. Lets put people to work not out of work—

Julie M Swed

1

SWED, JULIE

1. Comment noted.

Mr. Tom Martin ENVIRONMENTAL

MDT Environmental Services Bureau

P.O. Box 201001,Prospect Ave.

Helena, MT 59620

Dear Mr. Martain

I am in favor of letting Exxon Mobil move the large equipment through Montana. It would employ many Montana workers, maybe some of the workers layed of by the Container plant that was shut down because it could not get any logs.

I read the article by Mr. Seninger in the Tribune May 9, 2010.

To me the biggest interest of Mr. Senginer is that Exxon Mobil is mining the tar sands in northern Alerta of witch Mr. Senginer does not like.

The large trucks moving over Montana roads would reduce Tourism very little.

Again I am in favor of letting Exxon Mobil move their equipment through Montana.

1

Sincerely Yours
Fred Sweet
Fred Sweet

1815- 23ed Ave. South

Great Falls, MT 59405

SWEET, FRED

1. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

MAY 13 2010 ENVIRONMENTAL

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Abraham Taylor
40835 Round Butte Rd Ronan MT

BigNadsMason@Yahoo.com

1 ***Comments:*** We need all the work we can get.

TAYLOR, ABRAHAM

1. Comment noted.

April 30, 2010

APR 30 2
ENVIRONME

Dear Montana Department of Transportaion,

I was not able to make it to any of the hearings on allowing Imperial Oil to move their huge equipment through Montana.

1 I grew up in Cut Bank and have been on all the roads they plan to use. I'm not sure they could even maneuver something that big over some spots. And I suspect a lot of road damage could be done. (I hope you have the money to fix them.)

2 Now on to the larger environmental concerns about tar sands mining and the low quality of oil produced–and all the damage that does. I know Montana has no control over Canada's lack of concern for global warming; but at the same time, we don't need to enable them either.

3 Please, please, please do a FULL environmental impact statement considering all aspects of this before making any decisions.

Sincerely,

Marie Ann Toldness

Marie Ann Toldness
428 Second Avenue
Havre, MT 59501

TOLDNESS, MARIE ANN

1. See response to Common Comment L.

2. Comment noted.

3. See response to Common Comment B.

RECEIVED
APR 29 2010

25 Chokecherry Ln.
Clancy, MT 59634
4-26-10

Canadian Tar Sands Development

It's hard to believe this kind of project got started! Our thirst for fossil fuel energy is bringing us closer to the brink of disaster. Too many people are short sighted about the direction we are going towards global warming, and are thinking only of jobs and fuel. What kind of world are we creating for our children?

We in Montana should not expediete Canadian Tar Sands development! I'm asking the Montana Department of Transportation to prepare a full environmental impact statement. We need to be aware of the distruction.

Thank you. Echolyn L. Travis

1

TRAVIS, ECHOLYN

1. See response to Common Comments E1 and B..

MAY 1 4 2
UPPER BLACKFOOT VALLEY COMMUNITY COUNCIL ENVIRONME
PO BOX 1052
LINCOLN, MT 59639

James L. (Jim) Paris – Chairman
406-362-4140 mjparis@linctel.net

13 May 2010

To Whom It May Concern:

1 The Upper Blackfoot Valley Community Council (UBVCC) would like to express its support for the Kearl Transportation Project for the transportation of large loads on Highway 200 through Lincoln. The representatives have made repeated presentations to keep the Council and the community advised on the development of the project and have appropriately dealt with any concerns the Council has expressed. We feel the Kearl Project will have economic value for the Lincoln community and there is no environmental or social dangers or negative aspects to the project.

We encourage the approval of the project.

Sincerely:

James L Paris

UPPER BLACKFOOT VALLEY COMMUNITY COUNCIL – JAMES PARIS

1. Comment noted.

RECEIVED
MAY 12 2010
ENVIRONMENTAL

107 Kern St.
Missoula MT 59801
May 8, 2010

Mr. Tom Martin
MDT Environmental Services Bureau
P.O. Box 20001
2701 Prospect Ave
Helena MT 59620

Dear sir, I am unequivocally opposed to allowing the Transport of heavy equipment (for oil sands in Alberta) through Montana by the Kearl Module Transportation Project or by any other company. The construction of long pull-outs will sully our scenic valley areas and add little to our overall economy. 1

I am especially concerned about the degradation of the Lochsa R. & L&C. portions of the route, 2

This transportation plan should have been investigated long before the construction of the equipment to be transported!

Sincerely,
Virginia H. Vincent

VINCENT, VIRGINIA

1. See response to Common Comment J.

2. See response to Common Comment O.

Apr 30 10 10:44a Liuna 1686 Msla 4065430948 p.2

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4211 Reserve, Missoula, MT

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

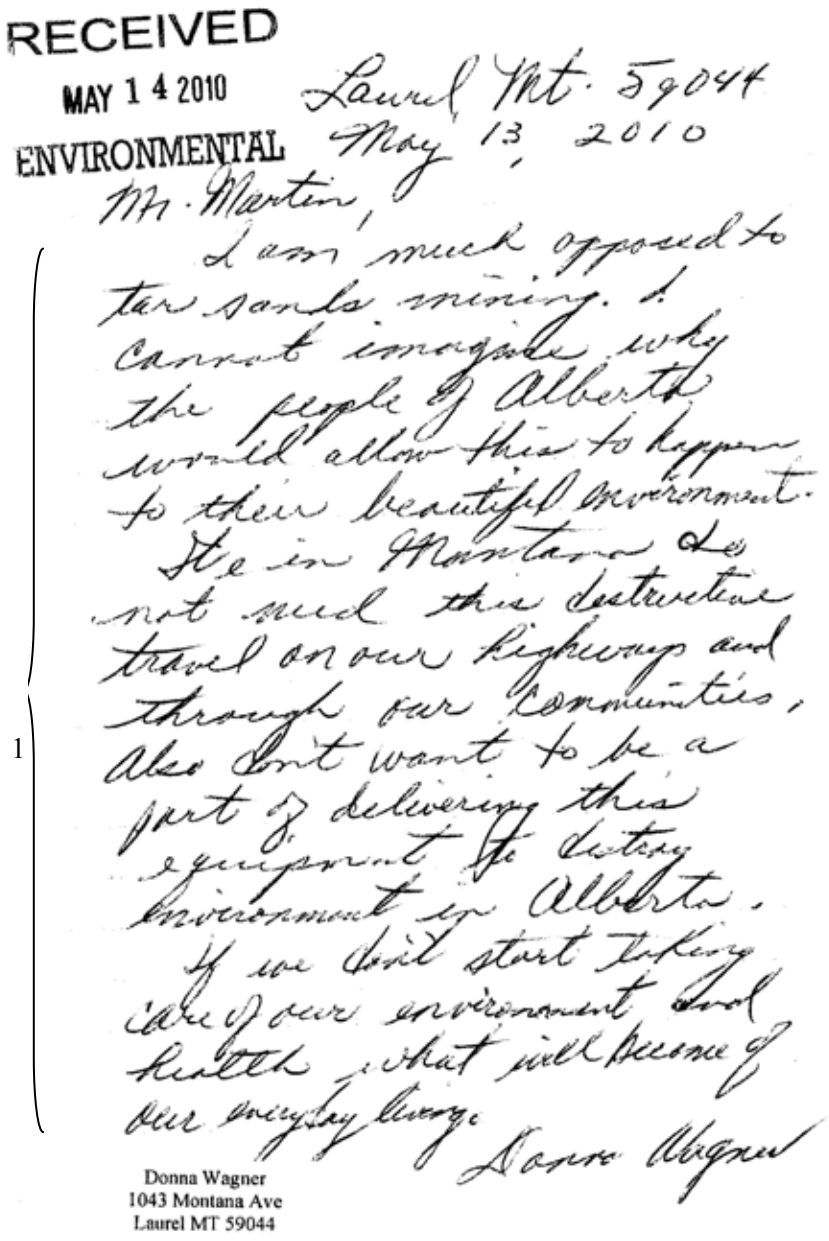
Name and address (Include both physical address and your email address):

Nic von Platz 1522 42nd Ave
Missoula MT 59803

1 ***Comments:*** I support this so we can keep MT people working.

VON PLATZ, NIC

1. Comment noted.



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MAY 14 2010
ENVIRONMENTAL

Laurel Mt. 59044
May 13, 2010

Mr. Martin,

I am much opposed to tar sands mining. I cannot imagine why the people of Alberta would allow this to happen to their beautiful environment.

We in Montana do not need this destructive travel on our highways and through our communities. Also don't want to be a part of delivering this equipment to destroy environment in Alberta.

If we don't start taking care of our environment and health, what will become of our everyday lives.

Donna Wagner

Donna Wagner
1043 Montana Ave
Laurel MT 59044

1

WAGNER, DONNA

1. Comment noted.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

MAY 14 2010 ENVIRONMENTAL

Comment form

Project name: Kearl Module Transport Project EA
Control Number: **CN 6800**
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Justin Walsh - BearpawRiverExpeditions.com
PO Box 7335
Missoula, MT 59807
jdubb@bearpawriverexpeditions.com

Comments: I do not believe that the money that is brought into the state by this project is worth the risk that the project puts to the people of Montana. The project will bring in less than 100 million dollers for the state while Tourism brings in close to 250 million each year. I own and operate a tourist based business along Hwy 12 and Hwy 200 and know that this project, if approved, will have a negative effect on tourism. 1

In addition, the route through our state is hazerdous I travel Hwy 12 often and have seen many, many accidents, many of which involve semis. This is a dangerous road, end of story. I dont believe that Hwy 12 is at all suitable for the vehicles that this projects will use. 2

WALSH, JUSTIN

1. See response to Common Comment M.

2. See response to Common Comment G.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: **CN 6800**
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

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Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Comments: cont.

3 To make things worse, the oil company has no contingency plan to address accidents and the unforeseen problems that will arise! What happens when one of these trucks has an accident, thus 12 is closed, and all comerce and tourism that relies on passage on 12 is lost? This would likely be the downfall of my business (lack of sales), and would begin to reduce the tourism dollars that the State of Montana generates. It is not a wise gamble to take - don't approve or allow this project!

3. See responses to Common Comments H1 and H2.

4/30/10

Dear Mr. Martin,

Please deny Imperial Oil's request to use Montana roads to transport their massive tar sands drilling equipment.

The tar sands project is environmentally extremely harmful to water and air. I oppose it for that reason and also because I travel 89 several times a month. I can't imagine handling something that traffic stopping huge on that road, there is one turn I don't think it can make.

A full EIS should be done to determine how ill conceived this project is. Please deny their request.

WIDENER, GEORGE

1. Please see response to Common Comment E1.

2. See response to Common Comment B.

Thankyou,

RECEIVED
MAY 0 4 2019
TRANSPORTATION PLANNING

Sincerely,
George Widener
PO Box 2565
Columbia Falls, MT.
59912



Nutrition For Life International

RECEIVED

MAY 17 2010

ENVIRONMENTAL

From The Desk Of:
STEVE MCAFEE

5/11/10

Tom Martin

After the latest oil spill + all the environmental problems I say no to bringing that heavy machinery thru Montana.

Our state has few resources financial to cope with environmental problems and our National Guard is in the desert. Once the land or water is injured it can really never be the same again even with dollars! Inx.

Rose Wilkinson
2617 Sky Dr.
59804

1

WILKINSON, ROSE

1. Comment noted.

To: **Dwayne Kailey, Montana Department of Transportaiton,P) Box 201001, Helena MT 59620-1001.**
RE: Comments on the Kearl Module Transport Project EA.

We, the below-signed faculty of the University of Montana, have strong reservations regarding the Environmental Assessment over the Kearl Module Transport Project. This project clearly has deep reaching ecological and environmental effects that traverse both state and international boundaries. We consider the EA to be sorely lacking in scope and public involvement opportunity.

1 The EA claims that the KMTP will have no effect on endangered species or Montana's wildlife, but it is clear that the construction or modification of 75 oversized turnouts (in Montana alone), the majority along vulnerable waterways, will have detrimental effects to populations of endangered bull trout as well as other species. In addition, indirect effects of this permit should be considered, including the additional climate change emissions associated with increased tar sand development. Adding to climate change effects will ultimately impact Montana's wildlife, forests, water resources, agriculture, economy, and society.

2 We believe that approving permits to ExxonMobil/Imperial Oil would be shortsighted and not in the best interests of Montanans. We encourage MDT to extend the official public comment period by 90 days so that the citizens of Montana are offered a reasonable amount of time to read the 185 page EA document, formulate an informed decision, and respond meaningfully to MDT. Furthermore, we request that MDT work with US Fish and Wildlife Service to complete an Environmental Impact Statement under NEPA and MEPA so that the full scope of impacts associated with this project will be analyzed and made public.

Signature	Name	Address
Vicki Watson	Vicki Watson	509 Daly, Msl 59801
Karen Hurd	Karen Hurd	112 Southridge Dr., Msla 59803
Daniel Sperar	Daniel Sperar	2405 Highland Dr, Missoula MT 59802
Julie Tompkins	JULIE TOMPKINS	417 Woodford, Missoula, MT 59801

WOLFE, PRAIRIE

1. See response to Common Comment I, E, and P.

2. See responses to Common Comments F1, A, and B.

We, the below-signed faculty of the University of Montana, have strong reservations regarding the Environmental Assessment over the Kearl Module Transport Project. This project clearly has deep reaching ecological and environmental effects that traverse both state and international boundaries. We consider the EA to be sorely lacking not only in scope but also in legitimacy.

The EA claims that the KMTP will have no effect on endangered species or Montana's wildlife, but it is clear that the construction or modification of 75 oversized turnouts (in Montana alone), the majority along vulnerable waterways, will have detrimental effects to populations of endangered bull trout as well as other species.

We believe that, through rewarding permits to ExxonMobil/Imperial Oil, Montana Department of Transportation is making an immoral and unlawful decision. We encourage MDT to extend the official public comment period by 90 days so that the citizens of Montana are offered a reasonable amount of time to read the 185 page EA document, formulate an analytical decision, and respond properly to MDT. Furthermore, we request that MDT require ExxonMobile/Imperial Oil complete a federal Environmental Impact Statement under NEPA.

Signature	Name	Address
Mark Matthews	Mark Matthews	320 Sky Bear, Arlee
D.S.S.	D. SCOTT SAMUELS	510 ARBOR DR, MISSOULA
Lila Fishman	LILA FISHMAN	1327 JACKSON ST MISSOULA

See above letter.

I am writing to you regarding the ExxonMobil tar sands project in Alberta and their request to transpor massive equipment thru MT. I am asking you to intervene and stop this. I have made a comment to MDOT as well. Widening of highway 12 along the Lochsa River and Lolo Creek is crazy. This is a wild and scenic highway thru some of our most beautiful country and wilderness. Cliffs come right down to the edge of the road and the other side is the water. Some of the clearest, cleanest water in the country. Let Exxon and Canadians transport this equipment thru BC, not MT. Do we have to participate in yet another Canadian environmental project that has diaster as one of its likely results. 1

Thank you.
Marilyn Wolff
234 Bridle Trl
Stevensville MT 59870

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MAY 13 2010
ENVIRONMENTAL

WOLFF, MARILYN

1. Comment noted.

MAY MONTANANS ENVIRO

MDT DEPARTMENT OF TRANSPORTATION

Comment form

Project name: Kearl Module Transport Project EA
Control Number: CN 6800
Meeting date and time: 6:00 p.m., Thursday, April 29, 2010
Location: Meadow Hill Middle School, 4210 Reserve, Missoula, MT

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The deadline for comments is May 14, 2010.

Please indicate your name, address and affiliation (if any) below.

Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

Name and address (Include both physical address and your email address):

Mick Wonnarott
1900 Elm St
Butte Montana, 59701

Comments: [redacted] I feel there is no Problem with This Area or Route being used. I Fully Support This Project.

1

WONNAROTT, MICK

1. Comment noted.

11 May 2010

RECEI
MAY 17
ENVIRONM

Tom Martin
Montana Department of Transportation
PO Box 201001
Helena MT 59620-1001

RE: Public comment on KMTP EA

Dear Mr. Martin,

As one who has driven the beautiful Lolo Pass highway many times, I am horrified to think our state government would even consider desecrating it by allowing it to be used for huge trucks in support of tar sands mining, the dirtiest fossil fuel oil companies have yet tried to develop.

1 Surely state officials understand the increasingly urgent need to radically reduce the burning of fossil fuels so as to slow global climate change. How then can it be possible to consider supporting this incredibly irresponsible tar sands development in Canada that is destroying boreal forest when we know how very important forests are to our planet's carbon storage?

2 Please deny Exxon's Imperial Oil proposal to allow for oversized industrial shipments through Lolo Pass, the Lolo Trail, and onward to the Canadian border. The proposal to industrialize a part of the Lewis and Clark Trail, a National Historic Landmark and a designated National Scenic Byway, is utterly at odds with these designations and the interests of Montanans.

3 Given that most of the economic benefits of this plan will benefit foreign companies, but the environmental and economic impacts would harm Montanans, the analysis needs to account for the economic hardships that would be created by this proposal.

4 Because the proposed shipments are focused on sustaining the tar sands mining industry in Canada -- an industry that contributes greatly to global warming -- the analysis should also consider what might be the additional impacts that increased pollution might have on the state.

5 The current environmental analysis should consider a full range of alternatives. In addition, given the breadth of this proposal, the state of Montana should absolutely seek a federal analysis through the National Environmental Policy Act that would consider the full and cumulative impacts of this proposed action. Given the absence of both these elements, I strongly urge your agency to deny Exxon's proposal.

Sincerely,

Charlene M. Woodcock

Charlene M. Woodcock
37 West Main Street, #D
Bozeman, MT 59715

WOODCOCK, CHARLENE

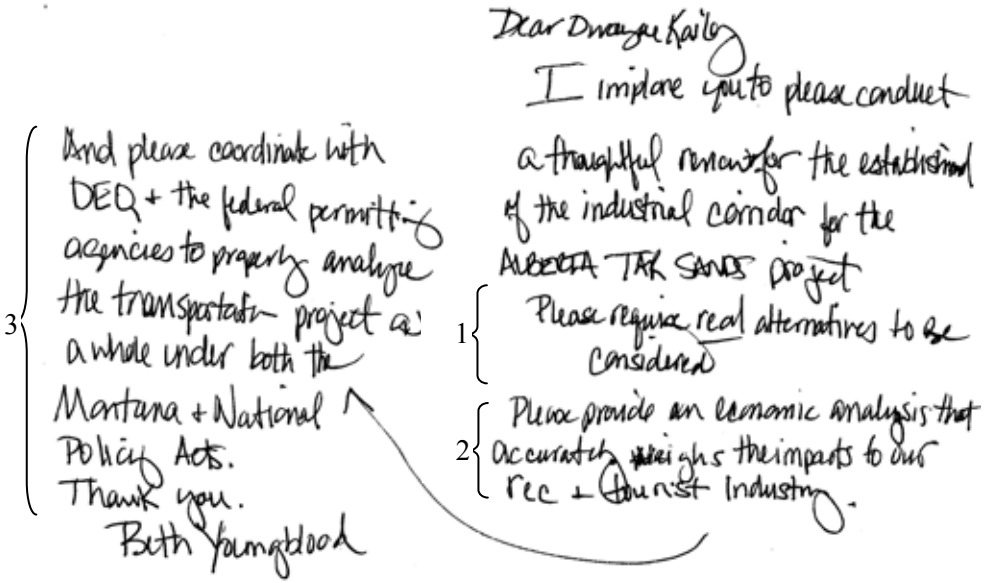
1. See response to Common Comments E1 and P.

2. See response to Common Comment K.

3. See response to Common Comment M.

4. See responses to Common Comments E1and P.

5. See responses to Common Comments A, B, D1, and D2



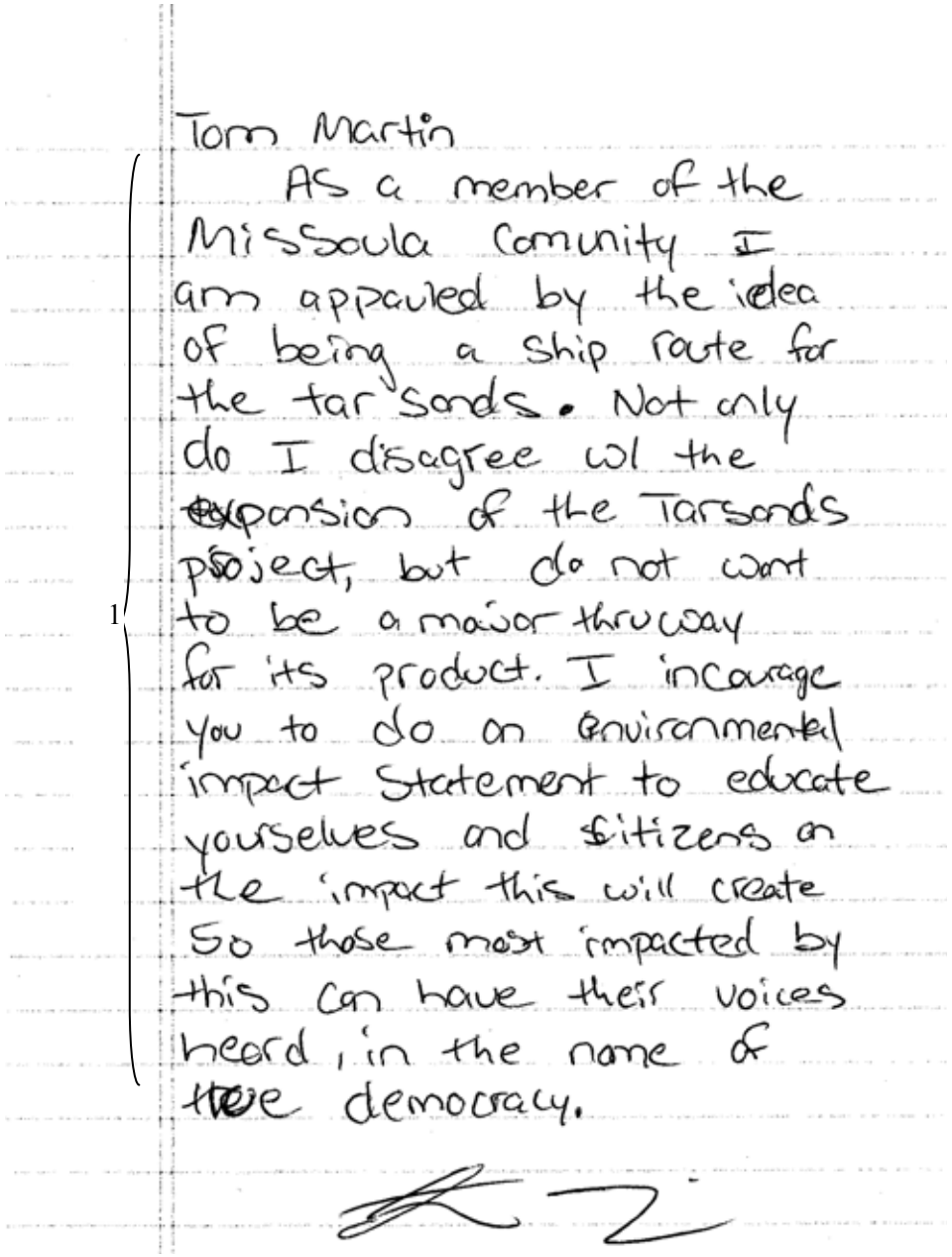
YOUNGBLOOD, BETH

1. See responses to Common Comments D1 and D2.

2. See response to Common Comment M.

3. See response to Common Comment A.

ZEHRING,


Tom Martin
As a member of the Missoula Comunity I am appauled by the idea of being a ship route for the tar sands. Not only do I disagree wi the expansion of the Tarsands project, but do not want to be a major thruway for its product. I incourage you to do an Environmental impact Statement to educate yourselves and citizens on the impact this will create So those most impacted by this can have their voices heard, in the name of true democracy.

1. See response to Common Comment E1 and K.

Table D-2
Clark Fork Coalition Postcard Senders

Patrick (Unreadable)
Ryen Aashein
Carolyn Abbott
Grant Alban
Paul Albert
Janet Allison
Harnet Alterowitz
Sara Anderson
John Anderson
Robert Andrews
Linda Angeloni
Erin Axelrod
Roberta Bartlette
M Baughman
Jill Beauchesne
Thomas Beels
Bruce Benedict
Erik Benson
Robert Benson
Erik Berry
Susanne Bessac
Bill Bevis
Guy Bingham
Joan Bishop
Marshall Bloom, MD
Thomas Boone
Rick Booth
Daphne Braun
Nancy Brown
Alexandra Brown
Claudia Brown
Theresa Bucher
William Bucklin
Sandra Burner
Martha Buser
Kerrie Byrne
Bethany Caball
Bill Callaghan
Susan Callaghan
Tara Callaghan
Colleen Carew
Heath Carey
Amy Carter
Wayne Chamberlain

Dan Clark
Matt Clegg
Patrick Colleron
Andrea & Patricia Collins
Phil Condon
Terry & Germaine Conrad
Bernard Constantin
Eric Cook
Beth Covitt
Sheila Coy
Juliette Crump
Lori Cummings
Chandala Curtiss
Katherine Degrandpre
Andrea Demetriou
Mary Dero
Caitlin Derry
Joe & Kay Devlin
Mary & David Dickson
Jodi Domsey
Edith Dooley
Erica Dossa
David & Janet Downey
Karen Driessen
David Duncan
Roger Dunteman
Edward Eck
Elizabeth Endicott
Sharon Engh
Jeanne Ensign
Nancy Erickson
Charles Erickson
Marcie Erving
Mark & Kim Everingham
Catherine Everingham
Kevin Ewing
Carly Fetzer
Chris Field
Anthony Fields
Christopher Finke
James Flynn
Kathie Foote
Timothy France
Judith Frey

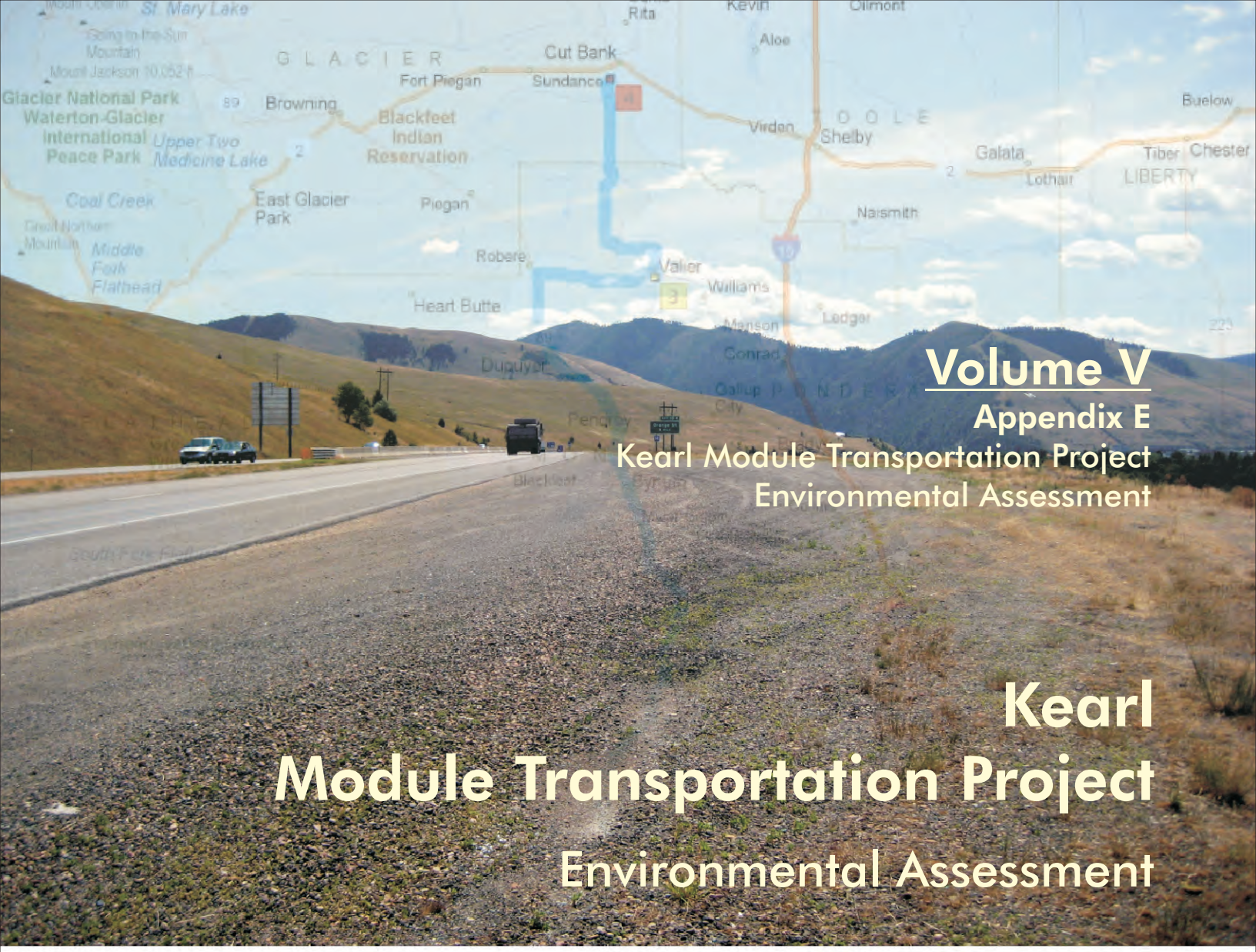
Veryl Frye
Susanne & Tim Furey
Maureen Gary
Robert Gates
Donna & Felix Gauci
Bev Glueckert
Stuart Goldberg
Kelly Goss
Tom Graff
Willard Granath Jr.
Ericka Grantier
Jo Greathouse
Anne & Erick Greene
Linda Grinde
Joseph Gutkoski
Caroline Hachle
Sarah Halvorson
Victor Hangas
Jana & Terra Hanks
Laura & David Hanks
Thomas & Marcia Hanks
Tom Harding
Juanita & Fern Hart
Kathy Heffernan
Pat Helvey
Lois Herbig
John Herburt Jr.
Lorena Hillis
Glenn Himebaugh
James Hogan
Marcia Hogan
John Holden
Harold Holden
Cindy Holder
Joel Holliday
Richard Holmstrom
Tom Huff
D Hyndman
Fred Jacobi
Bob Jaffe
Reuel Janson
Bridget Johnson
Joan Johnston
Bernice Johnston

John R. Jones
John Jost
Eddie Joy
Karen Kaufmann
Dona Keesling
Jeremy Kehreim
Heidi Kendall
Judith Kiely
Steven Kinzel
Joseph Kipphut
Brett Klassen
Bernie Kneefe
Kellen Kolbeck
Caroline Kurtz
Emerald LaFortune
Peter Lambros
Michael Lancaster
Libby Langston
Anne Larcom
Gordon Larson
Brigid Leake
C W Leaphart
Paige Leary
Trevor Lewis
Linda Lightfoot
Land Lindbergh
Don Lodmell
Adam Lohrmann
Roger Lund
John Lund
Fred Lurie
Shannon Maddox
Ann Maechtlen
Devon Marcille
Jonathan Marquis
Kat Martin
Gary & Judith Matson
Emily May
Trish McKay
Janet McMillan
Kelsey McMullen
Marta Meengs
Terre Meinershagen
Roland & Peggy Meinholtz
Charles Miller Jr.
Larry Mitchell
Stacie Mountan
Ryank Mrkich
Michael Nave
Martha Newell
Robin Tawney Nichols
Roy O'Connor
Susanne O'Connor
Peter Odegard
Eileen & Harold Ort
Julie Osborn
Janyssa Overturf
F. Taylor Pape
Daryl Parker
Tom Parker
John Parodi
Jennifer Passaro
Dorothy Patent
Sherelle & Roger Petersen
Michael Phelps
Apryle Pickering
Linda Pilsworth
Johnny Pink
Cindy & Harry Poett
Tim Polish
Greg Pope
Marie Porter
James Posewitz
Ruth Quin
Debra Randall
Terri Raugland
Tarn Ream
Walter Redfield
Robert Reider
Patrick Rhea
Sarah Richey
Terri Roach
Sandra Roe
Danielle Rose
John Russell
Ronald & Marilynn Russell
Robin Saha
Nicholas Salmon
Franklin Scariano
David Scheel
Lois Schelvan
Carey Schmidt
Samantha Schoeneman
Steve Schombel
Stanley Schroeder
Jeff Schroeder
Dwight Schulte
David Schulte
Mariah Schultz
Janet Scott
Micah Sewell
Joellen Sha????
Kirsa Shelkey
Chris Siegler
Karen & Brian Sippy
Jim Sitton
Kathryn Slora
Prudence A. Smith
Prudence H. Smith
Annick Smith
Marvin Smith
Fritz Snideman
Donald Snow
Jacque Spaulding
Timothy Speyer
Don & Kathy Spritzer
Jim Stubblefield
Stacy Sullivan
Thomas & Virginia Sullivan
Mark Sundeen
Geoffrey Sutton
Susan & John Talbot
Joel Tatz-Morey
Linda Tawney
Norman Taylor
George & Gewynn Taylor
Ella Torti
Stacy Toten
Virginia & Charles Tribe
Elena Ulev
Marcia Valeo
Rick VanAken
Jim VanNice
Ned Vasquez
Marianne, Andrew, Tor Vigeland
Erin Vito
Robert Wachtel
John & Annette Walker
Carolyn Walker
Justin Walsh

Sandra Wardell
Eileen Watson
Vicki Watson
Cathy Weber
George Weisel III
Lois Welch
Wilhelm Welzenbach
Karl Westenfelder
Molly White
Kent Wilby
Carol Williams
Gary & Rita Wolf
Janet Wolf-Eshe
Roger Woodcock
JoAnn Woodgerd
Carol Word
John Wozniak
Alison Wren
Amy Zanoni
Michael Zarbolias

Appendix E
Environmental Assessment

See Attached CD



Volume V

Appendix E

Kearl Module Transportation Project Environmental Assessment

Kearl Module Transportation Project

Environmental Assessment

Proposed Module Transport and Required Utility and Road Modifications

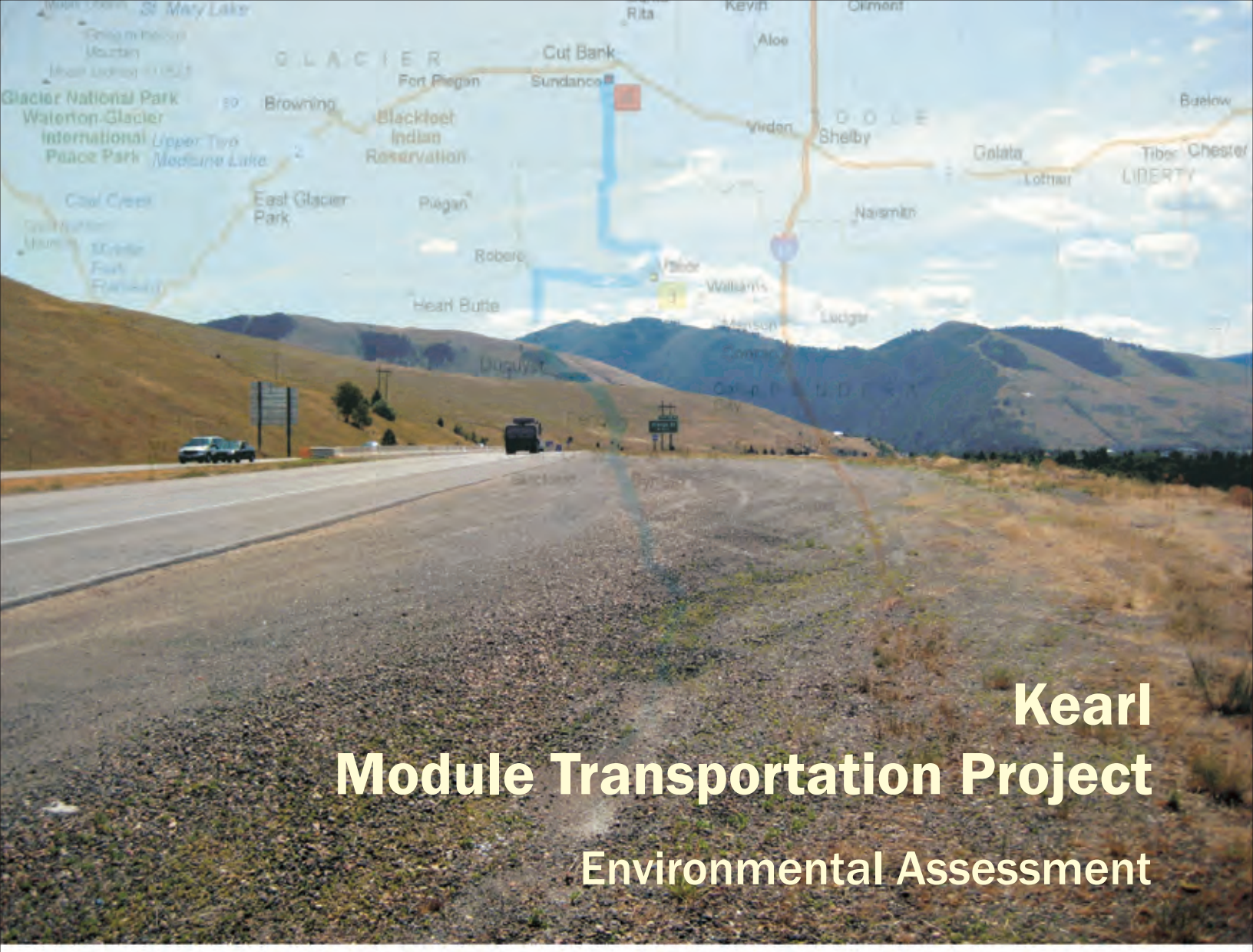
Kearl OIL SANDS



MONTANA MDT DEPARTMENT OF TRANSPORTATION

February 2011

MDT attempts to provide accommodation for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats of this information will be provided upon request. For further information, call 406.444.7228 or TTY (800.335.7592) or Montana Relay at 711.



Kearl Module Transportation Project

Environmental Assessment

Proposed Module Transport and Required Utility and Road Modifications

Kearl OIL SANDS



MONTANA MDT DEPARTMENT OF TRANSPORTATION

April 2010

TETRA TECH

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Kearl Module Transportation Project Environmental Assessment

FOR

THE PROPOSED KEARL MODULE TRANSPORT AND REQUIRED UTILITY AND ROAD MODIFICATIONS WITHIN EXISTING RIGHTS-OF-WAY OR EASEMENTS

Prepared for:

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April 2010

Environmental Assessment

The Proposed Kearl Module Transport Project and Required Utility and Road Modifications within Existing Rights-of-Way or Easements

The proposed Kearl Module Transport route will travel through Missoula, Powell, Lewis and Clark, Teton, Pondera, Glacier and Toole Counties, Montana. The trailer return route will travel through Toole, Pondera, Teton, Cascade, Lewis and Clark, Jefferson, Silver Bow, Deer Lodge, Powell, Granite, and Missoula Counties.

This document is prepared in conformance with the Montana Environmental Policy Act (MEPA, 75-1-201 MCA) requirements and contains the information required for an Environmental Assessment (EA) under the provision of Administrative Rules of Montana (ARM) 18.2.237 (2) and 18.2.239.

Reviewed and Approved for Distribution:		Date	4/8/10

The following personnel may be contacted for additional information concerning this document:

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Abstract

The purpose of the proposed project is for Imperial Oil to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads (height, widths, and weight) through Montana to the Canadian border and return trailers through Montana to the Idaho border. Imperial Oil is proposing to construct new turnouts; modify some existing turnouts; slightly modify the roadway at several locations, conduct some surface repairs; relocate existing utility lines, conduct some tree trimming, and modify some overhead signs and traffic signals before hauling their over-dimension loads. MDT would need to issue certain permits to allow Imperial Oil to carry out those activities. The proposed project is needed to transport specialized processing equipment through Montana to Alberta, Canada. In addition, the proposed project must adhere to a 10-minute maximum traffic delay rule and minimize potential for adverse impacts to the built and natural environment, the public, local businesses, and current uses.

Comments on this EA are due MAY 14, 2010, and should be sent to Dwane Kailey, Montana Department of Transportation at the address above. This document and the supporting Montana Transportation Plan (MTP) may be viewed on the MDT website at www.mdt.mt.gov/publinvlve/eis_ea.shtml.

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Acronyms

ALPO-90A	Aquatic Lands Protection Ordinance No. 90-A
APLIC	Avian Powerline Interaction Committee
ARM	Administrative Rules of Montana
BMP	Best Management Practice
dB(A)	A-weighted Decibels
DNRC	Department of Natural Resources and Conservation
EA	Environmental Assessment
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
GIS	Geographic Information System
I-15	Interstate 15
I-90	Interstate 90
KMTP	Kearl Module Transport Project
MCA	Montana Code Annotated
MCS	Motor Carriers Services Division
MDEQ	Montana Department of Environmental Quality
MDT	Montana Department of Transportation
MEC	Missoula Electric Cooperative
MEPA	Montana Environmental Policy Act
MNHP	Montana Natural Heritage Program
MP	Mile Post
MPDES	Montana Pollution Discharge Elimination System
MS4	Small Municipal Separate Storm Sewer System
MTP	Montana Transportation Plan
NAIP	National Agricultural Imagery Program
NHD	National Hydrography Dataset
NPDES	National Pollution Discharge Elimination System
NPS	National Park Service
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
ROW	Right-of-way
PM_{10}	Particulate Matter less than 10 microns in diameter
SAM	Social Accounting Matrix
SHPO	State Historic Preservation Office
SWPPP	Storm Water Pollution Prevention Plan
T & E	Threatened and Endangered Species
THPO	Tribal Historic Preservation Office
TVM	Test Validation Module
US	United States
USACE	United States Army Corps of Engineers
USD	United States Dollar
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
WB-67	Tractor and single trailer combination with approximately 67 feet from the front axle to the rear-most axle.

SUMMARY

The Kearl Module Transportation Project (KMTP) is being proposed by Imperial Oil[1] for the transport of modules (pre-assembled process units that are manufactured in Korea) to the Fort McMurray area of north-eastern Alberta, Canada. The overall Kearl Project involves the application of advanced technology, specialized manufacturing capability and global execution strategies that require sourcing of various pieces of equipment including modules that are manufactured in Korea.

Imperial Oil proposes to transport these modules from Korea to the United States (US) where they will be off-loaded and then transported to the Fort McMurray area of Canada. Imperial Oil has investigated several transportation routes through Canada and the US. The only identified feasible route is from the Port of Vancouver, Washington, up the Columbia / Snake River Inland Waterway System to the Port of Lewiston, Idaho. From the Port of Lewiston, the modules would be transported by specialized load moving equipment through Idaho on US Highway 12 to Lolo Pass. The transport route through Montana begins at the Lolo Pass and follows several highways through Montana before exiting at Sweetgrass, Montana at the US / Canada border. The return trailer route enters at Sweetgrass and follows mostly the interstate transportation system before exiting at Lolo Pass (Montana/Idaho border). **Figure 1** presents both the module and return trailer routes. Imperial Oil selected the proposed module transportation route because it avoids height restrictions with existing railway and road overpasses, truss bridges, and tunnels that exist on other investigated routes through Canada and the United States. Since the returning haul trailers do not have the same height restrictions and can travel at speeds up to 50 miles per hour, the interstate return trailer route was selected to minimize public impacts and for efficiency.

The volume of modules planned to be transported through Montana is currently forecasted at about 200. The module movement is planned to occur from the fall of 2010 to the fall 2011. The peak transportation volume will be no more than two modules per day through any particular location.

To avoid peak hourly traffic volumes and to minimize adverse impact to the public, local businesses and commercial traffic, the modules will be transported at night from Lolo Pass to just north of Valier. Since traffic volumes north of Valier are low, day travel would be used from north of Valier to Sweetgrass.

A transportation plan has been developed that adheres to the 10-minute maximum traffic delay rule imposed by the Montana Department of Transportation (MDT) and includes Emergency Response Plans with emphasis on emergency vehicle clearance. This transportation plan is available for public review on the MDT website.

In order to facilitate the safe and efficient movement of the over-dimension loads with a minimum of disruption to current uses, the following infrastructure improvements are required:

- Permanently raising or burying utility lines at approximately 572 locations;
- Modifying, or installing 33 traffic structures (traffic signals, signs, or street lights);
- Permanently modifying 22 existing highway turnouts;
- Building 53 new highway turnouts;
- Adding minor amounts of gravel infill to permanently modify the roadway in 5 locations to allow adequate turning radius of the load and other long vehicles;
- Road surface repairs to a approximately 8.5 mile section of Santa Rita Road and S-214 maintained by Glacier County; and
- Minor amounts of tree trimming in along Highway 200 in Bonner and Highways 287 and 89 in Choteau.

[1] Imperial Oil is one of Canada's largest corporations and a leading member of Canada's petroleum industry. ExxonMobil is the majority shareholder of Imperial Oil controlling 69.9 percent of the common shares.



Towns
Module Transportation Route
Return Route for Empty Trailers
Return Route for Trailers less than 10 feet wide
Route Direction
Interstate
County Boundary
State Boundary

Figure 1
Location Map
Transportation Route
Kearl Project

The infrastructure improvements described above will occur in existing rights-of-way or easements in areas previously disturbed during road construction and utility placement. The route does not require construction of any new highways, bridges, or other major construction.

No infrastructure improvements are required for the return trailer route.

An environmental review was conducted of all sites where physical construction activity is planned. Some of the initially proposed sites were relocated to avoid environmental concerns. Through analyses conducted for this environmental assessment (EA), no significant social, economic, or environmental effects have been identified at any of the sites, or from the project as a whole. The project (including module transportation) would create temporary employment and business opportunities and the traffic structure, utility, and turnout work would contribute a lasting benefit to Montana.

The analysis methods and effects are described in more detail in Section 3.0. Effects are summarized in **Table 1**. The effects include the following mitigation measures to avoid impacts.

Planned Mitigation to Avoid Impacts

Imperial Oil will ensure that the following measures will be used where appropriate to minimize impacts from the proposed activities.

Turnout Construction and Road Modifications

Turnout and road modifications include construction of new turnouts, upgrades to existing turnouts, road surface repairs, and minor amounts of gravel infill at five corners or curves to allow adequate turning radius for the load and other long vehicles.

- Turnouts were located to avoid impacts on historical resources.
- Blackfeet cultural monitors will be invited to observe ground disturbing work occurring on the Blackfeet Reservation.
- Traffic control will be used to maintain worker and traveler safety when working near the road way as required.
- Most construction activities would occur during daylight hours to maintain worker and traffic safety.
- Equipment used will be required to meet EPA emission standards and county noise ordinances.
- New turnouts will be located a minimum of approximately 100 feet away from streams, irrigation canals, or wetlands (potential presence of wetlands will be determined by a field review prior to construction).
- New turnouts will be visited during the growing season prior to any ground disturbing activity to determine if wetlands are located within or near a proposed construction site.
- If wetlands are determined to be near a construction site, all practicable means will be used to avoid adverse impacts to those wetlands. If a wetland is determined to be within a proposed construction site, the site location will be moved to entirely avoid the wetland.
- A Storm Water Pollution Prevention Plan (SWPPP) will be prepared and used during all activities which require Montana Pollutant Discharge Elimination System (MPDES) or National Pollutant Discharge Elimination System (NPDES) permits such as road modification construction. The SWPPP structures will be maintained and monitored until all site re-vegetation goals have been met.
- Best management practices (BMPs) to control erosion and sediment will be used to prevent potential impacts on water quality and air quality.
- Construction sites will be graded to maintain existing drainage patterns.
- Topsoil will be salvaged and replaced at construction locations.
- To reduce the spread and establishment of noxious weeds and to re-establish permanent vegetation, Imperial Oil will ensure disturbed areas will be seeded with desirable plant species as soon as practicable after construction

- Seed mix will be certified weed free to limit the spread of noxious weeds.
- The contract provision "Environmental Mitigation and Coordination Measure for Aquatic Resources" (**Appendix D**) will be attached to construction contracts.
- The contract provision "Environmental Mitigation and Coordination Measure for Bears" (**Appendix D**) will be attached to construction contracts.
- In the unlikely event of an accident that may directly or indirectly impact a bull trout inhabited stream or bull trout Critical Habitat, the US Fish and Wildlife Service and MDT would be contacted immediately.
- If historic or cultural material or human remains are discovered during ground disturbing activities, construction will cease immediately and a qualified archaeologist or historian will be consulted to evaluate the significance of the artifacts. As appropriate, the State Historic Preservation Office (SHPO), or Tribal Historic Preservation Office (THPO) and the MDT will be consulted. In the case of discovery of human remains, the first contact will be the local county coroner's office.
- If contaminated soils/sites are unexpectedly encountered during construction, construction will cease immediately and a qualified hazardous material professional will be consulted to ensure compliance with applicable laws, rules, and regulations. As appropriate, the Montana Department of Environmental Quality (MDEQ), EPA, Blackfeet Environmental Office, and the MDT will be contacted and consulted.
- Imperial Oil will ensure that all contractors have a spill prevention and clean-up plan to minimize potential for effects.
- Construction materials will be provided from State approved existing gravel sources and no new resource exploration is required.
- Lighting to conduct night time activities will be controlled and directed to minimize impacts on the public and wildlife where ever possible as long as it does not compromise safety of the workers and traffic.
- Necessary concurrence and/or approval will be secured from the USFS prior to constructing or modifying turnouts within USFS Land.
- To avoid impacts on eagles, construction will not be allowed after January 1 and prior to August 1 at turnout locations with active nests within ½ mile.

Utility Relocations

- Imperial Oil will ensure proper and full notice to all affected customers.
- Imperial Oil will be responsible for coordinating the utility relocations to minimize disruption to affected customers and the traveling public and where practicable coordinate the timing of the utility relocations to facilitate combined efforts between individual utility companies.
- A traffic control plan will be instituted to provide for safety of workers and the public.
- Blackfeet cultural monitors will be invited to observe ground disturbing work occurring on the Blackfeet Reservation.
- Near the Lolo Trail along Highway 12, no excavation will occur beyond the original pole location on all utilities requiring pole replacements.
- Imperial Oil will ensure that the Missoula Electric Cooperative (MEC) will prepare a Revegetation Plan for submittal to and approval by the Missoula County Weed District, see the County webpage (http://missoulaeduplace.org/).
- Each site will be visited during the growing season, prior to any ground disturbing activities to determine wetlands are located on or near proposed utility work.
- If wetlands are determined to be on or near a utility work site, all practicable means will be used to avoid adverse impacts to those wetlands,

- The contract provision "Environmental Mitigation and Coordination Measures for Aquatic Resources" (**Appendix D**) will be attached to construction contracts.
- The contract provision "Environmental Mitigation and Coordination Measure for Bears" (**Appendix D**) will be attached to construction contracts.
- Equipment used will be required to meet EPA emission standards and county noise ordinances.
- All overhead utility structures will be constructed in compliance with raptor safe guidelines (APLIC 1996).
- In the event of an accident that may directly or indirectly impact a bull trout inhabited stream or bull trout Critical Habitat, the US Fish and Wildlife Service would be contacted immediately.
- If historic or cultural material or human remains are discovered during ground disturbing activities, construction will cease immediately and a qualified archaeologist or historian will be consulted to evaluate the significance of the artifacts. As appropriate, SHPO, THPO, and the MDT will be consulted. In the case of discovery of human remains, the first contact will be the local county coroner's office.
- Imperial Oil will ensure that all contractor s have a spill prevention and clean-up plan to minimize potential for effects.
- If contaminated soils / sites are unexpectedly encountered during construction, construction will cease immediately and a qualified hazardous material professional will be consulted to ensure compliance with applicable laws, rules, and regulations. As appropriate, the MDEQ, EPA, Blackfeet Environmental Office, and the MDT will be contacted and consulted.
- Lighting to conduct night time activities will be controlled and directed to minimize impacts on the public and wildlife where ever possible as long as it does not compromise safety of the workers and traffic.
- To avoid impacts on eagles, construction will not be allowed after January 1 and prior to August 1 at utility locations with active nests within 1/2 mile.
- Necessary concurrence and/or approval will be secured from the USFS prior to conducting any utility relocations within USFS Land.

Traffic Structures

- A traffic control plan will be instituted to provide for safety of workers and the public.
- Equipment used will be required to meet EPA emission standards and county noise ordinances.
- Lighting to conduct night time activities will be controlled and directed to minimize impacts on the public and wildlife where ever possible as long as it does not compromise safety of the workers and traffic.

Tree Trimming

- Equipment will be required to meet EPA emission standards.
- Tree trimming conducted between April 30th and August 16th will be inspected for nesting migratory birds. If occupied nests are found, branches will not be removed until after the nest is vacated.

Module Transport

- To minimize traffic delays and to meet the 10-minute rule, Imperial Oil will ensure module transportation activities conform to the Montana Transportation Plan (MTP), which is available for public review on the MDT website.
- To minimize traffic delays and meet the 10-minute rule, additional turnouts will be constructed and some existing turnouts will be modified.
- To minimize traffic delays and to ensure compliance with the 10-minute rule, peak traffic volumes were considered in potential delay calculations.

- To minimize traffic delays in towns and cities, traffic control plans with detours have been developed.
- Movement from Lolo Pass to just north of Valier will be done at night to minimize impacts on the public.
- Hauling will not occur on weekends or Federal or State holidays. The hauling schedule will consider other uses of the route, avoiding periods that coincide with commuters, school buses, and planned community events.
- Specific traffic management strategies were developed to address other oversized loads using the route at the same time, including farming equipment.
- The escort vehicle will ensure that turnouts are not occupied before the module moves from a parking turnout, in order to ensure that the movement is not relying on an occupied turnout to meet the 10-minute rule.
- Night / extended parking turnouts will have signage or be controlled to ensure they are not occupied by unattended vehicles when they are needed for parking.
- Trucks used for hauling will be required to meet EPA emission standards.
- Transport vehicles will be escorted by law enforcement to advise of approaching emergency vehicles.
- 2-way communication systems will be used.
- An emergency response plan has been developed.
- Lighting to conduct night time activities will be controlled and directed to minimize impacts on the public and wildlife where ever possible as long as it does not compromise safety of the workers and traffic.
- Imperial Oil will ensure that all contractors have a spill prevention and clean-up plan to minimize potential for effects.
- Imperial Oil will ensure that automotive petroleum product land spills greater than 25 gallons or spills of any volume to an aquatic resource would be reported to the appropriate state, federal, and/or tribal authority, and MDT. A qualified hazardous material consultant will be consulted to ensure compliance with applicable laws, rules, and regulations regarding clean-up of the spill.
- Imperial Oil will establish a website available to the public with an updated module transportation schedule.
- Imperial Oil will coordinate with MDT to ensure module movements are scheduled to minimize interference with planned construction projects along the route.
- The transporter will access a notification database on the internet that contains information on other oversized loads the may be encountered during transport.

Summary of Effects

Table 1 summarizes potential social, economic, and environmental impacts of the proposed project, which will incorporate the mitigation measures listed above. Section 3.0 provides more detailed discussion of resources, potential impacts, and proposed mitigation measures.

Table 1
Conclusion and Summary of Effects

	Road Modifications	Utility Relocations	Traffic Structures	Tree Trimming	Module Transport	Overall
Historical and Archaeological Sites	No impact	No impact anticipated	No impact	No impact	No impact	No impact anticipated
Parklands	No impact	No impact	No impact	No impact	No impact	No impact
Transportation System	Occasional traffic delays occurring at work locations. Some additional traffic due to turnout construction equipment.	Occasional traffic delays occurring at work locations.	Occasional traffic delays occurring at work locations.	Occasional traffic delays occurring at work locations.	Occasional delays, none exceeding 10 minutes.	Some traffic delays during construction. Occasional traffic delays during module hauling, non exceeding 10 minutes.
Economic and Community Impacts	$11.4 million in total economic activity in Montana.	$21.6 million in total economic activity in Montana.	$1.5 million in total economic activity in Montana.	$15,000 in total economic activity in Montana.	$32.0 million in total economic activity in Montana.	$67.8 million in total economic activity in Montana (including $1.6 million in permitting).
Air Quality	Exhaust from trucks and equipment, localized dust from construction.	Minimal emissions from trucks and equipment.	Minimal emissions from trucks and equipment.	Minimal emissions from trucks and equipment.	Exhaust from trucks.	Slight increase in emissions and dust. No long-term or significant impacts.
Noise	Low level noise from equipment.	Low level noise from equipment.	Low level noise from equipment.	Short duration noise from equipment.	Low level noise from equipment.	Minor noise impacts during construction activities and module transport.
Contaminated Sites/Hazardous Waste	Slight risk of spill, minimal impacts.	Slight risk of spill, minimal impacts.	Slight risk of spill, minimal impacts.	Slight risk of spill, minimal impacts.	Slight risk of spill, minimal impacts.	Slight risk of spill, minimal impacts.
Water Resources	no impact expected	No impact expected	No impact expected	No impact expected	No impact expected	Negligible impact
T&E Species	No effect	No effect	No effect	No effect	No Impact for all except grizzly bears, May effect, not likely to adversely effect.	No Impact
Wildlife and Fisheries	No impact expected	No impact expected	No impact expected	No impact expected	No impact expected	No impact expected

1.0 PURPOSE AND NEED

1.1 Background

The KMTP is being proposed by Imperial Oil[2] for the transport of modules (pre-assembled process units that are manufactured in Korea) to the Fort McMurray area of north-eastern Alberta, Canada. The overall Kearl Project involves the application of advanced technology, specialized manufacturing capability and global execution strategies that require world-wide sourcing of various pieces of equipment including modules that are manufactured in Korea.

Imperial Oil has investigated numerous world-wide locations that have the specialized manufacturing capability required for the overall Kearl Project. Japan and Korea are examples of large industrial bases that supply modules to the oil and gas industry around the world. Following an evaluation of manufacturing and transportation costs, Imperial Oil selected Korea as its preferred supplier of the modules.

Imperial Oil investigated several transportation routes through Canada and the United States (US). Since all other investigated routes (See Section 2.3 for more details on the other routes investigated) through Canada and the US have height restrictions with existing overpasses (road and railway), truss bridges and tunnels, Imperial Oil's proposed route is from the Port of Vancouver, Washington, up the Columbia / Snake River Inland Waterway System to the Port of Lewiston, Idaho. From the Port of Lewiston, the modules are transported by specialized load-moving equipment through Idaho on US Highway 12 to Lolo Pass in Montana. The module transport route and return trailer route through Montana is shown in **Figure** 1. Routes begin and end at Lolo Pass and follow numerous highways through Montana before exiting / entering at Sweetgrass, Montana at the US / Canada border.

This environmental assessment (EA) document was produced to fulfill the environmental review requirements of the Montana Environmental Policy Act (MEPA) for the state actions associated with the Montana Department of Transportation's (MDT's) permitting of the proposed transportation of the modules, road and utility modifications, and tree trimming.

1.2 Purpose of the Project

The purpose of the proposed project is for Imperial Oil to improve Montana infrastructure to facilitate a safe and efficient movement of over-dimension loads through Montana to the Canadian border and return trailers through Montana to the Idaho border. Imperial Oil is proposing to haul over-dimension (height, widths, and weight) loads; construct new turnouts; modify some existing turnouts; slightly modify the roadway at several locations, conduct some surface repairs; relocate existing utility lines, conduct some tree trimming, and modify some overhead signs and traffic signals. MDT would need to issue certain permits to allow Imperial Oil to carry out those activities.

1.3 Need for the Project

The proposed project is needed to transport specialized processing equipment through Montana to Alberta, Canada. In addition, the proposed project must adhere to a 10-minute maximum traffic delay rule and minimize potential for adverse impacts to the built and natural environment, the public, local businesses, and current uses.

1.4 Brief Description of the Proposed Action

A map of the proposed module route and return route is shown in **Figure 1.** The module transport route crosses into Montana at Lolo Pass on US Highway 12. The modules would proceed east on US Highway 12 to the junction with US Highway 93 in Lolo, Montana. On US Highway 93, the modules would progress

[2] Imperial Oil is one of Canada's largest corporations and a leading member of Canada's petroleum industry. ExxonMobil is the majority shareholder of Imperial Oil controlling 69.9 percent of the common shares.

north and east through Missoula, following Reserve Street to Interstate 90 (I-90). Once on I-90, the modules would move east to the exit at Bonner for MT Highway 200. On MT Highway 200, the module transport would proceed east to the junction with US Highway 287 at Bowman's Corner, then north to US Highway 89 in Choteau. The route would then be east on MT Highway 44, north on S-358, east on US Highway 2 through Cut Bank, north on S-213, then north and east on Santa Rita Road, and east on S-214 to Sweetgrass and the Canadian border.

The return route for 16-foot wide trailers would be south on Interstate 15 (I-15), west on I-90, south on Highway 93, then west on US Highway 12 to the Montana/Idaho border. An alternative route for the 10-foot wide trailers would be south on I-15 to Helena, then travel west on US Highway 12 from I-15 in Helena, to I-90 at Garrison then west on I-90, south on US Highway 93, then west on US Highway 12 to the Idaho/Montana border.

More details on both the module and return trailer route are included in The Montana Transportation Plan (MTP) (available on the MDT website at http://www.mdt.mt.gov/pubinvolve/eis_ea.shtml.). The MTP has been developed to adhere to the 10-minute maximum traffic delay rule from the MDT.

The volume of modules planned to be transported through Montana is currently forecasted at about 200 and is forecasted to occur from the fall of 2010 to the fall 2011. Peak transportation volume will be no more than 2 modules per day through any particular location.

To avoid peak hourly traffic volumes and to minimize adverse impact to the public, local businesses and commercial traffic, the modules will be transported at night from Lolo Pass to just north of Valier. Day travel would be used from north of Valier to Sweetgrass due to the low traffic volume on this section of the route.

An Emergency Response Plan with emphasis on emergency vehicle clearance is included in the MTP.

MDT, in their permits, will dictate the axle/allowable weight on the modules transport vehicles based on the road and bridge conditions along the route.

A more detailed description of the project activities appears as the Proposed Action in Section 2.2.1. Briefly, the project consists of the following:

- Permanently raising or burying utility lines at approximately 572 locations;
- Modifying, or installing 33 traffic structures (traffic signals, signs, or street lights);
- Permanently modifying 22 existing highway turnouts;
- Building 53 new highway turnouts;
- Adding minor amounts of gravel infill to permanently modify the roadway in 5 locations to allow adequate turning radius of the load and other long vehicles;
- Road surface repairs to an approximately 8.5 mile section of Santa Rita Road and S-214 maintained by Glacier County;
- Minor amounts of tree trimming in along Highway 200 in Bonner and along Highway 287 and 89 in Choteau
- Moving up to two modules per day through Montana for approximately 12 months.

No infrastructure improvements are required for the return trailer route.

1.5 Applicable Laws and Regulations

Under the provisions of ARM 18.2.261, utility installations, installation of traffic signals, and modernization of an existing highway for parking or turning are categorically excluded and do not require the preparation of an EA. In this case, due to the volume of proposed modifications, the need for analysis to determine if the actions could cumulatively adversely impact the natural or human environment and the desire to ensure appropriate public involvement, MDT concluded that the preparation of an EA was the appropriate means to

demonstrate compliance with MEPA. This EA is intended to identify, disclose, and analyze potential impacts associated with a proposed action. Other applicable laws include:

- Clean Water Act
- Clean Air Act
- Bald and Golden Eagle Protection Act
- Endangered Species Act
- Migratory Bird Treaty Act
- Montana Antiquities Act
- Montana Stream Protection Act

1.6 Permits

1.6.1 Construction Permits

Table 2 indicates the known permits that are required for the project. Additional permits may be identified as the project analysis or work continues.

Table 2
State, Federal, and Tribal Permits

Agency	Permit
MDT	Utility Occupancy and Location Agreements are needed for each of the utility relocations.
MDT	Encroachment Permits are needed for surveying, each turnout construction and modification, each of the communication line relocations, each traffic structure, and tree trimming.
MDEQ	MPDES for activities disturbing more than 1 acre or having the potential to discharge to a water of the state for turnouts and one utility location.
EPA	NPDES for activities disturbing more than 1 acre of Tribal Land or having the potential to discharge for turnouts on tribal lands.
USDA Forest Service	Special Use Permit for utility occupation and highway modifications.
Blackfeet Nation Environmental Office	Aquatic Lands Protection Ordinance No. 90-A (ALPO 90-A) is needed for activities that occur in wetlands, riparian areas and streams on the Blackfeet Indian Reservation. During early stages of project planning, an ALPO 90-A permit was sought and secured by Tetra Tech for geotechnical studies on Highway 358.
Pondera County Conservation District	310 Permit for work in or near a stream. During early stages of project planning, a 310 permit was sought and secured by Tetra Tech for geotechnical studies on Highway 358.

The MDEQ has a general permit known as the Small Municipal Separate Storm Sewer System (MS4) permit. This permit is required for urban areas within the state of Montana that serve a population of at least 10,000 people. Any and all stormwater discharge issues associated with the proposed action would be addressed through the General Permit and would not impact MS4 permits for the Missoula area.

1.6.2 Transportation Permits

Table 3 presents Montana criteria for legal, over dimensional and 32-J loads.

Table 3
Legal Load and Over Dimensional Criteria for Montana

Permit Type	Length (Feet)	Width (Feet)	Height (Feet)	Weight
Legal Load	75 or less	8.5 or less	14 or less	80,000 pounds or less
Over Dimensional Permit	75 to 150	8.5 to 18	14 to 17	Requires Bridge Bureau Approval
32-J Permit	More than 150	More than 18	More than 17	Requires Bridge Bureau Approval

2.0 ALTERNATIVES

2.1 Development of Alternatives

2.1.1 Scoping

Details of the consultation conducted during the environmental review are included in Section 4.0, including dates, agencies, and results. Briefly, consultation was conducted with a variety of stakeholders, including; community, city, and county representatives and commissioners on the module route and the return route; state agencies; federal agencies; the Blackfeet Tribe; the Montana Highway Patrol; and the US Air Force (Malmstrom Air Force Base).

2.1.2 Issues

Potential resources that might be affected and public concerns were identified during consultations with municipalities and various local, state, federal, and tribal agencies. Issues were used to determine alternatives to be considered in this EA, as well as analysis to be conducted. Below is a list of the main issues identified through these consultations.

- Notification;
- Emergency response situations;
- Local community events;
- School bus routes and schedules;
- Residual benefits;
- Economic impacts on taxpayers and businesses;
- Traffic safety;
- Traffic impedance;
- Historical and cultural resources; and
- Alternate routes.

2.2 Alternatives Considered in Detail

Alternative module transportation routes suggested during consultation have been considered and determined to be infeasible. Those infeasible alternatives are addressed in Section 2.3. The other issues identified above are addressed through project design, avoidance, and mitigation (Section 3.13). As required by MEPA, the No Action Alternative is also considered in detail in Section 3.0.

2.2.1 Proposed Action

2.2.1.1 Location

A map of the proposed module route and return route is shown in **Figure 1.** The module transport route crosses into Montana at Lolo Pass on US Highway 12. The modules would proceed east on US Highway 12 to the junction with US Highway 93 in Lolo, Montana. On US Highway 93, the modules would progress north and east through Missoula, following Reserve Street to I-90. Once on I-90, the modules would move east to the exit at Bonner for MT Highway 200. On MT Highway 200, the module transport would proceed east to the junction with US Highway 287 at Bowman's Corner, then north to US Highway 89 in Choteau. The route would then be east on MT Highway 44, north on S-358, east on US Highway 2 through Cut Bank, north on S-213, then north and east on Santa Rita Road, and east on S-214 to Sweetgrass and the Canadian border.

The return route for 16-foot wide trailers would be south on I-15, west on I-90, south on Highway 93, then west on US Highway 12 to the Montana/Idaho border. An alternative route for the 10-foot wide trailers would

be south on I-15 to Helena, then travel west on US Highway 12 from I-15 in Helena, to I-90 at Garrison then west on I-90, south on US Highway 93, then west on US Highway 12 to the Idaho/Montana border.

No additional right of way (ROW) would be needed for any of the proposed activities.

2.2.1.2 Financial Responsibility

Imperial Oil and the MDT are currently in the process of negotiating Memorandums of Agreement regarding the responsibilities of each party should the decision be made to proceed with the project. It is anticipated that the responsibilities will be as described as follows; however, until the memorandums are completed and signed, it is possible that some responsibilities will change.

Generally, Imperial Oil will cover the cost of the planning, permitting, construction, and operation of the project in Montana. Imperial Oil will hire and pay for consultants to manage project design, engineering (including utility relocations through the utility companies), permit application preparation, environmental investigation and review, document preparation, and public consultation. Should permits be approved, Imperial Oil will hire and pay for construction activities (turnouts, utilities, traffic structures, and tree trimming), construction compliance inspections, and costs associated with module transport including public notification of module movements via newspaper and internet, highway patrol escort vehicles and traffic control. Imperial Oil will reimburse MDT for snow-removal efforts in excess of normal snow removal efforts. Once hauling is complete, Imperial Oil will pay for any needed repairs to roadways and bridges due to their activities and removal of any improvements deemed unneeded by the MDT.

The MDT will cover the cost of MDT's review of permit applications, review of the EA, construction oversight, as needed, and normal obligations for road maintenance, including normal snow removal efforts. Following completion of the project, MDT will assume the responsibility for maintenance of any improvements they decide should remain for the benefit of the public.

2.2.1.3 Turnout Construction and Road Modifications

In order to comply with the State of Montana's 10-minute rule, new turnouts will be constructed and existing turnouts will be modified between Lolo Pass (Idaho / Montana border) and Sweetgrass, Montana (USA / Canada border). **Table 4** summarizes the general dimensions of the turnouts. Appendix E includes typical turnout drawings. Locations of turnout construction are provided in maps in **Appendix A** and listed in **Table 5**. MDT must review and approve the encroachment permits associated with each proposed turnout modification, turnout construction, and MDT road modification.

Table 4
Turnout Definitions

Turnout Type	Width (from edge of driving lane)	Length (along side of roadway	Approximate Area per Turnout	Purpose
Clear	10 Feet	210 feet plus entrance and exit	2,520 square feet	Clear module from one lane to allow oncoming, then following traffic to pass stopped module.
Park	28 feet	213 feet plus entrance and exit	5,964 square feet	Clear two lanes so both oncoming and following traffic can pass stopped module. Also to allow passage by oncoming or following oversized loads.
Night/ Extended Park	36 feet	213 feet plus entrance and exit	7,668 square feet	Allow 8 feet between side of module and edge of driving lane for the module to park at the end of each stage of transportation until next transport period (one to three days)

Typical turnout drawings are included in **Appendix E**.

Five locations will need minor amounts of gravel infill to permanently modify the roadway to allow adequate turning radius of the load and other long vehicles around corners or signs. One location will need road surface repairs. Locations of road modifications are provided on maps in **Appendix A** and listed in **Table 6.**

All turnouts and minor road modifications will be designed in accordance with MDT Design Specifications, Codes and Standards, including sediment control, drainage, traffic safety, material handling, weed control, waste disposal and revegetation and constructed by a qualified contractor. All construction will be performed under the supervision of construction personnel experienced in this type of work.

Table 5
Turnout Construction

Highway	Mile Post	Status	Turnout Type	Work to be Completed
12	1.0	Existing	Park	Place additional aggregate, grade and pave
12	1.75	Existing	Night/extended	Place additional aggregate, grade and pave
12	6.9	New	Park	Construct new turnout and pave
12	8.4	Existing	Park	Scarify exist asphalt or concrete, place aggregate base coarse, grade, and pave
12	15.4	Existing	Park	Place additional aggregate, grade and pave
12	19.1	Existing	Park	Scarify exist asphalt or concrete, place aggregate, grade and pave
12	20.3	Existing	Park	Scarify exist asphalt or concrete, place aggregate, grade and pave
12	21.8	Existing	Clear	Place additional aggregate base coarse, grade and pave
I-90	103.5	Existing	Park	Place additional aggregate, grade and pave
200	12.1	New	Park	Construct new turnout and pave
200	22.1	New	Park	Construct new turnout and pave
200	35.2	Existing	Clear	Place additional aggregate, grade and pave
200	36.8	New	Clear	Construct new turnout and pave
200	40.2	Existing	Night/extended	Place additional aggregate, grade and pave
200	43.0	New	Clear	Construct new turnout and pave
200	47.2	New	Clear	Construct new turnout and pave
200	52.3	New	Clear	Construct new turnout and pave
200	55.2	Existing	Park	Place additional aggregate, grade and pave - also relocate sign
200	57.7	Existing	Park	Place additional aggregate, grade and pave
200	62.9	Existing	Night/extended	Scarify exist asphalt or concrete, place aggregate, grade and pave
200	67.5	Existing	Night/extended	Place additional aggregate, grade and pave
200	70.1	New	Clear	Construct new turnout and pave
200	75.0	Existing	Night/extended	Place additional aggregate, grade and pave
200	77.9	New	Clear	Construct new turnout and pave
200	85.0	Existing	Park	Place additional aggregate, grade and pave
200	92.1	Existing	Park	Place additional aggregate, grade and pave
200	96.0	New	Clear	Construct new turnout and pave
200	101.5	New	Clear	Construct new turnout and pave
200	102.6	New	Clear	Construct new turnout and pave
200	104.0	New	Clear	Construct new turnout and pave
200	106.5	Existing	Night/extended	Scarify exist asphalt or concrete, place aggregate, grade and pave
Jct. 200/287	109.8	Existing	Park	Remove exist barrier, place aggregate, grade and pave
287	24.1	New	Clear	Construct new turnout and pave
287	28.1	New	Park	Construct new turnout and pave
287	32.4	New	Clear	Construct new turnout and pave
287	36.1	New	Clear	Construct new turnout and pave
287	38.1	New	Night/extended	Construct new turnout and pave

Table 5
Turnout Construction

Highway	Mile Post	Status	Turnout Type	Work to be Completed
287	40.5	Existing	Park	Place additional aggregate, grade and pave
287	44.7	New	Clear	Construct new turnout and pave
287	50.3	New	Park	Construct new turnout and pave
287	54.7	New	Clear	Construct new turnout and pave
287	57.5	New	Clear	Construct new turnout and pave
287	61.4	New	Clear	Construct new turnout and pave
287	63.6	New	Night/extended	Construct new turnout and pave
89	50.6	New	Clear	Construct new turnout and pave
89	54.8	New	Park	Construct new turnout and pave
89	59.2	New	Clear	Construct new turnout and pave
89	62.5	Existing	Park	Place additional aggregate, grade and pave
89	64.9	New	Clear	Construct new turnout and pave
89	66.1	New	Clear	Construct new turnout and pave
89	68.3	New	Clear	Place additional aggregate, grade and pave - also relocate sign
89	70.0	New	Clear	Construct new turnout and pave
89	71.2	New	Night/extended	Construct new turnout and pave
89	73.6	New	Clear	Construct new turnout and pave
89	79.5	New	Night/extended	Construct new turnout and pave
44	6.6	New	Park	Construct new turnout and pave
44	10.4	New	Clear	Construct new turnout and pave
44	13.2	New	Night/extended	Construct new turnout and pave
358	6.4	New	Clear	Construct new turnout and pave
358	8.4	New	Clear	Construct new turnout and pave
358	11.8	New	Park	Construct new turnout and pave
358	15.2	New	Clear	Construct new turnout and pave
358	17.7	Existing	Park	Place additional aggregate, grade and pave
358	19.9	New	Clear	Construct new turnout and pave
358	22.5	New	Clear	Construct new turnout and pave
358	25	New	Night/extended	Construct new turnout and pave
213	2.5	New	Clear	Construct new turnout and pave
213	5.0	New	Clear	Construct new turnout and pave
214	0.3	New	Clear	Construct new turnout and pave
214	2.9	New	Clear	Construct new turnout and pave
214	4.6	New	Park	Construct new turnout and pave
214	8.3	New	Clear	Construct new turnout and pave
214	11.9	New	Clear	Construct new turnout and pave
214	14.7	New	Clear	Construct new turnout and pave
214	21.6	New	Park	Construct new turnout and pave
Total		New	53	
Total		Modified	22	
Total		New and Modified	75	

Table 6
Road Modifications

Highway or Route	Mile Post	Status	Type	Work to be Completed
93	87.1	Existing	Storage Area	Extend culvert, place aggregate fill, grade, and pave to provide an adequate turning radius for the modules to exit the storage area. The culvert to be extended is an 18-inch pipe to drain runoff that collects between the highway and the old weigh station. The culvert would be extended into the collection area. The flow contained in the pipe is not considered a water of the State or a water of the US. As such, the culvert extension will not require a Clean Water Act Section 404 permit.
200	I-90 exit and Highway 200	New	Corner	Place aggregate fill, grade and pave (stripe if necessary) to provide surface for module transport to navigate around overhead sign. Approximately 1,278 square feet of surface area will be paved.
214	21.5	New	Curve	Widen an approximately 100 linear feet length of roadway by 3 feet to allow module transport to negotiate the corner.
214 / Santa Rita Road	Approx 20.5 miles north of Cut Bank	Existing	Road surface	Road surface repairs to an approximately 8.5 mile section of this highway maintained by Glacier County.
358	3.0	Existing	Corner	Place aggregate fill and grade to provide surface at a corner to allow adequate turning radius for a grain truck (WB-67). Approximately 1, 012 square feet at two locations for a total of 2,024 square feet of surface area will be graveled.
Santa Rita Road	Junction of Losing Road and Santa Rita Road	Existing	Corner	Place aggregate fill and grade to provide surface at a corner to allow adequate turning radius for a grain truck (WB-67). Approximately 1,012 square feet of surface area will be graveled.

2.2.1.4 Utility Relocations

Overhead utility lines crossing the route on state roads need to be permanently raised or buried to provide clearance for module transport at 572 locations within MDT ROW. Locations of the proposed crossings within MDT ROW are shown on maps attached in **Appendix B**. Approximately 25 additional utility modifications will be required on rights-of-way other than MDT. Imperial Oil will ensure proper coordination between the utility companies and the officials with jurisdiction over the other rights-of-way and incorporation of appropriate measures to avoid adverse social, economic, and environmental impacts associated with those utility modifications.

The dimensions of the largest module loaded on a trailer have been provided to each utility company having crossings on the route. Based on design specifications and line voltage, the utility companies have designed the appropriate line clearance for all overhead line relocations. The proposed work has been determined by the responsible utility company as either a modified above-ground crossing raising the line high enough to allow the modules to safely pass beneath, or a new underground crossing. Approximately one third of the identified locations will be modified to underground and two-thirds above ground. All modifications will be permanent (**Table 7**).

Table 7
Utility Work Summary

		Crossings on MDT ROW		Crossings not on MDT ROW		Total
Utility Company	**Type**	**A/G**	**U/G**	**A/G**	**U/G**	**A & U /G**
Missoula Electric Coop (Lolo Pass to Lolo)	Electricity	36	22			**58**
Missoula Electric Coop (HWY 200)	Electricity	42	33			**75**
North Western Energy Missoula	Electricity	49	12			**61**
North Western Energy Transmission	Electricity	14				**14**
North Western Energy Great Falls	Electricity	62				**62**
North Western Energy Helena	Electricity	28	32			**60**
Sun River Electric	Electricity	54	22			**76**
Glacier Electric	Electricity	33	35	12	6	**86**
Qwest South	Communications	9	10			**19**
Qwest North	Communications			5		**5**
Bresnan Communications (South)	Communications	9	20			**29**
Bresnan Communications (North)	Communications	4	4	1		**9**
Blackfoot	Electricity		2			**2**
3 Rivers Communication	Communications		12			**12**
Bonneville Power	Electricity			1		**1**
Marias River	Electricity			1	1	**2**
Northern Telephone	Electricity				1	**1**
Total		**340**	**204**	**20**	**8**	**572**

*Note: A/G indicates above ground, U/G indicates underground.

The utility work will be done by the utility companies in accordance with applicable Montana regulatory requirements. All construction will be performed under the supervision of construction personnel experienced in this type of work. MDT must review and approve the permits associated with each proposed utility modification within MDT ROW.

2.2.1.5 Traffic Structures and Road Sign Modifications

Modifications to existing traffic structures and road signs are required between Lolo Pass (Idaho / Montana border) and Sweetgrass, Montana (USA / Canada border) to ensure adequate clearances are provided for the oversized loads along the proposed module transportation route (**Figure 1**).

The intended modifications include the following:

- Installation of rotator bases (retrofit) and associated electrical work on 25 traffic signals in Missoula and Lolo, 1 in Lincoln, 1 in Choteau, 1 in Valier, and 2 in Cut Bank;
- Removing 2 sign bridges on Interstate 90 and replacing with roadside signs; and
- Installation of 1 railroad crossing signal on rotator base in Bonner.

All work associated with traffic structure and road sign modifications will be done by qualified contractors and in accordance with MDT Design Specifications, Codes and Standards, including sediment control, drainage, traffic safety, material handling, weed control, revegetation, and waste disposal. All work would be performed under the supervision of construction personnel experienced in this type of work.

Traffic structure modifications in Missoula will occur at night to minimize traffic disruption.

2.2.1.6 Tree Trimming

Low hanging branches on trees will need to be removed to allow passage of the modules. Proposed areas of trimming are:

- Bonner - approximately 7 trees.
- Choteau - approximately 21 trees.

All work will occur behind appropriate traffic control signage in accordance with Manual on Uniform Traffic Control Devices standards. All trimming debris are chipped and hauled off-site. The trees will be trimmed under the supervision of an experienced contractor, approved by the local municipality. It is expected that the amount of trimming that will occur will be consistent with routine tree maintenance and that the visual impact will be minor to negligible.

2.2.1.7 Module Transportation

The MTP, which is available on the MDT website, was developed to adhere to the 10-minute maximum traffic delay rule imposed by MDT and includes Emergency Response Plans with emphasis on Emergency Vehicle Clearance. The maximum speed the modules would travel is 30 miles per hour. Climbing or descending hills will require slower travel, about 6 miles per hour, as would crossing bridges at 5 miles per hour.

The MTP discusses the logistics of the module movement, including the overall transportation strategy, traffic clearing procedures, major stages of travel, emergency response, and empty trailer return routes. There are a total of 123 traffic clearing locations that would be utilized (48 existing turnouts, 22 modified, 53 new) (see **Appendix A**).

- Night/Extended Park Turnouts: 55
- Clear Turnouts: 46
- Shoulder Clears: 8
- Three Lane Clears: 3
- Four Lane Parks: 8
- Traffic Detours: 3

Table 8 shows the planned stages of travel.

Table 8
Montana Stages of Travel

Starting Point	Ending Point	Start Time	End Time	Total Miles	Hauling Period
Highway 12 - MP 0.0	Lolo (Highway 12/US 93)	2:30 am	5:00 am	32.5	Night time
Lolo (Highway 12/US 93)	MP 1.9 Highway 200	12:00am	4:00 am	22.8	Night time
MP 1.9 Highway 200	MP 75.0 Highway 200	12:00 am	5:00 am	73.1	Night time
MP 75.0 Highway 200	MP 63.6 Highway 287	11:00 pm	5:30 am	75.8	Night time
MP 63.6 Highway 287	MP 3.0 Highway 358	11:00 pm	5:30 am	62.2	Night time
MP 3.0 Highway 358	Sweetgrass border	9:00 am	4:00 pm	66.2	Daytime

Transportation from Lolo Pass to just north of Valier, Montana would occur at night. Night operations will provide transport crews adequate clearance to work safely with virtually no impact on commuter traffic. From Valier north, transportation would be during the day.

For all night operations at all turnouts and traffic control locations, auxiliary lighting will be used to illuminate the workers, transport equipment, and support vehicles to ensure the safety of the workers and the public. Lights will be located either in support trucks or on the side of the road. The brightness of the lights will be based on requirements for safety. Shields will be used to direct the lighting in the appropriate directions and to minimize impacts on the public and wildlife as long as safety can be maintained.

In most cases, a module will take six travel days or eight total days (includes weekends when travel is not permitted). Except for weekends, holiday and delays associated with inclement weather, modules are expected to remain at an extended park area for only one day.

Module movements will be tracked and module schedule and location information will be posted on a website maintained by Imperial Oil so that public has real time information on the location of the modules and the shipping schedule. A communication protocol will be developed to meet the requirements of cities, counties, and state authorities.

The volume of modules planned to be transported through Montana is currently forecasted at about 200 and is forecasted to occur from the fall of 2010 to the fall 2011. The peak transportation volume will be no more than 2 modules per day at any particular location. This volume would not result in significant effects on current vehicle noise and air emissions.

The transportation plan was developed based on the largest/heaviest module intended to be transported. The truck and trailers minimum and maximum configurations are shown in **Table 9.** See **Figure 2** for a front view of a typical module in transport.

Table 9
Truck and Trailer Maximum and Minimum Configurations

Trailer Type	Percent of Loads	Module Weight (pounds)		Length (feet)		Width (feet)		Height (feet)	
		Min	Max	Min	Max	Min	Max	Min	Max
10 feet wide	22 %	73,753	179,400	170	210	20	24	18	30
16 feet wide	78 %	133,206	334,568	170	210	13	24	14	30

Source: Mammoet Canada Ltd.

Some narrow loads are heavy and will be placed on wider trailers to spread out the weight.

All loads over 180,000 pounds will require a push tractor for additional power climbing and braking. In case of a breakdown, the push tractor can provide power, while the pull tractor can provide steering assistance into the nearest emergency parking area.

Returning empty trailers are over-width, but not over-height, generally up to 10 feet wide and up to 175 feet long or up 16 feet wide and up to 175 feet long.

US Department of Transportation-approved factory exhaust systems that are professionally maintained will be used to limit noise. Furthermore, engine retarding brakes will not be used near communities, campgrounds, or anywhere ordinances prohibit their use.

Figure 2. Front View of Typical Module in Transport



Hazardous Components

No hazardous materials or ancillary petroleum products will be transported in the modules. The pull / push trucks, after being disconnected from the module trailers at a pullout area, will travel to the nearest truck service center to be fuelled.

Emergency Response

Police escorts will increase the safety of the module transport and provide a means for the module transport crew to coordinate with authorities in the event of an emergency. The motoring public is more inclined to yield to blue/red flashing lights than conventional amber lights. Police embedded with the module transport entourage will provide added visibility for approaching traffic, increasing the public safety.

Police communication with local agencies will be a means of keeping the module transport crew informed on local conditions. The convoy will also be traveling with a satellite phone to ensure communication in areas with limited wireless coverage.

Turnouts (55 night/extended parking or parking) have been identified where the module can be pulled completely off the road. Emergency stopping areas are identified along each stage of the route, providing flexibility for dealing with any contingencies.

Traffic Control

Effective traffic management will be accomplished using the following:

- 3 pilot vehicles (2 in front, 1 behind) escorted by two Montana State Highway Patrol cars (1 in front, 1 behind) to provide safe control of following and on-coming traffic.
- A 'leapfrog' approach where the two forward pilot vehicles will hold oncoming traffic in five mile segments, with the Montana State Patrol escort at the forward-most holding position.
- The rear pilot vehicle will monitor and control rear-approaching traffic along with a Montana State Patrol escort.

2.2.1.8 Schedule

Table 10 shows the preliminary overall duration of activities. Construction associated with utilities, traffic structures, and turnouts will begin as soon as permits are issued and would take approximately 6 months to complete depending on the weather and availability of labor, equipment, and materials. Module transportation will begin as soon as construction work is completed and continue until completion, anticipated to be approximately fourth quarter 2011.

Table 10
Preliminary Overall Schedule of Activities

Activity	Duration
Utility Line Relocations	6 months
Traffic Structure Modification	4 months
Turnout Construction	4 months
Module Transport	12 months

Imperial Oil and their contractors will coordinate with and schedule the module movements around construction activities planned by MDT and local community events.

2.2.2 No Action Alternative

The No Action alternative is that MDT would not approve any of the permits requested as part of the project. No modifications or improvements would be made to traffic structures or turnouts, no overhead utilities would be relocated or buried along state highways, and no oversized loads would be transported through Montana. The No-Action alternative would not meet the purpose and need of the project and is provided as a means for a baseline comparison.

2.3 Alternatives Considered but Eliminated

2.3.1 Transportation Route from the West Coast of Canada to Alberta

Alternate routes from Vancouver and Prince Rupert, British Columbia to Alberta were investigated and have numerous restrictions with no possible detours and therefore found to be infeasible.

The first restriction encountered on the northern route from Prince Rupert is a height restriction of a truss bridge located about 35 miles east of Prince Rupert on Highway 16. There are no possible detours available around this bridge.

The southern route from Vancouver has three alternate routes: Highway 1, Highway 5, and Highway 3. The first restriction encountered on Highway 1 is a height restriction of a road overpass located about 90 miles east of Vancouver at the entrance to Hope. The first restriction encountered on Highway 5 is a height restriction of a avalanche tunnel about 25 miles north of Hope. The first restriction encountered on Highway 3 is a height restriction of a train overpass about 390 miles east of Hope. There are no possible detours available around all of these restrictions.

2.3.2 US Interstate Highway System Transportation Route

This alternative would have followed the interstate highway system as much as practicable. This alternative was suggested by many during the consultation process because of the four-lane configuration, which would not impede oncoming traffic and have minimum or no impact on following traffic. This alternative route was

investigated and rejected since about 25 existing overpasses are too low and do not have by-pass ramps or feasible detours to allow passage of the modules.

2.3.3 Daytime Hauling

When initially investigated, most of the haul route was planned to occur primarily during daytime hours. The exception was the stretch from Lolo to Bonner, which was always identified for night-time haul due to traffic and business activities. The potential delay times were originally calculated on average daily traffic, the distance between turnouts, and speed of the module trailers. However, at MDT's request, Imperial Oil recalculated the impact on traffic based on peak hour traffic volumes for all segments of the route. This subsequent analysis indicated that a daytime haul would meet the 10 minute rule in most cases, but would result in many vehicles waiting for the module to pull into a turnout to clear traffic.

In order to minimize potential inconvenience to other users of the highways, Imperial Oil modified their plan to allow for a night-time haul from Lolo Pass to just north of Valier. The change to night travel greatly reduces the potential for delays that could affect traffic safety, commercial business, and inconvenience to local residents, commuters, and other travelers. As a result, the preferred alternative was modified to incorporate night-time travel from Lolo Pass to just north of Valier.

2.4 Preferred Alternative

The proposed action is the preferred alternative.

3.0 ENVIRONMENTAL IMPACTS

3.1 Analysis Methods

All of the proposed activities (construction and transportation) on highways in Montana would occur within the existing right-of-ways. The analysis areas and methods for direct, indirect, secondary, and cumulative effects analysis are described in each resource section below.

3.2 Past, Present and Reasonably Foreseeable Actions

The cumulative impacts analysis addressed in each resource considers the past, present and reasonably foreseeable actions. Cumulative impacts are defined as “the collective impacts on the human environment of the proposed action when considered in conjunction with other past, present, and future actions related to the proposed action by location or generic type" (section 75-1-220(3), MCA).

Below is a list of MDT construction projects and their locations that were considered in the cumulative impacts analysis for the KMTP and tentative dates for construction that are on the proposed route. The dates for construction are subject to change. Imperial Oil and their contractors will coordinate with and schedule the module transportation in consideration of these construction activities. Since most, if not all, of construction work identified below would not occur at night when the majority of the module transportation would occur, there would be little to no cumulative impact.

Past Activities by MDT and utility companies:

- Road construction
- Utility installation

Present and Reasonably Foreseeable Activities by MDT:

- Highway 89 southeast of Dupuyer road reconstruction, approximately mile post 64.5-70.5 in 2012-2013
- Highway 358 asphalt overlay, approximate mile post 7.5-17.5, summer 2010
- Highway 287 northeast of Augusta road reconstruction and rehabilitation at approximate mile post 38.5-39.8 during summer 2010
- Highway 200 at Roger’s Pass culvert replacement at approximate mile post 99.5, 2010 or 2011
- Highway 358 slide, summer and/or fall 2010.
- Highway 89, Bynum Bridge repair, currently active.
- Cut Bank Rail Road Overpass, 2011.

Present and Reasonably Foreseeable Activities by Others:

- Future 32-J permit loads using any portion of the proposed route similar to this project. These types of loads would be governed under same applicable regulations and laws as the proposed KMTP.
- Other oversized loads (agricultural equipment, houses, wind turbine blades, etc.) using any portion of the proposed route.
- Montana Alberta Tie Ltd. transmission line construction, summer 2010.
- Recreational traffic.
- Tree trimming for utility clearance.

3.3 Historical and Archaeological Sites

The route location has historic, prehistoric, archaeological, and cultural sites. Types of sites near the project analysis area include historic buildings, bridges, roads, trails, forts, irrigation ditches, commercial buildings,

lodges, farms, mines, historic matter scatters, grain elevators, railroads, transmission lines, prehistoric trails, lithic scatters, scarred trees, fossils, and buffalo jumps.

Legal descriptions were provided to the Montana SHPO for all locations of ground disturbing activities. SHPO searched the records for sites considered for listing or listed on the National Register of Historic Places (NRHP). If historical sites were located near where ground disturbing activities would occur, the site form was requested from the history repository at the University of Montana and reviewed to evaluate if the project would affect the historical site. The MDT was notified of locations of historical resources located near work areas. If the proposed ground disturbing activity was very near an historical or archaeological site, MDT and Tetra Tech conferred on the likely impacts, including a field review in some instances. Additionally, the Blackfeet Tribal Historic Preservation Officer (THPO) was consulted about potential impacts from project activities (see Section 4.0).

Maps and drawings were provided to the Lolo and Helena National Forests adjacent to Highway 12 and Highway 200 to aid in discussions regarding potential impacts on historical resources within the National Forests identified through the record searches through SHPO. The Lolo National Forest Archaeologist is scheduled to meet with the Nez Perce and Confederated Salish/Kootenai Tribes to discuss the project.

Consultation with the National Park Service and Bureau of Land Management regarding potential impacts on trails that are national historic landmarks are ongoing and will be completed prior to MDT's decision on the project. Consultation may result in additional mitigation to minimize or avoid potential impacts.

3.3.1 No Action Alternative

The no action alternative would have no impacts (direct, indirect, secondary, or cumulative) on historical or archaeological resources.

3.3.2 Proposed Action

The proposed action includes measures to protect historical resources that are inadvertently discovered during any of the operations associated with the project. If historic or cultural material or human remains are discovered during ground-disturbing activates, construction will cease immediately, and a qualified archaeologist or historian will be consulted to evaluate the significance of the artifacts. As appropriate, SHPO, THPO, and MDT will be consulted. In the case of discovery of human remains, the first contact will be the local county coroner's office.

3.3.2.1 Turnout Construction and Road Modifications

Tetra Tech requested a record search from October 2009 through December 2009 from Montana SHPO for 80 legal sections within 100 feet of new highway turnouts or where modifications to existing highway turnouts that are planned. Existing turnouts with no modifications will not affect historical resources so no searches were performed for those turnouts. The record search indicated 140 historical or archaeological sites are located in the sections near where construction activities would occur.

Of the 140 sites, 101 sites are historic buildings, residences, farmsteads, lodges, a building foundation, a dam, a grain elevator, and bridges. These site types will not be affected by construction activities due to the nature of the work (paving or constructing turnouts adjacent to existing highways).These types of sites would not be disturbed because they are outside the area of any potential disturbance, and the turnout work would not change the historical setting.

The remaining 39 sites are trails, historic roads, railroads, a fossil, a prehistoric burial, a buffalo jump, lithic scatters, stone rings, scarred trees, historic matter scatters, a sheep ranch, a sawmill, mine, mining districts, a transmission line and irrigation ditches. These sites were evaluated individually, including the distance from ground disturbing activities, potential for inadvertent impacts, and changes in setting. Thirty-two of these sites are more than 100 feet from ground disturbing activities, which was considered sufficient to protect sites from construction disturbance.

To avoid affecting two of the remaining historical sites (the Old Lincoln Road (site 24LC1089) and the Cokahlarishkit Trail (site 24LC1211)), a proposed new turnout has been relocated 100 feet to the east of its original location to avoid both historical sites. The new location of the proposed new turnout is shown on Sheet 10 (at MP 77.9) in **Appendix A.**

Modifications to the existing turnout on Highway 200 at MP 40.2 will consist of laying another layer of gravel and paving the current turnout. The existing turnout will not be expanded. The railroad bed of the Big Blackfoot Railway (24PW380) is located 60 feet from this proposed turnout so construction activities will not affect the railway.

A new turnout on Highway 200 at MP 67.5 is located within the site boundary of the Big Blackfoot Mine (24LC828). The site form indicates that most of the mine features and structures have either been removed or collapsed; only the cement walls at the mill remain. The site sketch indicates the mill is over 1,000 feet north of the turnout, so turnout construction activities will not affect the Big Blackfoot Mine.

The existing turnout at MP 75 on Highway 200 is within the site boundary of 24LC1191, the Lincoln Historic Mining District. The district lies within drainages of Lincoln Gulch, Beaver Creek, Stonewall Creek, Liverpool Creek and Keep Cool Creek, northern tributaries of the Blackfoot River. The turnout is located near the eastern boundary of the district and no mining features appear in the turnout vicinity. Additionally, construction activities will not extend beyond the existing turnout. Guardrails will be removed and additional aggregate will be added to the existing turnout before it is graded and paved. Site 24LC1191 will not be affected by turnout construction activities.

A new turnout on Highway 89 at MP 50.6 is located 20 feet from an irrigation ditch (site 24TT260). Although the proposed turnout is close to the ditch, all construction activities will be confined to the terrace above the ditch, so site 24TT260 will not be affected. This turnout is also located next to the Great Northern Railroad (24TT556). In this area, the rails have been removed and farming activities have destroyed the railroad bed so construction activities will not cause any additional impacts to this historic site.

No turnout improvement or construction within the Helena or Lolo National Forests would affect historical resources.

3.3.2.2 Utility Relocations

A record search was requested from the Montana SHPO in October, November, and December 2009 for all utility crossing work. The search involved legal sections where utilities or communications lines would be buried or poles will be replaced to facilitate equipment transport. The record search indicated approximately 360 historical sites are located in the legal sections where work is proposed. All but five historical sites are located far enough from the proposed utility and communications work that the historical site would not be affected. Additional analysis and field investigation was conducted due to the proximity to these five historical sites. That work is summarized below.

1. One site on Highway 200 (about 11 miles east of Bonner) was investigated because utility work was planned in the same location as a lithic scatter 24MO282. The utility company has since confirmed that no work needs to be done at this crossing because the crossing is high enough already to allow safe passage of the modules.

2. The following historic site is associated with two utility crossings which were reviewed in the field by the MDT archaeologists and the consultant cultural specialist.

   On Highway 200 at MP 68+2587 approximately 2 miles west of Lincoln, Montana an overhead crossing will be retired and the line will be buried under the highway. The proposed boring location is within the existing disturbed highway prism adjacent to site 24LC235. The utility move will have no effect on this site.

   On Highway 200 at MP 68+3696, an overhead line would require replacing a 3-pole H-frame transmission line support structure with a taller one in the same location. The site occurs near

the outer boundary of the prehistoric lithic scatter site 24LC235. No new area would be disturbed and replacing the 3-pole H-frame would have no effect on this site.

3. Another historic site was reviewed in the field by the MDT archaeologist and the consultant cultural specialist. Site 24LC1210 is located in the proximity of a crossing on Highway 200 at MP 78+0264. An overhead line would also require replacing a 3-pole H-frame transmission line support structure with a taller one in the same location. This utility move will take place within the disturbed existing highway prism. There will be no effect to site 24LC1210.

4. On I-90 at MP 109+2112 a Northwestern Energy transmission line would require replacing an H-frame support structure with a taller one in the same location. The historical site (24MO1399), which is not the line being modified, is the Bonneville Power Administration (BPA) transmission line located approximately 120 feet from the NorthWestern Energy transmission line, which is being modified. The historic site would not be affected by the new pole installation because it is a replacement of an existing structures in the NorthWestern Energy transmission line, there would be no impacts to site 24MO1399.

5. Site 24MO104, the Lolo Trail/Nez Perce Historical Trail, which is a National Historic Landmark, wanders along Highway 12 through Missoula County. As the trail is clearly visible in some locations and cannot be defined in other locations, it was difficult to determine the distances to the nearest utility crossings. Because construction activities closest to the trail are limited to the removal and replacement of poles, with no digging beyond the original hole, construction activities should not cause an impact to eligible sites.

3.3.2.3 Traffic Structures

Traffic structure modifications (i.e., traffic signals, sign bridges) occur within developed areas of Lolo, Missoula, Lincoln, Choteau, Valier, and Cut Bank. There will be no effects on historical sites from placing traffic signals on rotator bases, changing hanging stop lights to rotating overhead lights, or raising sign bridges in their current locations.

3.3.2.4 Tree Trimming

The town of Bonner has an historic district (Bonner Dam and Mill (24MO938)) that was recently submitted for admission to the National Register of Historic Places. The district consists of the mill and historic residences along Highway 200. Proposed tree trimming will consist of cutting the lower, overhanging branches of approximately seven trees along the highway, similar to tree trimming that is regularly conducted along public streets. Although the trimming will likely be noticeable, the visual effect will be minor and would not impact the Bonner historic district.

Along the proposed route (Hwy 287/89) through the town of Choteau, there are four historic properties that are eligible or have undetermined eligibility for the National Register of Historic Places. These sites include the Teton County Courthouse, a segment of the Great Northern Railroad, a historic residence and a historic commercial development. Tree trimming will consist of cutting the lower, overhanging branches of approximately 21 trees along the highway, similar to tree trimming that is regularly conducted along public streets. Although the trimming will likely be noticeable, the visual effect will be minor and would not impact historic properties in Choteau.

3.3.2.5 Module Transportation

Transporting the modules and empty trailer return will not affect any historical sites due to the nature of the activity.

3.3.2.6 Conclusion

One proposed turnout was relocated to avoid impact to 24LC1210. As currently proposed, the project would not affect known historical or archaeological resources.

3.3.2.7 Cumulative Impacts

There would be no impacts on historical or archaeological resources from any of the activities associated with the KMTP; therefore, when considered in conjunction with other past, present, and future actions, there would be no cumulative impacts.

3.4 Publicly Owned Parklands, Recreation Areas, Wildlife or Waterfowl Refuges

The proposed project route is adjacent to a variety of public lands including: Lolo and Helena National Forests, Montana Department of Natural Resources and Conservation, Montana Department of Fish, Wildlife and Parks, and the US Fish and Wildlife Service. Ground disturbing activities would only occur in the MDT ROW or existing easements within the Lolo and Helena National Forests. Consultation with the National Forests is ongoing. See Section 4.0 for additional information.

3.4.1 No Action Alternative

The no action alternative would have no impacts (direct, indirect, secondary, or cumulative) on public parklands, recreation areas, wildlife refuges, or waterfowl refuges.

3.4.2 Proposed Action

The project will not affect areas where Land and Water Conservation Funds were used to acquire or improve lands because the project will not require acquisition of additional ROW.

3.4.2.1 Turnout Construction and Road Modifications

The locations of proposed turnout modifications and the construction of new turnouts were reviewed relative to municipal (city) parks, county parks, state parks, wildlife management areas, recreational areas, National Parks, and federal recreation areas. None of the turnouts are within 100 feet of these locations. Disturbance associated with expansion and development of turnouts would occur within the current ROWs and would not directly affect lands adjacent to the route.

Indirectly, modifying existing turnouts and increasing the number of turnouts near these areas could provide easier access and parking, but these effects would be minor. Any indirect or secondary impacts on publicly owned parklands, recreation areas, wildlife, or waterfowl refuges would be negligible. The turnout modification and construction of new turnouts would not affect any of the lands adjacent to the proposed route as there would be no acquisition of lands.

3.4.2.2 Utility Relocations

None of the utility work would occur near public parklands, although some of the utility work would occur on easements within Lolo or Helena National Forest.

3.4.2.3 Traffic Structures

Work on modifying traffic structures and signs will occur where existing structures are located within Lolo, Missoula, Lincoln, Valier, Choteau, and Cut Bank. None of these locations are within publicly owned parklands, recreation areas, or wildlife or waterfowl refuges. Relocation or alteration of traffic signs and lights would not impact lands adjacent to the proposed route.

3.4.2.4 Tree Trimming

None of the tree trimming work would occur near public parklands.

3.4.2.5 Module Transportation

Transportation of the modules and empty trailer return would not affect public parklands.

3.4.2.6 Conclusion

The proposed action would have no impacts on publicly owned parklands, recreation areas, or wildlife or waterfowl refuges.

3.4.2.7 Cumulative Impacts

There would be no impacts on parklands, recreation areas, or wildlife or waterfowl refuges from any of the activities associated with the KMTP. Therefore, when considered in conjunction with other past, present, and future actions, there would be no cumulative impacts.

3.5 Transportation System

The discussion of the transportation system includes traffic, safety, and access. Most of the proposed module transportation route is two-lane highway; however, there is some four-lane controlled access (Interstate 90) and a county gravel road. Highways that would be used for module transport include US 12, US 93, Interstate 90, MT 200, US 287, MT 44, US 89, S-213, S-214, and Santa Rita Road. The return trailer route would include Interstate 15, Interstate 90, US 93, and US 12 (see **Figure 1**).

3.5.1 No Action Alternative

There would be no direct impact on the transportation system from the no action alternative. Plans to construct new turnouts and modify existing turnouts that might have had a beneficial impact on traffic safety would not have been implemented. There would be no secondary or cumulative effects on the transportation system.

3.5.2 Proposed Action

3.5.2.1 Turnout Construction and Road Modifications

For turnout construction, a traffic control plan will be developed by the contractor for traffic safety and to maintain a safe work area.

Turnout work areas occur more frequently on the northern portion of the route due to the limited number of existing turnouts. While traffic would be slowed or stopped in several places, the effects would not be frequent for most travelers. The turnout work would be completed over approximately four months.

Turnout construction and modification would require gravel and asphalt (**Table 11**). These loads would be spread out among the 75 turnouts along the 335-mile haul route and not concentrated in one area, so additional truck traffic in one location would be minor. Gravel pits tentatively identified for use are located in the Missoula (2 pits), Clearwater Junction, Choteau, Cut Bank, and Shelby areas. The average travel distance from the gravel pit to the turnout is about 30 miles. Construction materials will be provided from State approved existing gravel sources and no new resource exploration is required. Heavy truck traffic due to hauling gravel and asphalt would increase somewhat, but the effects would be short-term.

Table 11
Estimated Dump Truck Loads of Gravel and Asphalt Needed for Turnout Work

Type	New or Modify	Average Dump Truck Loads of Gravel per Turnout	Average Dump Truck Loads of Asphalt per Turnout	Number of Turnouts	Total Loads
Night/extended parking	New	60	12	6	432
Parking	New	60	8	10	680
Clearing	New	30	4	37	1,258
Clear/Park/Storage	Modify	20	4	22	528
Total				75	2,898

Turnouts constructed or improved at the expense of Imperial Oil will provide a lasting benefit to the safety and convenience of the traveling public.

3.5.2.2 Utility Relocations

A traffic control plan will be instituted to provide for safety of the workers and the public. Impacts on traffic from modifications on traffic structures would be minimal and short-term.

3.5.2.3 Traffic Structures

A traffic control plan will be instituted to provide for safety of the workers and the public and maintain the flow of traffic. Impacts on traffic from modifications on traffic structures would be minimal and short-term.

3.5.2.4 Tree Trimming

A traffic control plan will be instituted to provide for safety of the workers and the public. Tree trimming would require traffic to be stopped or diverted along the roadways where it occurs (Bonner and Choteau) to maintain safety for drivers and workers. In Choteau, the amount of work that needs to be completed would require approximately four days and a traffic control plan for the same duration. Tree trimming in Bonner can be completed in two days.

3.5.2.5 Module Transportation

See Sections 1.4 and 2.2.1.7 for a more detailed description of the MTP or view the entire plan on the MDT website. In summary, large modules of specialized processing equipment would be transported along the route shown on **Figure 1**. The returning trailer route is also shown on **Figure 1.**

The transportation plan proposes hauling along the route from Lolo Pass to just north of Valier, Montana during night time to minimize adverse impact to the public and local businesses. Day travel would be used from north of Valier to Sweetgrass. Due to the low traffic volume on this section of the route, there would be no adverse impacts on the traveling public or businesses from the daytime hauling. Contingency plans for adverse weather conditions or emergency situations are included in Appendix 2 of the MTP (available for public review on the MDT website).

The volume of modules planned to be transported through Montana is currently forecasted at about 200 and to occur from the fall of 2010 to the fall 2011. The peak transportation volume will be no more than two modules per day through any particular location.

Table 12 shows the average annual daily traffic volume along the proposed module route as provided by MDT. On an average daily basis, the module transport and support vehicles would contribute 6 vehicles, including the module, to the overall daily traffic volume for the one year when module hauling would occur. Based on this minimal additional use and Imperial Oil's adherence to MDT weight restrictions, it is expected that the proposed project would result in minimal impact to Montana roadways and bridges. Return trailers and escorts are not expected to substantially affect the roads or bridges.

Table 12
2008 Average Annual Daily Traffic

Location	AADT [1]	Location	AADT [1]
Highway 12 East of Lolo Pass	673	Highway 287 South of Augusta	288
Highway 93 South of Missoula	23,167	Highway 287 South of Choteau	463
Highway 93 on Reserve Street	40,049	Highway 287 South of Highway 44	502
I-90 East of Exit 104	21,597	Highway 44 West of Valier	757
Highway 200 East of Bonner	3,643	Highway 358 South of Cut Bank	302
Highway 200 East of Highway 83	2,207	Highway 213 North of Cut Bank	2,147
Highway 200 East of Highway 141	1,617	Highway 214 North	207
Highway 200 East of Highway 434	1,315	Highway 214 East	61

1 AADT means Average Annual Daily Traffic.

The transportation plan for the modules was developed to meet the 10-minute rule so that impacts on traffic and the public would be minimized. The distance between turnouts and other clearing areas was established to meet the 10-minute rule, based on:

- Average speed of the module trailer between turnouts;
- Posted speed limits between turnouts; and
- Peak traffic volume (day/night) and associated traffic clearing times (see MTP on MDT website).

The maximum foreseeable delay for any driver would be 10 minutes per module. The planned night hauling on most of the route would minimize most impacts. A driver following the route could encounter multiple modules on the route most of which would be during the night travel.

Imperial Oil will establish a website available to the public with an updated module transportation schedule on daily basis. The proposed regular notification of module movements is a tool the public could use to plan to avoid the modules.

Imperial Oil will coordinate with MDT to ensure module movements are scheduled to minimize interference with planned construction projects along the route. As most MDT construction projects will likely occur during daytime hours, the impact on the construction project of the night module movements would be minimal.

The transporter will access a notification database on the internet that contains information on other oversized loads that may be encountered during transport.

The hauling schedule will exclude weekends and federal holidays and consider other uses of the roadways. The schedule will also avoid periods that coincide with local events, the start of morning commuter traffic, and school bus travel times.

The escort vehicle will ensure that turnouts are not occupied before the module moves from a parking turnout in order to ensure that the movement is not relying on an occupied turnout to meet the 10-minute rule. Night/extended parking turnouts will have signage or be controlled to ensure they are not occupied by unattended vehicles when they are needed for night parking.

The transportation plan has developed specific traffic control plans to address oncoming oversized loads. The traffic control plans ensure that turnouts are clear of parked vehicles so they can be used for other oversized loads or the modules (see Appendix 6 of the MTP, which is available on the MDT website).

The returning empty trailers would also require oversized load permits for width and length, but not height. The route would be slightly different, with the majority on interstate highways (**Figure 1**).

Based on the mitigation designed to minimize and avoid impacts, the transportation of modules would cause some inconvenience to other travelers as described above, however, the MTP complies with the 10-minute rule and would minimize impacts to the public.

3.5.2.6 Conclusion

Traffic safety would not be substantially affected by any of the KMTP activities due to specific traffic control plans.

Effects on traffic from the KMTP turnout construction, utility modifications, and traffic structure modifications would be temporary and minor, consisting of occasional traffic delays.

Movement of the modules would also cause traffic delays; however, most of them would occur at night when the inconvenience to other road users would be minimized.

Access to businesses would not be affected due to the location of construction work and night travel of the modules, along with the short time interval required for the modules to pass any one location.

Extensive mitigation (see Section 3.13) has been developed to minimize impacts on the transportation system.

Turnouts constructed or improved at the expense of Imperial Oil will provide a lasting benefit to the safety and convenience of the traveling public.

3.5.2.7 Cumulative Impacts

Cumulative impacts on the transportation system from the KMTP construction activities would include minor traffic delays for other motorists in addition to possible delays from MDT's planned construction activities and other oversized loads and recreational traffic. Construction delays from MDT's construction would occur at different locations than the construction proposed for the KMTP.

Cumulative impacts on the transportation system from the KMTP module movement would include traffic delays for other motorists in addition to possible delays from MDT's planned construction activities and other oversized loads and recreational traffic. However, most delays would occur at night when the inconvenience to other road users would be minimized, whereas delays from MDT's construction project and recreational traffic would occur mostly during the daytime. The actual construction period of MDT's projects may or may not occur during module transportation. Therefore the cumulative impacts would be minor and short-term, limited to the time module transportation occurs. MDT believes it is reasonably foreseeable that additional oversized loads would want to use the route, which would require the same permitting as the module transportation described above.

Beneficial impacts from improved roads created by the KMTP and MDT's construction include additional turnouts and improved highway conditions would be a long-term beneficial cumulative impact on the transportation system. The additional turnouts would add additional long-term maintenance responsibilities, including trash pick-up.

3.6 Economic and Community Impacts

Impacts described in this section include public safety, improvements to the roads, effects on businesses from traffic disruption, and benefits to Montana.

The module transportation route would traverse Missoula, Powell, Lewis and Clark, Teton, Pondera, Glacier and Toole Counties. The return trailer route would move through Toole, Pondera, Teton, Cascade, Lewis and Clark, Jefferson, Silver Bow, Deer Lodge, Powell, Granite, and Missoula Counties. Since the return trailers can travel at speeds of 50 miles per hour and travel mostly on four lane highways, they would have minimal impact on other road users. The impact of the module transportation is discussed in detail in Section 3.5.

The proposed transportation route for modules would be through about twelve cities and communities (**Table 13**), as well as a portion of the Blackfeet Indian Reservation in Glacier County. Two of the counties are more urbanized than the others. Missoula County contains the city of Missoula and the surrounding communities. The return trailer route for the wide trailers passes through the cities of Great Falls, Helena, Butte (trailers over 10 feet wide), Missoula, and Lolo. The return trailer route for the narrow trailers would include all of the cities for the wide trailer except Butte but would also include the communities of Fort Harrison, Elliston, Avon, and Garrison (**Table 13** and **Table 14**).

Table 13
Population of Towns Along the Module Transportation Route

Town	County where Located	Population (2000)	Town	County where Located	Population (2000)
Lolo	Missoula	3,388	Choteau	Teton	1,781
Missoula	Missoula	57,053	Bynum	Teton	N/A
Milltown/Bonner	Missoula	1,693	Dupuyer	Pondera	N/A
Ovando	Powell	71	Valier	Pondera	498
Lincoln	Lewis and Clark	1,100	Cut Bank	Glacier	3,105
Augusta	Lewis and Clark	284	Sweetgrass	Toole	N/A

N/A: The population of these communities was not available from the U.S. Bureau of the Census. (USCB 2000)..

Table 14
Population of Towns Along the Trailer Return Route

Trailers Greater Than 10 Feet Wide			Trailers 10 feet or Less Wide		
Town	**County where Located**	**Population (2000)**	**Town**	**County where Located**	**Population (2000)**
Great Falls	Cascade	56,690	Great Falls	Cascade	56,690
Helena	Lewis and Clark	25,780	Helena	Lewis and Clark	25,780
Butte	Silver Bow	33,892	Fort Harrison	Lewis and Clark	N/A
Missoula	Missoula	57,053	Elliston	Powell	225
Lolo	Missoula	3,388	Avon	Powell	124
			Garrison	Powell	112
			Missoula	Missoula	57,053
			Lolo	Missoula	3,388

N/A: The population of these communities was not available from the U.S. Bureau of the Census.
Source: USCB 2000

Due to the population density along the transportation route between Lolo and Valier, the module transportation would be done at night when the traffic volume is considerably less than daytime volumes. The traffic volume shown in **Table 12** reflects the population of the communities adjacent to the route. There would be minimal to no impact on commuters and travelers during the module movements due to the night time hauling.

Table 13 and **Table 14** present the population, based on the 2008 US Census data, of the cities and towns along the module and return trailer transportation routes.

3.6.1 No Action Alternative

The no action alternative would have no direct impacts on the human environment. However, there would be a loss of economic benefit provided by the increased temporary employments and sale of goods and services during the construction and hauling effort. As the project has been under discussion with utilities for over a year, some have indicated that they added or kept on staff to complete the utility modifications and the selection of the no action alternative may result in layoffs of utility workers for some utilities. Selection of the no action alternative would also eliminate the additional turnouts that might have provided a benefit to other users of the highways, including other haulers and recreational users. There would be no cumulative effects from the no action alternative.

3.6.2 Proposed Action

The economic impact analysis of the entire project is summarized below in **Table 15**. The majority of the impact would occur during the permitting and construction phases (September 1, 2009 through December 30, 2010), and the operational impacts would occur from September 2010 to fourth quarter 2011 (**Table 15**).

The economic multiplier used is an indication of the secondary impacts from payments made by Imperial Oil to contractors for completion of the work in Montana. For every direct dollar Imperial Oil pays its contractors and their suppliers working and residing in Montana, there is a secondary impact (see **Table 15**). This multiplier effect occurs as a result of contractors and suppliers spending money earned by working on the project as the money spreads out into the economy for food, services, rentals, fuel, taxes, daycare, etc.

Table 15
Estimated Montana Economic Impact Summary

	Worker Hours	Direct Value[1] ($ million)	Economic Multiplier	Total Economic Activity Generated ($ million)	Average Annual Economic Activity[2] ($ million)
Environmental Permitting[3]	5,500	$1.1	1.2[4]	$1.3	$0.6
Value of Turnouts and Road Modifications	24,100	$7.1	1.6[5]	$11.4	$5.0
Value of Utility Relocation	102,000	$13.5	1.6[5]	$21.6	$9.6
Value of Traffic Structures	7,500	$1.5	1.6	$1.5	$0.7
Module Transportation[6]	170,000	$17.5	Various	$32.0	$14.2
Total	**308,900**	**$40.7**		**$67.8**	**$30.5**

Values in this table were based on estimates provided by contractors working on this project for utility line relocations, road modifications, tree trimming, traffic structure modifications and module transportation.

1/ Direct value includes supplies, benefits, equipment usage, office expenses, overhead, etc.

2/ Annual Average calculated by dividing the total over the 2.25 year life of the project (September 2009 to December 2011).

3/ Value of contracts for engineering and environmental consultant for environmental permitting.

4/ Minnesota IMPLAN Group 2001. SAM Multiplier for the State of Montana. Environmental and other technical consulting (445)

5/ Minnesota IMPLAN Group 2001. SAM Multiplier for the State of Montana. Highway, street, bridge, and tunnel construction (39)

6/ Module transport addressed in more detail in **Table 23**, includes income to Montana only, not transportation workers from other areas who would not be taxed by Montana.

Most of the contractor personnel needed for permitting, construction, and monitoring already reside in Montana. Approximately eight people have moved to Montana temporarily (for approximately 6 months to 2.25 years) to work on this project; one relocated a family. The remaining work effort in Montana would be absorbed by approximately 40 existing Montana residents. This results in additional working hours during the period of September 1, 2009 through June 2010 or prevented a reduction in hours for some workers. Most likely, it increased production of these Montana offices during that period. Work effort related solely to the module transportation is discussed in Section 3.6.2.6.

The income to Montana residents (approximately $40.7 million, including module transportation) is subject to a Montana income tax and an indirect impact would be the revenue the state would gain on the income earned over the construction life (**Table 16**). Additional taxes would be collected on fuel ($0.53 per gallon for diesel and $0.27 for gasoline) and a "bed tax" on motel rooms (4%).

Table 16
Estimated Direct Tax Revenue to Montana

Tax	Revenue
Fuel Tax Paid in Montana	$62,000
Income Tax Paid to Montana[1]	$2,849,000
Bed tax on hotel rooms	$16,000
Total direct tax paid	$2,232,000

1 Montana income tax varies from 2 to 11% depending on income, this analysis assumes an average 7% state income tax rate of the approximately $40.7 million income to Montana residents (see Table 13, total direct value).

Income tax does not consider secondary effects from merchants/hoteliers paying income tax.

As nearly all of the work will occur within the 7-county region that the loaded trailers will travel on their way to Alberta, the anticipated revenue is compared to 2008 estimates for total income in those counties (**Table 17**).

Table 17
Population and Density Characteristics of the Region, 2008 Estimates

	Population	Total Income[1]
Missoula County	107,320	$1,853,860,632
Powell County	7,041	$74,918,744
Lewis and Clark County	60,925	$1,274,636,761
Teton County	6,445	$52,154,557
Pondera County	5,852	$47,936,174
Glacier County	13,297	$138,034,036
Toole County	5,141	$72,598,740
Total Counties	**206,021**	**$3,514,139,644**
State of Montana	**967,440**	**$14,574,257,450**
County as Percent of State	**21.3%**	**24.1%**

Source: USCB 2000
1 Montana Department of Labor and Industry Employment and Earnings Datatables (ES-202/QCEW)

To estimate the economic impact of the project in the regional context, the total average annual economic activity the project to Montana from **Table 15** is compared to the region and the state below:

- The average annual economic activity of $30.5 million would be 0.8 percent of the annual regional wages of $3.5 billion.
- The average annual economic activity of $30.5 million would be 0.2 percent of the annual Montana wages of $14.6 billion.

Because the total annual wages in the less populated counties of Toole, Pondera, Teton, and Powell Counties are smaller due to the population, the impact of the revenue generated in (sales, resident workers) is likely to be more important to the individual county than reflected in the percentages above, but can not be calculated for the individual counties.

There would not be an influx of temporary or permanent workers for any aspect of the project, therefore, no impacts were identified on social structures and attitudes, cultural uniqueness and diversity, local services (hospitals, schools, etc.), or distribution and density of population and housing.

Project planning and coordination conducted with state, county, local, and tribal governments, would minimize adverse impacts on state employees, local city and county employees, and local residents expected as a result of the reviews, planning meetings, modifications to turnouts, intersections, and traffic structures. The route preparation would result in small, short-term beneficial impacts to the state and local economies from the jobs this effort would create.

3.6.2.1 Environmental Permitting

Permit application submission is in progress. Producing the permit application requires engineering, design, drawings, site visits, surveys (**Table 18**), and in most cases, environmental review. The value of permits required for hauling oversized loads is included under Module Transportation (Section 3.6.2.6).

Table 18
Estimated Value of Environmental Permitting to Montana

	Worker Hours	Direct Value[1] ($ million)
Design/Engineer	1,500	$0.4
Environmental Review and Production	4,000	$0.7
Total	5,500	$1.1

Based on actual contract values.

3.6.2.2 Turnout Construction and Road Modifications

Impacts on traffic from construction of turnouts and road modifications are described in Section 3.5.2.1. Construction of turnouts would provide employment opportunities for construction workers, traffic control personnel, and truck drivers. Local suppliers of gravel, asphalt, fuel, hotels, and restaurants would provide for the construction workers. These economic impacts are included in the calculations in Table 15.

Additionally, once the turnouts are completed, they would be available for use by all travelers when not in use during module transport and following completion of the project. These turnouts would be beneficial in providing additional safe stopping areas, and would provide additional recreational parking along Highway 200. At MDT's discretion, Imperial Oil will remove turnouts that do not provide a public benefit.

For turnout construction, a traffic control plan will be developed by the contractor for traffic safety and to maintain a safe work area.

While most of the construction inspection will be completed by a third party contractor, the road modifications would have some impact on the demand for government services, because the MDT would need to inspect to ensure that permit requirements are being met, in addition to the initial permit application review and EA review.

The total direct value of turnout construction and road modifications identified in **Table 15** is estimated to be $7.1 million (**Table 19**). The cost of the turnout construction and road modifications will be paid totally by Imperial Oil with no cost to the State of Montana (see Section 2.2.1.2). Additionally, Imperial Oil will pay for removal of turnouts that MDT concludes do not provide a public benefit.

Table 19
Estimated Value of Turnout and Road Modifications to Montana

	Worker Hours	Direct Value[1] ($ million)
Design/Engineer	4,600	$0.7
Construction	19,600	$5.1
Supervision	2,500	$1.3
Total	26,700	$7.1

3.6.2.3 Utility Relocations

Impacts on traffic from utility relocations are described in Section 3.5.2.2. The utility relocations required for this proposed project include relocation of power and communication lines. Imperial Oil has contacted the power and communications providers to determine the potential impact to the customers and the traveling public associated with these relocations. Imperial Oil's communications with those service providers is summarized in **Table 20**.

Table 20
Utility Crossing Summary and Outages

Utility	Type	No.	Expected Impact	Means to Avoid, Minimize, and/or Mitigate Impacts
MEC (Highway 12)	Electric	58	A total of eight hours of outages for the customers west of Lolo Hot Springs. These will be in four two-hour outages.	Where feasible, lines will remain energized to minimize outages. At least four crews will be used concurrently working at multiple locations to effectively use outage time.
MEC (Highway 200)	Electric	75	The average outage would be 15 to 20 minutes. No customer should be out of power for more than two hours.	Where feasible, MEC will feed the feeder line from both ends, which will allow outages to be minimized.
North-Western Energy	Electric	197	No outages expected for transmission line relocations. No or minimal outages are expected for distribution line relocations.	Alternate transmission lines are available to supply substations while work is completed. For distribution line relocations, the line will remain energized.
Glacier Electric Coop	Electric	86	Less than an hour of outage per underground crossing. For above ground, most will remain energized with minimal outages. At locations where lines can not remain energized, outages will be 1 to 2 hours. This would affect 50 to 100 customers per outage.	Outages would be coordinated with customers to avoid irrigation needs.
BPA	Electric	1	No outage	Alternate transmission available
Marias River	Electric	2	Maximum of 1 hour per crossing	None needed
Sun River Electric	Electric	76	Approximately 20 three-phase crossings - 4 to 5 hour outage range per crossing - only one outage per customer. Maximum number of customers fed by one three phase crossing is approximately 200. Approximately 31 single phase crossings - 2 to 3 hour outage range per crossing - maximum number of customers fed by one single phase crossing approximately 125 - only one outage per customer. 3 transmission crossings completed with two outages: • 1st outage pertaining to work at two locations - resulting in 4 to 5 hour outage - 2 substations will be disconnected impacting 850 customers and the town of Augusta. • 2nd outage - 4 to 5 hour disconnecting one substation - impacting approx 375 customers. 22 U/G crossings - minimal outage.	Work will be completed at off-peak hours While working on the first outage, work will be completed to reduce the number of customers affected by the second outage.
Sub-Total	**Electric**	**495**		
Blackfoot	Comm.	2	Approximately 10 customers would	None needed

Table 20
Utility Crossing Summary and Outages

Utility	Type	No.	Expected Impact	Means to Avoid, Minimize, and/or Mitigate Impacts
			experience minimal outage of less than 10 minutes when switching to the new facilities.	
Qwest	Comm.	24	Qwest indicated that there would be minimal outages associated with their work.	None needed
Bresnan Communications	Comm.	38	Seven fiber optic line relocations will cause outages of 1 to 5 hours. 31 non-fiber optic lines relocations (mostly television) will cause outages of less than 30 minutes each.	They will all be done at night between 1:00 am to 4:00 am None needed
3 Rivers Communication	Comm.	12	Non-fiber optic - Estimated 10 to 15 minute outages at each crossing (11 crossings), impacting 30 to 70 customers maximum per crossing. One fiber optic - 2-3 hours of outages impacting Valier.	Work will be done during off-peak hours to minimize impact. Fiber optic work will be done overnight to limit interruptions during working hours.
Northern Telephone	Comm.	1	Minimal outages	
Sub-Total Communications		**77**		
Total		**572**		

Imperial Oil will ensure proper and full notice to all affected customers regarding outage timing and duration prior to outages.

Imperial Oil will be responsible for coordinating the above utility relocation to minimize disruption to the affected customers and the traveling public and where practicable coordinate the timing of the utility relocations to facilitate combined efforts between individual utility companies.

Utility relocations would provide employment opportunities for workers and traffic control personnel. Utility work would be done by the individual utilities, who indicated they will hire a few additional employees or contractors to complete the engineering and construction work. When possible, local suppliers of drill rigs, conduit, conductors, and utility poles would provide supplies.

A traffic control plan will be instituted to provide for safety of the workers and the public. Impacts on traffic from modifications of utility relocations would be minimal and short-term.

Once the work is completed, some people may notice improved visual quality from approximately 1/3 of the overhead utilities being removed from view and buried. Permanent modification of the utility lines along the route would benefit farmers and ranchers in the area who occasionally impact the overhead lines with their oversized farming equipment on the northern part of the route. Permanent underground relocation will ensure improved long term service as it prevents downtime due to adverse weather conditions.

The utility relocations would have a minor impact on the demand for government services, because the MDT would need to perform inspections to ensure that permit requirements are being met, in addition to the initial permit application review.

The total direct value of utility line relocations identified in **Table 15** is estimated to be $13.5 million (**Table 21**). The cost of the utility line relocations will be paid totally by Imperial Oil with no cost to utility customers or the State of Montana (see Section 2.2.1.2).

Table 21
Estimated Value of Utility Relocation Work to Montana

	Worker Hours	Direct Value[1] ($ million)
Design and Construction	2,750	$11.3
Supervision	4,580	$2.4
Total	7,330	$13.5

3.6.2.4 Traffic Structures

Impacts on traffic from traffic structure modifications are described in Section 3.5.2.3. A traffic control plan will be instituted to provide for safety of the workers and the public and maintain the flow of traffic. Impacts on traffic from traffic structures modifications would be minimal and short-term. Once the work is completed, there would be no effects on the human environment.

Work on traffic structures would provide minor, temporary additional work for workers and traffic control personnel.

Traffic structure modification would have some impact on the demand for government services, because the MDT would need to perform inspections to ensure that permit requirements are being met, in addition to the initial permit application review.

The total direct value of traffic structure modifications identified in **Table 15** is estimated to be $1.5 million (**Table 22**). The cost of the traffic structure modifications will be paid totally by Imperial Oil with no cost to local governments or the State of Montana (see Section 2.2.1.2).

Table 22
Value of Traffic Structure Work to Montana

	Worker Hours	Direct Value[1] ($ million)
Design/Engineer	2,800	$0.4
Construction	3,900	$0.7
Supervision	800	$0.4
Total	7,500	$1.5

3.6.2.5 Tree Trimming

Impacts on traffic from tree trimming are described in Section 3.5.2.4 In Choteau, the amount of work that needs to be completed would require approximately four days and a traffic control plan for the same duration. Tree trimming in Bonner can be completed in two days.

Tree trimming will have a negligible effect on the human environment. While a visual difference in the trees may be noticeable, it is expected that the trimming would be similar to trimming conducted for routine tree maintenance. Mitigation has been identified to limit the noise disturbance near residences. The work is very short in duration. Tree branches overhanging roadways are frequently and regularly trimmed. A similar example of this type of work that most have experienced is trimming trees to provide for power line clearance. Work would be accomplished by a qualified arborist and will be closely coordinated with local governments.

The total direct value of tree trimming is estimated to be $15,000 and 240 worker hours. The cost of the tree trimming will be paid totally by Imperial Oil with no cost to local governments or the State of Montana (see Section 2.2.1.2).

3.6.2.6 Module Transportation

Impacts on traffic from module transportation are described in Section 3.5.2.5. The transportation plan for the modules was developed to meet the 10-minute rule so that impacts on traffic would be minimized.

Imperial Oil will comply with Missoula Public Works Department's request to have their engineers inspect the traffic lights to ensure they are repositioned and timed appropriately after use. Imperial Oil would compensate Missoula personnel for this night time work.

During consultation (**Section 4**) some concern was expressed about the potential impacts from the transportation of 200 large modules on businesses and other road users, particularly through cities and towns, effects on school buses, effects on planned events, closure of roads that provide the only access should there be an accident, conflicts with other large loads (such as harvesting equipment, log trucks, and recreation vehicles), and interference with recreational use of certain roads. The MTP has been developed to address these concerns and includes night time travel from Lolo Pass to just north of Valier to minimize public impact (see Section 2.2.1.7 for more details).

To calculate the value of wait times for night-time commercial traffic using the module transportation route, Highway 200 was used to represent maximum night-time commercial traffic because it has the highest volume of night time traffic along a two lane road on the module transportation route. MDT recorded traffic volumes from automatic traffic recorders along Highway 200 were used to determine the volume of commercial traffic between 11 pm and 5 am. A maximum delay of 10 minutes per modules was used in the analysis for both oncoming and following traffic. It was also assumed that commercial traffic would encounter delays from all 200 modules. This indicated that the maximum cost impact on commercial traffic would be less than $100,000 spread over the duration of the module movements.

Information was gathered on local events and civic activities to determine the timing of these activities in order to minimize conflict between the activity and the module movements. The majority of the civic activities are scheduled to take place on weekends or public holidays, so the conflict with these events will be avoided as the module movement will not take place on these days. Imperial has committed to provide communities information on the schedule of modules across the State of Montana. Events identified during consultation are summarized below. Consultation will be ongoing to ensure similar events scheduled to occur in 2011, will be accommodated.

Augusta

- American Legion Rodeo and Parade: 27 June 2010 (parade at 2:00).
- Fall hunting season: Hunters check in/out at a weigh station on Main Street throughout the day.

Choteau

- Teton County Fair: 21 to 27 June 2010.
- American Legion Rodeo and Parade: 4 July 2010.
- Grizzly Marathon: 31 July 2010.
- Threshing Bee: September 18 and 19 2010.

Cut Bank

- Lewis and Clark Days: Last weekend in July (July 30 to August 1, 2010).
- Cutbank Fun Days: Third weekend in August.
- Parade of Lights: Last two weekends in November with a Saturday parade the first of those weekends.

Valier

- Homecoming Days: last weekend June or first weekend July (2-4 July 2010).
- Christmas Stroll: last weekend in November.
- 4 July Fireworks at Lake Frances.

Ovando

- Old Christmas Fest and Cowboy Christmas Parade: First Friday and Saturday following Thanksgiving.
- Lincoln Rod Run through Lincoln, Helmville and Ovando: Late September.
- 4 July Celebrations.
- Mid Winter Luau: Saturday in mid February.
- Dog Sled race (Iditarod qualifier): February 13 to 17 2010; Helena to Ovando and surrounding area.

Lincoln

- Snowmobilers and four wheelers use the ditches along the highways.
- Snowmobilers use roadside pullouts to unload snowmobiles and park trailers and trucks.

Missoula

- The City of Missoula has numerous social, cultural, and sporting events throughout the year; however it is expected that the night moves through the city and wider road surfaces should minimize the conflict with these events.

Glacier County

- High school basketball games may increase highway traffic by as much as 200 cars in the late afternoons or evenings on game days.

Section 2.7 (Communications) and Section 4 (Emergency Response Plan) of the MTP (available on the MDT website) address how transportation of the modules would be modified in the case of vehicle accidents, mechanical breakdowns, medical emergencies, fires, spills, extreme weather conditions and getting the module out of the way of emergency vehicles. These requirements reduce the risk of potential hazards caused by the movement of the modules, provide for safe and efficient passage of emergency vehicles, and provide for the quick and thorough clean up of hazardous spills. There would be no higher risk from transport of the modules than is posed by other oversized loads that are currently permitted to travel through the state, and the thorough planning and training of drivers and traffic control personnel incorporated would further reduce the risks.

There would be no hazardous or petroleum products (in addition to those necessary to operate the trucks) transported and the transportation of modules includes a detailed traffic control plan, emergency response plan, and contingency plans to protect public safety, no effects on human health are expected to occur from the transportation of modules. Air quality and noise requirements would be met.

Review of the MTP would have some impact on the demand for government services, because the MDT would need to review the initial 32-J permit applications required for oversized loads. The 32-J permit fees will provide some compensation to MDT for permit processing and road use.

Direct, indirect, and secondary economic impacts from module transportation are shown in **Table 23**. Traffic control workers (flaggers, pilot cars, Montana Highway Patrol escorts) reside in Montana. The transportation company truck drivers of the specialized transport equipment are highly trained and experienced and reside outside of Montana. Effects of the return trailers would be not noticeable and limited to fuel and food. The cost of the module transportation will be paid totally by Imperial Oil with no cost to local governments or the State of Montana (see Section 2.2.1.2).

Table 23
Estimated Value of Module Transportation to Montana

	Worker Hours	Direct Value ($ million)	Economic Multiplier	Total Economic Activity Generated ($ million)
Permit Fees Paid to MDT[1]	-	$1.0	1.2[2]	$1.2
Transportation Operations Labor benefiting Montana[3]	170,000	$15.5	1.9[4]	$29.5
Fuel	-	$0.5	1.5[5]	$0.8
Food/Lodging		$0.5	1.1[6]	$0.6
Total		$17.5		$32.0

1/ Estimated at $4500 per module trip, $500 for the returning trailers
2/ Minnesota IMPLAN Group 2001. SAM Multiplier for the State of Montana. State and Local Non-Education (504)
3/ Traffic control, security, Montana Highway Patrol add percentage
4/ Minnesota IMPLAN Group 2001. SAM Multiplier for the State of Montana. Truck Transportation (394)
5/ Minnesota IMPLAN Group 2001. SAM Multiplier for the State of Montana. Gasoline Stations (407)
6/ Minnesota IMPLAN Group 2001. SAM Multiplier for the State of Montana. Food Services and Drinking Places (481)

3.6.2.7 Conclusion

Turnout construction, road modification, and utility relocation would not result in additional travel lanes, and would not improve highway conditions to the point that there would be additional use, nor would it increase the speed of travel. Therefore there would be no induced growth from the project.

As discussed above, employment and economic benefit would occur from work required on the roads, utilities, trees, and traffic structures, and the module movement. The estimated total positive economic impact on Montana is $67.8 million over the period of September 2009 through fourth quarter 2011, including secondary impacts. Additional turnouts would benefit travelers along the route. Visual quality would be improved by the removal of the overhead lines.

There would be minor effects from short-term utility outages as utility work is completed. Minor delays for other commercial traffic during module hauling could result in higher costs for the commercial haulers. There would be some additional demand for government services for permit compliance inspection and permit application review, which would be compensated by Imperial Oil.

3.6.2.8 Cumulative Impacts

The contribution to the economy of the KMTP along with the contribution of MDT's road construction would be continued employment for some Montana residents and direct tax revenue from income tax. The planned MDT road construction will not cause utility outages or remove overhead utility lines from view, so there would be no additional cumulative effects on utility service or visual quality.

Following completion of the construction work, additional oversized loads may want to use the route. Depending on the number, future oversized loads would likely have similar types of effects as the module transportation impacts described in Section 3.6.2.6. Future use will be governed by the same laws and permits.

3.7 Air Quality and Noise

County and city ordinances and regulations were searched and reviewed along the module transportation route. Missoula County (Missoula City-County 2000) and Missoula City (Missoula City Municipal Code Title 9) have direction and regulations associated with noise. Helena and Missoula County are the only locations on the return route with noise ordinances.

There are no Class I airsheds along either the module or the return trailer haul routes; therefore, no Class I airsheds would be affected. The Blackfeet Indian Reservation is not a Class I airshed.

Equipment used during the project will be required to meet EPA emission and noise standards.

3.7.1 No Action Alternative

There would be no impact (direct, indirect, secondary, or cumulative) on air quality or noise from the no action alternative.

3.7.2 Proposed Action

3.7.2.1 Turnout Construction and Road Modifications

Hauling of gravel and use of construction equipment to build or modify the turnouts will create emissions, as would the crushing of gravel and production of plant mix surfacing when needed. Emissions would include typical exhaust and fugitive dust. Imperial Oil plans to use existing gravel pits that operate under a MDEQ permit requiring dust abatement to protect air quality from fugitive dust. There would be no impacts on overall air quality.

The short-term construction activities require the use of trucks and heavy equipment which will add noise to the environment. Construction contractors will meet the standards for noise. Because all municipal code standards that apply to noise generation by equipment will be met, noise impacts would be minimal.

Road modifications would not occur within the non-attainment area in Missoula.

3.7.2.2 Utility Relocations

Trucks and construction equipment used for the utility work will contribute minimally to air emissions.

The short-term construction activities require the use of trucks and heavy equipment which will add noise to the environment. Construction contractors will meet the standards for noise. Because all municipal code standards that apply to noise generation by equipment will be met, noise impacts would be minimal.

3.7.2.3 Traffic Structures

Trucks and construction equipment used for the utility work would have a minor contribution to current air emissions.

The project would remain within both the Missoula County and City of Missoula noise ordinance limits (described above) during the modification of traffic structures because the majority of the traffic modifications are beyond the area where noise would occur. Construction contractors will meet the standards for noise. Because all municipal code standards that apply to noise generation by equipment will be met, noise impacts would be minimal.

3.7.2.4 Tree Trimming

Tree trimming would contribute minimal amounts of emissions from the chainsaws and chipping equipment. The limited work associated with tree trimming would not affect overall air quality in any of the areas where it would occur.

Tree trimming would create noise from chainsaws and chipping equipment while trimming occurs, which is expected to take two days in Bonner and four days in Choteau. Short-term noise would occur during daylight hours so as to not unnecessarily disturb surrounding residences at night. Construction contractors will meet the standards for noise. Because all municipal code standards that apply to noise generation by equipment will be met, noise impacts would be minimal.

3.7.2.5 Module Transportation

Transportation of the modules and empty trailer return would be in compliance with Missoula City and County air quality rules and EPA requirements.

Module transport would emit noise associated to tire roadway interface, engine noise, and exhaust stack noise. Commercial trucks regularly use the proposed route. As a result, the noise contributed by the proposed project would be within the existing long term noise levels. Missoula County and City of Missoula noise ordinance would be met. Trucks hauling return trailers would make the same noise that other commercial trucks would make.

Turnouts within 500 feet of a residence were identified to determine if module storage or long-term parking would affect visual quality or noise for those residences. None of the turnouts within 500 feet of a residence is planned to be used for extended parking, therefore, any impacts on visual quality or noise on residences would be short-term (10 to 20 minutes). Noise impacts on residences would be no greater than normal traffic.

3.7.2.6 Conclusion

There would be minimal, short-term impacts on air quality and noise. The only noise ordinance limits are for the section of the proposed route in Missoula County and through the City of Missoula. Noise would not increase above current levels and would not exceed the Missoula County and City of Missoula ordinance limits during transportation of the modules nor would noise levels increase above current levels from hauling the return trailers through the Missoula areas and the City of Helena. Residences near parking turnouts would not be noticeably affected.

3.7.2.7 Cumulative Impacts

KTMP construction and transportation would contribute minor cumulative impacts on air quality and noise when combined with other related actions listed in Section 3.2 which would also include additional emissions and particulate matter, and noise. The cumulative impacts would be short-term and would not exceed air quality and noise regulations.

3.8 Contaminated Sites/Hazardous Materials

Regulatory records were obtained from the EPA and MDEQ (MDEQ 2009) and reviewed in order to identify any areas where there may be contact with potential petroleum or hazardous waste facilities, including underground storage tanks, leaking underground storage tanks, remediation response sites, or other petroleum or hazardous waste facilities. A mitigation measure has been included on what to do if contaminated sites are inadvertently discovered as part of the project construction. An emergency spill plan has been developed for use during the project.

A total of 132 underground storage tanks, 58 leaking underground storage tanks facilities, 9 remediation response sites and 82 additional areas with a history of contamination were identified to occur within the 100-foot analysis area along the total route.

Imperial Oil will ensure that all contractors have a spill prevention and clean-up plan to minimize potential for effects.

3.8.1 No Action Alternative

There would be no additional risk of worker exposure to contaminated sites or hazardous waste from the no action alternative. There would be no direct, indirect, secondary, or cumulative impacts.

3.8.2 Proposed Action

3.8.2.1 Turnout Construction and Road Modifications

The records search found no petroleum or hazardous waste facilities located within 100 feet of the turnout construction or modifications. There would be no impacts expected on petroleum or hazardous waste facilities due to turnout construction or modification. If contaminated soils / sites are unexpectedly encountered during construction, construction would cease immediately and a qualified hazardous material professional would be consulted to ensure compliance with applicable laws, rules, and regulations. As appropriate, the MDEQ, EPA, and the MDT would be contacted and consulted.

There is a slight risk of a vehicle accident involving the construction vehicles occurring that could cause a spill of diesel fuel, hydraulic liquids, or coolant. The contractor will implement standard operating procedures outlined in the emergency spill plan for handling these situations, which would minimize resulting effects on the environment.

3.8.2.2 Utility Relocations

No petroleum or hazardous waste facilities were identified where utility work would affect them. No effects are expected to occur on petroleum or hazardous waste facilities from utility relocations. If contaminated soils / sites are unexpectedly encountered during construction, construction would cease immediately and a qualified hazardous material professional would be consulted to ensure compliance with applicable laws, rules, and regulations. As appropriate, the MDEQ, EPA, and the MDT would be contacted and consulted.

There is a slight risk of a vehicle accident involving the construction vehicles occurring that could cause a spill of diesel fuel, hydraulic liquids, or coolant. The contractor will implement the standard operating procedures outlined in the emergency spill plan for handling these situations, which would minimize resulting effects on the environment.

3.8.2.3 Traffic Structures

No petroleum or hazardous waste facilities were identified where traffic structure work would affect them. There would be no effects expected on petroleum or hazardous waste facilities from work on traffic structures. There is a slight risk of a vehicle accident involving the construction vehicles occurring that could cause a spill of diesel fuel, hydraulic liquids, or coolant. The contractor will implement the standard operating procedures outlined in the emergency spill plan for handling these situations, which would minimize resulting effects on the environment.

3.8.2.4 Tree Trimming

All tree trimming would occur above ground and poses no risk for contacting any potential petroleum or hazardous waste facilities. There is a slight risk of a vehicle accident involving the construction vehicles occurring that could cause a spill of diesel fuel, hydraulic liquids, or coolant. The contractor will implement the standard operating procedures outlined in the emergency spill plan for handling these situations, which would minimize resulting effects on the environment.

3.8.2.5 Module Transportation

The modules would not contain any petroleum substances or hazardous materials in addition to those necessary to operate the vehicles and have minimal potential to cause a risk of spills.

An accident involving the transportation of modules would not pose a risk of contacting any existing, buried petroleum or hazardous waste sites.

There is a slight risk of a vehicle accident involving the transport vehicle occurring that could cause a spill of diesel fuel, hydraulic liquids, or coolant from the transportation equipment. Travel speeds are always below 30 miles per hour or slower, when necessary, for safe operation under certain road conditions. A key selection criteria for determining the transport company will be their past safety record and training. The transportation plan contains procedures for managing fuel spill situations, including an on-board spill response kit. It is expected that there would be minimal resulting impacts on the environment from accidental spills with implementation of the emergency response plan should a spill occur. The transportation plan also contains contingencies for dealing with adverse weather conditions to prevent accidents.

Imperial Oil will ensure that automotive petroleum product land spills greater than 25 gallons or spills of any volume to an aquatic resource would be reported to MDEQ and MDT. A qualified hazardous material consultant will be consulted to ensure compliance with applicable laws, rules, and regulations regarding clean-up of the spill.

3.8.2.6 Conclusion

The project does not involve contaminated or hazardous waste sites. The project poses a slight risk of a spill that would affect the environment, similar to current risks from vehicles using the roads. It is expected that there would be minimal resulting impacts on the environment with implementation of the emergency response plan should a spill occur.

3.8.2.7 Cumulative Impacts

Other road construction work, use of the highway, and transportation of goods add slight risks of spills of hazardous materials or petroleum products. Construction work planned by MDT, while it occurs, would add traffic to the highways. Both of these situations can increase the risk of spills, although the increase is slight, as is the added increase from the KMTP. As with the KMTP, construction projects, transportation companies, and the State of Montana have emergency response plans in place that would minimize environmental problems from nearly all accidental spills. On any roadway, at any time, a rare occurrence could be the spill of a large tanker of hazardous material or petroleum. While emergency response procedures would be followed in these circumstances, it is possible that short-term and long-term environmental effects could occur from such an accident.

3.9 Water Resources

Montana's surface water quality is monitored through the MDEQ's Water Quality Monitoring and Assessment program. This program reports on surface water quality conditions, and trends statewide, and assesses sources and severity of pollution problems. **Table 24** presents the number of perennial and intermittent stream crossings in the analysis area based on the United States Geological Survey (USGS) National Hydrography Dataset (NHD) (USGS 2009).

For the EA, wetland features within the analysis area were evaluated through a field review of ground disturbing activity locations or by using aerial photograph interpretation and the National Wetland Inventory. Once the growing season commences, additional field review by a wetland professional will be completed prior to any ground disturbing activities. Any activities identified that could adversely affect wetlands will be relocated, modified, or mitigated to avoid or minimize impacts.

Table 24
Streams Crossed by Module Transportation Route

County	Intermittent	Perennial	Stream Crossings by County
Glacier	15	2	17
Lewis and Clark	52	20	72
Missoula	30	39	69
Pondera	8	9	17
Powell	11	9	20
Teton	14	4	18
Toole	4	0	4
Total Crossings by Stream Type	**134**	**83**	**217**

Source: USGS NHD 2009.

For the aerial imagery interpretation, USDA Farm Service Agency's National Agricultural Imagery Program (NAIP). NAIP imagery is photographed during the summer crop growing season, or "leaf on" enhancing the contrast between vegetation communities. Aerial imagery was overlaid with the proposed turnout and utility work to identify areas of potential surface disturbance. National Wetland Inventory (NWI) and NHD layers within the imagery supplemented wetland identification by indicating areas with potential wetlands and providing stream class (i.e., perennial, intermittent, etc.), and drainage patterns.

For all ground disturbing activities, wetland features were reviewed on aerial imagery by a wetland biologist with extensive image interpretation experience and compared to existing wetland mapping from the NWI and

stream network in the NHD. Image interpretation occurred along the entire route and included turnouts, road modifications, and utility work.

Floodplains within the analysis area were identified using the Federal Emergency Management Agency (FEMA) Map Service Center (FEMA 2009). Forty-three floodplain maps were downloaded and analyzed for areas. The route crosses 26 floodplains (**Table 25**).

Table 25
Floodplain Zones Crossed by the Analysis Area

Road Name	FEMA Floodplain Zones							Total Number by Road
	A	A4	A6	AE	B	C	X	
Highway 200	9	--	--	1	--	--	--	**10**
Highway 287	2	--	--	--	--	--	--	**2**
Highway 89	1	1	1	--	1	3	--	**7**
Highway 93	1	--	--	1	--	--	1	**3**
Interstate 90 and Reserve Street	--	--	--	1	--	--	--	**1**
Santa Rita Road	2	--	--	--	--	1	--	**3**
Total by Zone	**15**	**1**	**1**	**3**	**1**	**4**	**1**	**26**

Zone A: Areas of 100-year flood; base flood elevations and flood hazard factors not determined.

Zone B: Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.

Zone C: Areas of minimal flooding.

Zone A1 – A30: Areas of 100-year flood; base flood elevations and flood hazard factors determined.

Zone AE: Base flood elevations determined.

Zone X: Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.

3.9.1 No Action Alternative

There would be no impact (direct, indirect, secondary, or cumulative) from the no action alternative on water resources.

3.9.2 Proposed Action

3.9.2.1 Turnout Construction and Road Modifications

All turnout and road modification sites will have spill response kits available to address any accidental spills.

Wetlands

Turnouts and road modifications were reviewed in October in the field for visual evidence of wetlands, including connectivity to streams and irrigation and vegetation and turnout locations were adjusted at that time to avoid identifiable wetlands or wet areas.

In addition image interpretation was conducted on all of the turnouts as it shows vegetation during the growing season. This interpretation indicated there were potentially three wetlands that occur within 30 feet of proposed turnout construction locations (Highway 200 at MP 8.5 and 43.0-new, and Highway 12 at MP 20.3-existing).

All sites will be investigated and delineated (if they are wetlands) in the field during the growing season of 2010 and the location adjusted or mitigation applied to avoid impacts on wetlands if necessary.

Streams

Initially, the NHD was queried to identify potential streams and irrigation canals near turnouts and road modifications. All turnouts were then reviewed in the field and placed to avoid all streams, rivers, and

irrigation ditches. Construction of several turnouts will modify the drainage from the road or adjacent lands; however, existing drainage patterns will be maintained or improved if necessary. **Table 26** shows the distance to streams from turnouts and **Table 27** show the distance to streams from the road modifications generated with Geographic Information System (GIS) data. All new turnouts are at least 100 feet from streams or irrigation canals. No additional effect on water is expected from the turnouts and road modifications than is already occurring from the highways and adjacent land uses. The newly disturbed area from turnout construction is limited (see **Table 4)**. Best Management Practices (BMPs) (detailed in the Environmental Mitigation and Coordination Measure for Aquatic Resources - **Appendix D**) would be used to control sediment and erosion according to the Storm Water Pollution Prevention Plan. A mitigation measure is included requiring disturbed areas to be revegetated to avoid sediment entering streams, irrigation ditches, or wetlands.

Floodplains

Floodplains would not be affected by turnout construction or road modification because none of these activities are located in floodplains.

Table 26
Turnout Construction Distance to Streams

Highway	Mile Post	Status	Type	Feet from Stream
12	1.0	Existing	Park	220
12	1.8	Existing	Night/ Extended	295
12	6.9	New	Park	834
12	8.4	Existing	Park	416
12	15.4	Existing	Park	206
12	19.1	Existing	Park	95
12	20.3	Existing	Park	230
12	21.8	Existing	Clear	127
I-90	103.5	Existing	Park	759
200	12.1	New	Park	274
200	22.1	New	Park	327
200	35.2	Existing	Clear	203
200	36.8	New	Clear	1,020
200	40.2	Existing	Night/ Extended	512
200	43.0	New	Clear	1,565
200	47.2	New	Clear	163
200	52.3	New	Clear	1,674
200	55.2	Existing	Park	342
200	57.7	Existing	Park	1,030
200	62.9	Existing	Night/ Extended	137
200	67.5	Existing	Night/ Extended	455
200	70.1	New	Clear	100

Table 26
Turnout Construction Distance to Streams

Highway	Mile Post	Status	Type	Feet from Stream
200	75.0	Existing	Night/ Extended	259
200	77.9	New	Clear	406
200	85.0	Existing	Park	158
200	92.1	Existing	Park	259
200	96.0	New	Clear	328
200	101.5	New	Clear	628
200	102.6	New	Clear	458
200	104.0	New	Clear	504
200	106.5	Existing	Night/ Extended	677
Jct. 200/287	109.8	Existing	Park	265
287	24.1	New	Clear	1,072
287	28.1	New	Park	767
287	32.4	New	Clear	495
287	36.1	New	Clear	4,341
287	38.1	New	Night/ Extended	145
287	40.5	Existing	Park	1,291
287	44.7	New	Clear	3,952
287	50.3	New	Park	4,179
287	54.7	New	Clear	2,823
287	57.5	New	Clear	2,702
287	61.4	New	Clear	853
287	63.6	New	Night/ Extended	147

Table 26
Turnout Construction Distance to Streams

Highway	Mile Post	Status	Type	Feet from Stream
89	50.6	New	Clear	420
89	54.8	New	Park	2,026
89	59.2	New	Clear	1,161
89	62.5	Existing	Park	2,821
89	64.9	New	Clear	1,279
89	66.1	New	Clear	1,097
89	68.3	New	Clear	1,090
89	70.0	New	Clear	1,751
89	71.2	New	Night/ Extended	946
89	73.6	New	Clear	263
89	79.5	New	Night/ Extended	1,988
44	6.6	New	Park	3,385
44	10.4	New	Clear	1,043
44	13.2	New	Night/ Extended	2,108
358	6.4	New	Clear	3,179

Table 26
Turnout Construction Distance to Streams

Highway	Mile Post	Status	Type	Feet from Stream
358	8.4	New	Clear	1,416
358	15.2	New	Clear	547
358	17.7	Existing	Park	1,447
358	22.5	New	Clear	1,705
358	25.0	New	Night/ Extended	792
358	11.8	New	Park	1,338
358	19.9	New	Clear	1,134
358	3.0	New	MISC	227
213	2.5	New	Clear	5,614
213	5.0	New	Clear	7,933
214	0.3	New	Clear	4,314
214	2.9	New	Clear	3,844
214	4.6	New	Park	966
214	8.3	New	Clear	6,097
214	11.9	New	Clear	2,815
214	14.7	New	Clear	4,280
214	22.0	New	Park	2,357

Table 27
Road Modification Distance to Streams

Location	MP	Status	Type	Feet to Stream
93	87.1	Existing	Corner	448
I-90/200	0.0	New	Corner	1,547
214	21.5	New	Corner	285
358	3.0	Existing	Corner	103
214 / Santa Rita Road	Approx 20.5 miles north of Cut Bank	Existing	Repair Road surface	Various (would not affect streams
Santa Rita Road	16.8	Existing	Corner	1,342

3.9.2.2 Utility Relocations

All utility relocations sites will have spill response kits available to address any accidental spills.

Wetlands

For utilities, aerial imagery review considered areas that exhibited characteristics consistent with wetlands including color, texture, distinctness from surrounding vegetation, lower gradient, correct topographic

placement, and hydrologic connectivity. Imagery interpretation identified six potential wetland areas within 100 feet of the proposed utility relocation areas. The six potential wetland areas near proposed utility relocation areas were field reviewed by a qualified wetland delineator in November and December 2009 to inspect connectivity, vegetation, and weed invasion. Two of the six locations appear to have wetland characteristics and need to be reviewed during the growing season.

To confirm the above analysis, each site will be visited during the growing season to determine if utility work is located in or near a wetland prior to any ground disturbing activity. Best Management Practices would be used to control sediment and erosion.

Streams

The NHD was queried to identify potential streams and irrigation canals near utility relocations. Based on the analysis of the above information, minimal disturbance of the activity, and BMPs implemented, there would be no impacts on streams and irrigation canals from the utility work.

Floodplains

Floodplains would not be affected by utility relocation work because no activities are located in floodplains.

3.9.2.3 Traffic Structures

Work on modifying traffic structures and signs will occur where existing structures exist within Lolo, Missoula, Lincoln, Valier, Choteau, and Cut Bank, Montana. None of these locations are within or adjacent to floodplains, wetlands, streams, or waterbodies and the modification work will not affect water quality.

No impacts are anticipated on surface water quality as there is no surface water located at or near proposed traffic structure modification sites.

Floodplains would not be affected by traffic structure modifications because no floodplains are located in these work areas.

3.9.2.4 Tree Trimming

Tree trimming would not affect water resources as none of the work would occur near any surface water features, including wetlands.

3.9.2.5 Module Transportation

The modules would not contain any petroleum substances or hazardous materials in addition to those necessary to operate the vehicles and therefore have limited potential to cause contamination of water resources.

Further, all push/pull trucks will be equipped with spill response kits. In case of an environmental spill (i.e., hydraulic oil, fuel, antifreeze etc.) from any of the trucks or support vehicles, the spill response kit will be used to contain and remove contaminates to minimize the potential contamination of water resources. In the event the transport crew cannot contain and sufficiently clean the spill area, spill response agencies will be contacted immediately when required (depending on the size of spill). Transport crews would be provided local emergency contact numbers. As appropriate, the MDEQ, EPA, and the MDT would be consulted.

3.9.2.6 Conclusion

The proposed project is not expected to affect water quality or water resources, including floodplains, streams, wetlands, or water bodies.

3.9.2.7 Cumulative Impacts

As there are not expected to be any impacts on water resources from any of the activities associated with the KMTP. Therefore, when considered in conjunction with other past, present, and future actions, there would be no cumulative impacts on water.

3.10 Threatened or Endangered Species

Listed threatened and endangered species, their critical habitat, and species proposed for listing with the potential to occur within the project area were evaluated through review of the Montana Natural Heritage Program's database and US Fish and Wildlife Service database (USFWS 2009). In addition, the USFWS biologist was consulted to assess any concerns the USFWS may have regarding the project (USFWS 2010), see Section 4.1.1.4. The threatened and endangered species and their habitat that is located near the project and the effects the entire project would have on identified species and habitat are summarized in **Table 28**.

For analyzing the potential impacts on listed or proposed species from light and noise disturbance, the following assumptions were made.

- Lights on traffic control personnel would be directed downward on work areas and not directed towards area outside of the work area.
- Light sources (in addition to typical vehicle lighting): auxiliary lighting on the side of modules and mobile light plants positioned on the side of the road or in trucks.
- When modules are parked during weekends, holidays, or inclement weather, light disturbance would be from battery powered lights on the parked module and traffic cones.
- During module transportation, noise and light disturbance from traffic control and modules would occur for a short-duration at any one turnout or traffic control location.
- With the exception of vehicle motors and light plants, there are no additional noise sources.

3.10.1 No Action Alternative

The no action alternative would have no impact (direct, indirect, secondary, or cumulative) on any threatened or endangered species or critical habitat.

3.10.2 Proposed Action

3.10.2.1 Turnout Construction and Road Modifications

Threatened and endangered species, or their critical habitat, may occur within the region of the proposed disturbance areas. While turnout locations may occur within Canada lynx or grizzly bear habitat, the proposed activities would occur within areas of long-term disturbance. Given that these listed species are sensitive to disturbance, species would not rely on the areas within or adjacent to the highway or proposed disturbance areas for habitat. Although some species do travel across the road, these species would not rely on the proposed disturbance areas for habitat.

The Special Provisions "Environmental Mitigation and Coordination Measures for Bears" (**Appendix D**) will be attached to all construction contracts. Compliance with these provisions will help prevent grizzly bears from being attracted to the work areas or project area. The special provisions require all potential bear attractants to be removed or kept in a bear resistant container until it can be removed from the site.

Bull trout and bull trout Critical Habitat occur within numerous streams adjacent to the project area. Direct or indirect impacts would not occur to these streams as a result of proposed activities. The Special Provisions "Environmental Mitigation and Coordination Measures for Aquatic Resources" (**Appendix D**) will be attached to all construction contracts. In the event of an accident that may directly or indirectly impact a bull trout inhabited stream or bull trout Critical Habitat, the US Fish and Wildlife Service and MDT would be contacted immediately.

3.10.2.2 Utility Relocations

There would be no impacts on listed or proposed threatened or endangered species from utility modifications (refer to **Table 28**). While utility relocation sites may occur within Canada lynx or grizzly bear habitat, the proposed activities would occur within areas of long-term disturbance. Given that these listed species are

sensitive to disturbance, species would not rely on the areas within or adjacent to the highway or proposed disturbance areas for habitat. Special provisions (Appendix D) will be attached to all contracts.

3.10.2.3 Traffic Structures

Work on modifying traffic structures and signs will occur where existing structures exist within Lolo, Missoula, Lincoln, Choteau, Valier, and Cut Bank. Although threatened and endangered species occur within these counties, none of the work would affect listed or proposed species or their critical habitat.

3.10.2.4 Tree Trimming

There would be no impacts on listed or proposed threatened or endangered species from tree trimming.

3.10.2.5 Module Transportation

Due to the slow speed that the modules and empty return trailers would move, there would be no additional impacts on listed or proposed threatened or endangered species from transportation of the modules. Special provisions (Appendix D) will be attached to the hauling contracts.

There is the potential that noise and light disturbance from nighttime traffic control and module movement that occurs adjacent to riparian corridors may temporarily disrupt grizzly bear dispersal. Noise and light disturbance associated with the module units using a turnout area would occur for only a brief period of time at any given turnout area along the route. Lighting to conduct night time activities will be controlled and directed to minimize impacts on wildlife where ever possible as long as it does not compromise safety of the workers and traffic. While grizzly bears may be temporarily deterred from using riparian corridors adjacent to actively used turnouts, the disturbance would be for a short period and would be only minimally more disruptive that the normal highway traffic light and noise disturbance.

Extended parking turnouts would require transportation vehicles to be parked within the turnout from approximately 5:00 am to 11:00 pm. Disturbance associated with the extended parking would include vehicle motor noise and auxiliary lighting on the side of modules while the modules are prepped to be transported at night. The disturbances associated with the turnout use would be temporary and within the range of disturbance associated with average highway use. If this is a temporary deterrent to grizzly bear movement, the grizzly bear would either pick another course of travel or wait and resume travel and normal behaviors as soon as the disturbance ceased.

Noise and lights associated with traffic control and module transportation may temporarily deter some grizzly bear behaviors; however, the lights and noise would not adversely affect grizzly bears.

3.10.2.6 Conclusion

Bull trout, bull trout Critical Habitat, Canada lynx, Canada lynx Critical Habitat, and grizzly bears are the only threatened or endangered species and/or habitats that occur in the analysis area (**Table 28**).

Streams and wetlands, which are habitats for bull trout are not expected to be affected. Therefore, there would be no effect on bull trout or bull trout Critical Habitat.

Canada lynx are wide ranging species and generally avoid highways. The proposed activities are located adjacent to existing highways and lynx do not rely on areas within or adjacent to highways and disturbance areas for habitat. There would be no effect on Canada lynx or Canada lynx Critical Habitat.

Construction would not occur at night and therefore there would be no impacts from lights on grizzly bears. Module transportation would not occur during the evening, the prime period for grizzly bear movement. Night time light use for traffic control would be short-term and would have minimal impacts on grizzly bear movement. Module layovers on weekends, holidays, and due to inclement weather would have minimal stationary lighting for safety. This lighting would have minimal impacts on bears. The project may affect, but is not likely to adversely affect grizzly bears. This project does not include any federal funds, therefore consultation with the USFWS is not required.

The project would have no effect on any other threatened or endangered species.

Table 28 summarizes the threatened and endangered species and their habitat and the effects the entire project would have on them.

Table 28
Threatened and Endangered Species Identified to Potentially Occur within the Project Area

Scientific Name	Common Name	Status	Counties With Potential Occurrence*	Potential to be Impacted by Proposed Activities
Salvelinus confluentus	Bull Trout	Threatened	Deer Lodge, Glacier, Granite, Lewis and Clark, Missoula, Powell, Silver Bow	**No effect:** While waterways adjacent to the project areas may be occupied by bull trout, none of the proposed activities would impact waterways or water quality; therefore, the proposed project would have no impact on bull trout. Bull trout and bull trout habitat occur within numerous streams adjacent to the project area. Direct or indirect impacts would not occur to these streams as a result of proposed activities. The Special Provisions "Environmental Mitigation and Coordination Measures for Aquatic Resources" (**Appendix D**) will be attached to all construction contracts. In the event of an accident that may directly or indirectly impact a bull trout inhabited stream or bull trout Critical Habitat, the USFWS would be contacted immediately.
Salvelinus confluentus	Bull Trout Critical Habitat	N/A	Deer Lodge, Glacier, Granite, Lewis and Clark, Missoula, Powell, Silver Bow	**No effect:** There would be no effect on bull trout Critical Habitat.
Ursus arctos horribilis	Grizzly Bear	Threatened	Glacier, Lewis and Clark, Missoula, Pondera, Powell, Teton	**May affect but not likely to adversely affect:** Transient grizzly bears may pass through the project areas; however, the project areas are located adjacent to areas with a high level of regular disturbance, and given that grizzly bears are sensitive to disturbance, it is unlikely that grizzly bears would utilize the project areas for anything other than transient passage. The Special Provisions "Environmental Mitigation and Coordination Measures for Bears" (**Appendix D**) will be attached to all construction contracts. Compliance with these provisions will ensure that grizzly bears are not attracted to the work areas or project area. The special provisions basically require all potential bear attractants to be removed from the area or kept in a bear resistant container until it can be removed from the site. Lighting to conduct night time activities will be controlled and directed to minimize impacts on the public and wildlife wherever possible as long as it does not compromise safety of the workers.
Lynx canadensis	Canada Lynx	Threatened	Glacier, Granite, Jefferson, Lewis and Clark, Missoula, Pondera, Powell, Teton	**No effect:** There would be no effect on Canada lynx. The proposed activities would result in only minimal ground disturbing activities within lynx distribution areas and would not impact snowshoe hare habitat. In addition, the proposed activities would not result in an increase in over-the-snow routes within lynx habitat.

Table 28
Threatened and Endangered Species Identified to Potentially Occur within the Project Area

Scientific Name	Common Name	Status	Counties With Potential Occurrence*	Potential to be Impacted by Proposed Activities
Lynx canadensis	Canada Lynx Critical Habitat	N/A	Glacier, Granite, Jefferson, Lewis and Clark, Missoula, Pondera, Powell, Teton	**No effect:** There would be no effect on Canada lynx Critical Habitat.
Spiranthes diluvialis	Ute Ladies Tresses	Threatened	Jefferson	**No effect:** The proposed activities would not impact Ute ladies tresses plants, as all known occurrences in Montana have occurred south of Helena within the Bozeman region (well outside any of the proposed project areas) (MNHP 2010a).
Mustela nigripes	Black-footed Ferret	Endangered	Jefferson, Lewis and Clark, Toole	**No effect:** The proposed activities or project areas would not occur within known black-footed ferret distribution or within black-footed ferret habitat (within or adjacent to prairie dog complexes).
Howellia aquatilius	Water Howellia	Threatened	Missoula	**No effect:** The proposed activities would not impact water howellia plants as all known occurrences in Montana have occurred within the Swan Valley and none of the proposed project areas occur within this valley (MNHP 2010b).
Coccyzus americanus	Yellow-billed Cuckoo	Candidate	Missoula	**No effect:** The proposed activities would not impact yellow-billed cuckoos as disturbance activities would not occur within their Montana distribution area. Summer distribution occurs within the southern half of the state and does not occur within regions of the project areas (MNHP 2010c).
Charadrius melodus	Piping Plover	Threatened	Pondera	**No effect:** The proposed activities would not impact piping plovers or their habitat. Piping plover habitat occurs within unvegetated sand or pebble beaches on shorelines or islands in freshwater and saline wetlands. Open shorelines and sandbars of rivers and large reservoirs are also preferred (MNHP 2010d).

* USFWS, Ecological Services. 2009.

While gray wolves (*Canis lupus)* are not listed as threatened or endangered, it is possible that they may be relisted in the future. US Fish and Wildlife Service Biologist, Scott Jackson, was consulted regarding the proposed activities and their impacts on wolves (USFWS 2010). Mr. Jackson indicated that he did not feel the project presented any concerns for wolves and in the event the wolves were relisted, the project would have a 'no effect' determination for wolves.

3.10.2.7 Cumulative Impacts

There would be no impacts on bull trout, bull trout Critical Habitat, Canada lynx, or Canada lynx Critical Habitat from any of the activities associated with the KMTP. Therefore, when considered in conjunction with other past, present, and future actions, there would be no cumulative impacts.

Grizzly bears may be minimally affected by module transportation. This minimal effect, when considered in conjunction with impacts from other past, present, and reasonably foreseeable projects will result in minimal overall impacts on grizzly bears. Most past, present, and reasonably foreseeable actions listed in Section 3.2

will involve permitting processes, and associated consultation with the USFWS, when applicable, that will require analysis of impacts and mitigation measures to avoid, minimize, and mitigate potential adverse affect. Therefore, when considered in conjunction with other past, present, and future actions, there would be no significant cumulative impacts.

3.11 Wildlife and Fisheries

Montana provides habitat for a diverse set of both game and nongame wildlife species. Big game species include mule and white-tailed deer, elk, moose, antelope, bighorn sheep, mountain goat, mountain lions, and black bears. Montana also has a diversity of nongame animals with a wide range of small mammals, bats and predator species such as wolves, coyotes and fox. Intermontane valleys and foothills in the Rocky Mountain Province provide winter range for mule deer, white-tailed deer, and elk.

The variety of habitats available within Montana provides nesting and wintering habitat for a wide range of birds including raptors, waterfowl, shore birds, grassland and sagebrush obligate species, and a variety of migratory birds. Raptors such as hawks, owls, falcons, and eagles are found in all habitats throughout the state.

Montana's 80 species of fish are adapted to both cold waters of western Montana and warmer waters of the eastern part of the state. Cold-water fish need the clean oxygenated gravel of high mountain streams to spawn and are most common within the western portion of the state. Salmonid fish (i.e., trout, salmon, grayling, and whitefish) are the dominant species in these cold lakes and streams. Warm water fisheries are most common within the grasslands in the eastern portion of the state. Some of the rivers and streams in this region, particularly the warm water sections of the Yellowstone and Missouri rivers in eastern Montana, harbor the most diverse communities of fish in the state. The documented occurrence of state sensitive species was determined through a query of the Montana Natural Heritage Program. The species of concern documented to occur within 100 feet of the module transportation route where direct effects from ground disturbing activities could occur are presented in **Appendix F**. Effects from noise or human presence could extend beyond 100 feet. Effects from noise beyond 100 feet are discussed under the activities below. Appendix F includes the Montana Species of Concern with habitat in the counties where module transportation would occur.

3.11.1 No Action Alternative

There would be no impact (direct, indirect, secondary, or cumulative) on wildlife or fisheries from the no action alternative.

3.11.2 Proposed Action

3.11.2.1 Turnout Construction and Road Modifications

Road modifications would impact a small area of potential habitat relative to available habitat in adjacent areas. The proposed activities would occur within areas of high levels of previous disturbance. Proposed road modifications are not expected to affect streams or waterways; therefore, there would be no impacts on fish or their habitat. The Bald and Golden Eagle Protection Act prohibits "taking" eagles, including disturbing[3] them. Noise could disturb eagles. The USFWS National Bald Eagle Management Guidelines (USFWS 2007) indicate that 1/2 mile is an appropriate distance to avoid impacts on eagles from "blasting and other loud, intermittent noises." Although the project would not include blasting and does not include similar noises, a 1/2 mile analysis area was used to ensure compliance with the guidelines. Although NRIS did report sitings of golden eagle nests along the module haul route, none were within 1/2 mile of a turnout construction area.

3 For the purposes of the bald eagle management guidelines, "disturb" means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

The Montana Natural Heritage Program Point Observation Database (POD) was queried to identify all recorded bald eagle nest sites known to occur within 1 mile of the Kearl proposed route. Of the nest sites identified, those that have been active within the last 10 years were used to identify activities that might need mitigation. For the analysis, a distance of 1/2 mile from an eagle nest observed within the last 10 years was used. There was one nest, located 1,800 feet from the Highway 200 located at MP 8.6.

To avoid impacts on eagles, construction will not be allowed before August 1 at turnout locations with active nests within 1/2 mile. It is anticipated that this mitigation will avoid impacts on nesting eagles. If active bald or golden eagle nests are observed within 1/2 mile of disturbance areas during the nesting season, the USFWS will be contacted and consulted in an attempt to avoid impacts to nesting eagles.

No impacts are expected to any fish, wildlife, or Montana Species of Concern from turnout construction or road modifications.

3.11.2.2 Utility Relocations

While species and their habitat may occur within the region of the proposed utility relocations, the activities would not impact these species. Disturbance associated to utility relocation activities would impact a small area of potential habitat relative to available habitat in adjacent areas. In addition, the proposed activities would occur within areas of high levels of disturbance; therefore, these areas would generally be avoided by most wildlife species. All overhead utility structures would be constructed in compliance with raptor safe guidelines (APLIC 1996). Proposed utility relocations would not impact streams or waterways; therefore, impacts on fish or their habitat are not expected. No impacts are expected to any fish, wildlife, or Montana Species of Concern from utility relocations.

The same method was used for utility crossing to determine where active eagle nests may be located as described in Section 3.11.2.1 (see **Table 29**). To avoid impacts on eagles, construction will not be allowed after January 1 and prior to August 1 at utility relocations with active nests within 1/2 mile. It is anticipated that this mitigation will avoid impacts on nesting eagles. If active bald or golden eagle nests are observed within ½ mile of disturbance areas during the nesting season, the USFWS will be contacted and consulted in an attempt to avoid impacts to nesting eagles.

Table 29
Bald Eagle Nests within 1/2 Mile of a Utility Crossing

Highway	Nest Location	Feet from Nest	Utility	Crossing Number
93	Hwy 93 MM 85 + 0708	2,341	NWE - M	10
93	Hwy 93 MM 85 + 0708	2,102	NWE - M	11
93	Hwy 93 MM 85 + 0710	2,301	NWE - M	10
93	Hwy 93 MM 85 + 0710	1,983	NWE - M	11
93	Hwy 93 MM 85 + 2222	1,812	NWE - M	11
93	Hwy 93 MM 85 + 2222	2,290	NWE - M	12
93	Hwy 93 MM 89 + 4309	1,207	Qwest	Location 9
93	Hwy 93 MM 89 + 4309	2,494	NWE - T	1
93	Hwy 93 MM 89 + 4309	2,244	BC - S	B15
93	Hwy 93 MM 89 + 4309	2,244	NWE - M	25
200	Hwy 200 MM 8 + 5097	1,502	MEC - 200	X19
200	Hwy 200 MM 8 + 5097	2,419	MEC - 200	X20
200	Hwy 200 MM 10 + 0305	2,111	MEC - 200	X21
200	Hwy 200 MM 35 + 3677	452	MEC - 200	X51
200	Hwy 200 MM 35 + 5182	2,131	MEC - 200	X51

3.11.2.3 Tree Trimming

There would be no impacts on fish, wildlife, or Montana Species of Concern from tree trimming. Plans are to trim trees outside of the nesting season (April 30th to August 16th). In the event that tree trimming is required to occur during the nesting season, branches will be examined for the presence of active nests and trees with active nests will not be trimmed until the completion of the nesting season so no impacts on breeding birds are anticipated.

3.11.2.4 Module Transportation

Due to the slow speed that the modules would travel, there would be fewer impacts on wildlife species from transportation of the modules than normal traffic. Returning trailers would travel mostly on the interstate highway system at a maximum speed of 50 miles per hour, slower than the posted 75 mile per hour speed. Impacts on wildlife from returning trailers are not expected to be substantially different from normal traffic. No impacts are expected to any fish, wildlife, or Montana Species of Concern from module transport or return trailers.

3.11.2.5 Conclusion

The project is not expected to have impacts on fish, wildlife, or Montana Species of Concern, or habitat that is vital to their life cycle. No breeding habitat, wintering habitat, streams or wetlands would be adversely affected by proposed activities. The proposed activities are located adjacent to existing highways with moderate to high levels of average annual daily traffic (see **Table 12**) so it is unlikely that species rely on areas within or adjacent to the disturbance areas. Mitigation has been developed to avoid impacts during nesting seasons.

3.11.2.6 Cumulative Impacts

The project is not expected to have impacts on fish, wildlife, or Montana Species of Concern, or habitat that is vital to their life cycle. Therefore, when considered in conjunction with other past, present, and future actions, there would be no cumulative impacts.

3.12 Prime Farmlands

3.12.1 No Action Alternative

There would be no impact (direct, indirect, secondary, or cumulative) on farmlands from the no action alternative.

3.12.2 Proposed Action

Several types of recognized farmlands are located adjacent to the proposed route and they include: prime farmland, farmland of local importance, farmland of statewide importance, and irrigated prime farmland (NRCS 2009). Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses (NRCS 2009). In some areas, land that does not meet the criteria for prime or unique farmland is considered to be "farmland of statewide importance" for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. In some areas that are not identified as having national or statewide importance, land is considered to be "farmland of local importance" for the production of food, feed, fiber, forage, and oilseed crops. This farmland is identified by the appropriate local agencies. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance.

3.12.2.1 Turnout Construction and Road Modifications

Land and soil adjacent to the highways and roads where turnouts would be constructed or modified have long been affected by the highway and no longer contain the same soil types of the surrounding lands; therefore, they would not be considered prime farmland, even if crop fields are directly adjacent to the road. Construction of the new turnouts or improvement of existing turnouts would be designed to maintain

adequate drainage to avoid runoff from the turnouts so the runoff does not affect adjacent prime farmland. There would be no direct or indirect impacts on adjacent prime farmland. No additional farmlands will be converted to a transportation use.

3.12.2.2 Utility Relocations

Utility relocation work would occur within the MDT ROWs or adjacent to existing utility facilities and would not affect farmland.

3.12.2.3 Traffic Structures

Work on modifying traffic structures and signs will occur where existing structures exist within Lolo, Missoula, Lincoln, Valier, Choteau, and Cut Bank. None of these locations are within farmland. Traffic structure and sign modifications would have no effects on farmlands.

3.12.2.4 Tree Trimming

Tree trimming would not affect adjacent farmland.

3.12.2.5 Module Transportation

As transportation of the modules will occur within the existing MDT ROWs, the transportation of modules and empty trailer return would not affect adjacent farmland.

3.12.2.6 Conclusion

The project would not result in impacts to prime farmlands or farmlands of local importance. The transportation along the proposed routes would not impact adjacent farmlands.

3.12.2.7 Cumulative Impacts

KMTP construction and transportation would contribute minor cumulative impacts on air quality and noise when combined with other related actions listed in Section 3.2 which would also include additional emissions and particulate matter, and noise. The cumulative impacts would be short-term and would not exceed air quality and noise regulations.

3.13 Mitigation to Avoid Impacts

Imperial Oil will ensure that the following measures will be included to minimize impacts from the proposed activities.

Turnout Construction and Road Modifications

Turnout and road modifications include construction of new turnouts, upgrades to existing turnouts, road surface repairs, and minor amounts of gravel infill at five corners or curves to allow adequate turning radius for the load and other long vehicles.

- Turnouts were located to avoid impacts on historical resources.
- Blackfeet cultural monitors will be invited to observe ground disturbing work occurring on the Blackfeet Reservation.
- Traffic control will be used to maintain worker and traveler safety when working near the road way as required.
- Most construction activities would occur during daylight hours to maintain worker and traffic safety.
- Equipment used will be required to meet EPA emission standards and county noise ordinances.
- New turnouts will be located a minimum of approximately 100 feet away from streams, irrigation canals, or wetlands (potential presence of wetlands will be determined by a field review prior to construction).
- New turnouts will be visited during the growing season prior to any ground disturbing activity to determine if wetlands are located within or near a proposed construction site.

- If wetlands are determined to be near a construction site, all practicable means will be used to avoid adverse impacts to those wetlands. If a wetland is determined to be within a proposed construction site, the site location will be moved to entirely avoid the wetland.
- A Storm Water Pollution Prevention Plan (SWPPP) will be prepared and used during all activities which require MPDES or NPDES permits such as road modification construction. The SWPPP structures will be maintained and monitored until all site re-vegetation goals have been met.
- Best management practices (BMPs) to control erosion and sediment will be used to prevent potential impacts on water quality and air quality.
- Construction sites will be graded to maintain existing drainage patterns.
- Topsoil will be salvaged and replaced at construction locations.
- To reduce the spread and establishment of noxious weeds and to re-establish permanent vegetation, Imperial Oil will ensure disturbed areas will be seeded with desirable plant species as soon as practicable after construction
- Seed mix will be certified weed free to limit the spread of noxious weeds.
- The contract provision "Environmental Mitigation and Coordination Measure for Aquatic Resources" (**Appendix D**) will be attached to construction contracts.
- The contract provision "Environmental Mitigation and Coordination Measure for Bears" (**Appendix D**) will be attached to construction contracts.
- In the unlikely event of an accident that may directly or indirectly impact a bull trout inhabited stream or bull trout Critical Habitat, the US Fish and Wildlife Service and MDT would be contacted immediately.
- If historic or cultural material or human remains are discovered during ground disturbing activities, construction will cease immediately and a qualified archaeologist or historian will be consulted to evaluate the significance of the artifacts. As appropriate, the State Historic Preservation Office (SHPO), or Tribal Historic Preservation Office (THPO) and the MDT will be consulted. In the case of discovery of human remains, the first contact will be the local county coroner's office.
- If contaminated soils/sites are unexpectedly encountered during construction, construction will cease immediately and a qualified hazardous material professional will be consulted to ensure compliance with applicable laws, rules, and regulations. As appropriate, the Montana Department of Environmental Quality (MDEQ), EPA, Blackfeet Environmental Office, and the MDT will be contacted and consulted.
- Imperial Oil will ensure that all contractors have a spill prevention and clean-up plan to minimize potential for effects.
- Construction materials will be provided from State approved existing gravel sources and no new resource exploration is required.
- Lighting to conduct night time activities will be controlled and directed to minimize impacts on the public and wildlife where ever possible as long as it does not compromise safety of the workers and traffic.
- Necessary concurrence and/or approval will be secured from the USFS prior to constructing or modifying turnouts within USFS Land.
- To avoid impacts on eagles, construction will not be allowed after January 1 and prior to August 1 at turnout locations with active nests within ½ mile.

Utility Relocations

- Imperial Oil will ensure proper and full notice to all affected customers.

- Imperial Oil will be responsible for coordinating the utility relocations to minimize disruption to affected customers and the traveling public and where practicable coordinate the timing of the utility relocations to facilitate combined efforts between individual utility companies.
- A traffic control plan will be instituted to provide for safety of workers and the public.
- Blackfeet cultural monitors will be invited to observe ground disturbing work occurring on the Blackfeet Reservation.
- Near the Lolo Trail along Highway 12, no excavation will occur beyond the original pole location on all utilities requiring pole replacements.
- Imperial Oil will ensure that the Missoula Electric Cooperative (MEC) will prepare a Revegetation Plan for submittal to and approval by the Missoula County Weed District, see the County webpage (http://missoulaeduplace.org/).
- Each site will be visited during the growing season, prior to any ground disturbing activities to determine wetlands are located on or near proposed utility work.
- If wetlands are determined to be on or near a utility work site, all practicable means will be used to avoid adverse impacts to those wetlands,
- The contract provision "Environmental Mitigation and Coordination Measures for Aquatic Resources" (**Appendix D**) will be attached to construction contracts.
- The contract provision "Environmental Mitigation and Coordination Measure for Bears" (**Appendix D**) will be attached to construction contracts.
- Equipment used will be required to meet EPA emission standards and county noise ordinances.
- All overhead utility structures will be constructed in compliance with raptor safe guidelines (APLIC 1996).
- In the event of an accident that may directly or indirectly impact a bull trout inhabited stream or bull trout Critical Habitat, the US Fish and Wildlife Service would be contacted immediately.
- If historic or cultural material or human remains are discovered during ground disturbing activities, construction will cease immediately and a qualified archaeologist or historian will be consulted to evaluate the significance of the artifacts. As appropriate, SHPO, THPO, and the MDT will be consulted. In the case of discovery of human remains, the first contact will be the local county coroner's office.
- Imperial Oil will ensure that all contractor s have a spill prevention and clean-up plan to minimize potential for effects.
- If contaminated soils / sites are unexpectedly encountered during construction, construction will cease immediately and a qualified hazardous material professional will be consulted to ensure compliance with applicable laws, rules, and regulations. As appropriate, the MDEQ, EPA, Blackfeet Environmental Office, and the MDT will be contacted and consulted.
- Lighting to conduct night time activities will be controlled and directed to minimize impacts on the public and wildlife where ever possible as long as it does not compromise safety of the workers and traffic.
- To avoid impacts on eagles, construction will not be allowed after January 1 and prior to August 1 at utility locations with active nests within 1/2 mile.
- Necessary concurrence and/or approval will be secured from the USFS prior to conducting any utility relocations within USFS Land.

Traffic Structures

- A traffic control plan will be instituted to provide for safety of workers and the public.

- Equipment used will be required to meet EPA emission standards and county noise ordinances.
- Lighting to conduct night time activities will be controlled and directed to minimize impacts on the public and wildlife where ever possible as long as it does not compromise safety of the workers and traffic.

Tree Trimming

- Equipment will be required to meet EPA emission standards.
- Tree trimming conducted between April 30th and August 16th will be inspected for nesting migratory birds. If occupied nests are found, branches will not be removed until after the nest is vacated.

Module Transport

- To minimize traffic delays and to meet the 10-minute rule, Imperial Oil will ensure module transportation activities conform to the Montana Transportation Plan (MTP), which is available for public review on the MDT website.
- To minimize traffic delays and meet the 10-minute rule, additional turnouts will be constructed and some existing turnouts will be modified.
- To minimize traffic delays and to ensure compliance with the 10-minute rule, peak traffic volumes were considered in potential delay calculations.
- To minimize traffic delays in towns and cities, traffic control plans with detours have been developed.
- Movement from Lolo Pass to just north of Valier will be done at night to minimize impacts on the public.
- Hauling will not occur on weekends or Federal or State holidays. The hauling schedule will consider other uses of the route, avoiding periods that coincide with commuters, school buses, and planned community events.
- Specific traffic management strategies were developed to address other oversized loads using the route at the same time, including farming equipment.
- The escort vehicle will ensure that turnouts are not occupied before the module moves from a parking turnout, in order to ensure that the movement is not relying on an occupied turnout to meet the 10-minute rule.
- Night / extended parking turnouts will have signage or be controlled to ensure they are not occupied by unattended vehicles when they are needed for parking.
- Trucks used for hauling will be required to meet EPA emission standards.
- Transport vehicles will be escorted by law enforcement to advise of approaching emergency vehicles.
- 2-way communication systems will be used.
- An emergency response plan has been developed.
- Lighting to conduct night time activities will be controlled and directed to minimize impacts on the public and wildlife where ever possible as long as it does not compromise safety of the workers and traffic.
- Imperial Oil will ensure that all contractors have a spill prevention and clean-up plan to minimize potential for effects.
- Imperial Oil will ensure that automotive petroleum product land spills greater than 25 gallons or spills of any volume to an aquatic resource would be reported to the appropriate state, federal, and/or tribal authority, and MDT. A qualified hazardous material consultant will be consulted to ensure compliance with applicable laws, rules, and regulations regarding clean-up of the spill.
- Imperial Oil will establish a website available to the public with an updated module transportation schedule.

- Imperial Oil will coordinate with MDT to ensure module movements are scheduled to minimize interference with planned construction projects along the route.
- The transporter will access a notification database on the internet that contains information on other oversized loads the may be encountered during transport.

4.0 CONSULTATION

4.1 Consultation Process

Imperial Oil has engaged in a consultation program to inform and obtain feedback from county officials and members of the public along the module transportation route. This includes both the module transportation and empty trailer return routes.

The objective of the consultation process is to provide up-to-date information to interested parties and gather feedback. The consultation process started in Montana in September 2009. A list of those entities contacted is shown in **Table 30**.

Table 30
Consultation Meetings

Date / Time	Entities / County / Location	Attendees	
Sept. 22, 09 10:30 am	Montana Association of Counties AGM Helena		
	Yellowstone County	John Ostlund	
	Pondera County	Joe Christiaens	
	Sweet Grass County	Phil Hathaway	
	Richland County	Don Steppler	
	Carter County	Bill Loehding	
	Gallatin County	Bill Murdock	
	Musselshell County	Larry Lekse	
	Liberty County (MWCA)	Jim Ghekiere	
	Lewis and Clark County (MACRS)	Eric Griffin	
	Rosebud County (MACRS)	Wayne Buck	
Sept. 22, 09 1:00 pm	Montana Association of Counties (Group of Seven Counties) Helena		
	Glacier County	Ron Rides at the Door	Commissioner
	Fergus County	John Jenson	Commissioner
	Glacier County	Michael DesRosier	Commissioner
	Glacier County	Tony Sitzmann	Commissioner
	Toole County	Ben Ober	Commissioner
	Toole County	Allan Underdal	Commissioner
	Toole County	Dave Miller	Commissioner
	Lewis and Clark County	Mike Murray	Commissioner
	Lewis and Clark County	Eric Griffin	Public Works Director
	Lewis and Clark County	Andy Hunthausen	Commissioner
	Missoula County	Jean Curtiss	Commissioner
	Pondera County	Joe Christiaens	Commissioner
	Pondera County	Cynthia Johnson	Commissioner
	Pondera County	Sandra Broesder	Commissioner
	Powell County	Donna Young	Commissioner
	Powell County	Rem Mannix	Commissioner
	Powell County	Cele Pohle	Commissioner

Table 30
Consultation Meetings

Date / Time	Entities / County / Location	Attendees	
	Teton County	Jim Hodgskiss	Commissioner
	Teton County	Joe Dellwo	Commissioner
	Teton County	Arnie Gettel	Commissioner
Sep 23, 09 1:00 pm	Missoula County / Missoula	Bill Carey	Commissioner
	Missoula County	Michele Landquist	Commissioner
	City of Missoula	Dale Bickell	City, Chief Administrative Officer
	Missoula County	Mike McMeekin	Sheriff and Coroner
Sept 25, 09 1:00 pm	Lewis and Clark County / Helena	Mike Murray	Commissioner
	Lewis and Clark County	Derek Brown	Commissioner
Nov 12, 09 9:00 am	City of Cut Bank	Jim Suta	City Superintendent
Nov 12, 09 12:30 pm	City of Valier	Jackie Sheble	Clerk / Treasurer
Nov 12, 09 3:00 pm	City of Choteau	Jodi Rogers	Finance Officer
Nov 13, 09 9:00 am	Lewis and Clark County / Augusta	Eric Griffin	Public Works Director
Nov 13, 09 11:00 am	Augusta	Andy Hunthausen	Commissioner
	Lewis and Clark County	Eric Griffin	Public Works Director
	Lewis and Clark County	Mike Murray	Commissioner
	Lewis and Clark County	Deputy Sheriff	Deputy Sheriff
		23 members	Public
Nov 24, 09 10:00 am	Powell County Court House Deer Lodge	Ralph “Rem” Mannix	Commissioner
	Powell County	Donna Young	Commissioner
	Powell County	Cele Pohle	Commissioner
	Powell County	Mike Grey	Under Sheriff
	Powell County	Duane Hoxworth	Road Superintendent
Nov 24, 09 02:00 pm	Granite County Court House Phillipsburg	Maureen Conner	Commissioner
	Granite County	Clifford Nelson	Commissioner
	Granite County	Mike Kahoe	Administrative Assistant
Nov 24, 09 03:00 pm	Anaconda - Deer Lodge County Court House Anaconda	John Sullivan	Chief of Law Enforcement
Nov 24 04:30 pm	Butte – Silver Bow County Court House Butte	Dave Cunningham	Operations Manager - Services

Table 30
Consultation Meetings

Date / Time	Entities / County / Location	Attendees	
			Division
Nov 25, 09 08:00 am	Toole County Court House Shelby	Allan Underdal	Commissioner (Chair)
	Toole County	Dave Miller	Commissioner
	Toole County	Donna Matoon	Sheriff
	Toole County	James Midboe	Road Department, supervisor
	Toole County	Val Moench	Road Department, office manager
Nov 25, 09 10:00 am	Pondera County Court House Conrad	Joe Christiaens	Commissioner
	Pondera County	Sandra J. Broesder	Commissioner
	Pondera County	Cynthia Johnson	Commissioner
	Pondera County	Janice Hoppes	Clerk and Recorder
	Pondera County	Thomas K. Miller	Sheriff / Coroner
Nov 25, 09 02:45 pm	Cascade County Annex Great Falls	Joe Briggs	Commissioner
	Cascade County	Bill Salina	Commissioner
Nov 30, 09 11:00 am	Montana Highway Patrol Missoula Office	Capt. Tom Hamilton	District 1 Commander
	Montana Highway Patrol	Shane Grimes	Patrolman
Nov 30, 09 1:00 pm	Missoula County Court House Missoula	Bill Carey	Commissioner (2009 Chair)
	Missoula County	Jean Curtiss	Commissioner
	Missoula County	Jerry Grego	Under Sheriff
	Missoula County	Greg Amundsen	Police Representative
	City of Missoula	Steve King	City Public works director
	City of Missoula	Kevin Slovarp	City Engineer
	City of Missoula	Rick Larsen	City Communication and Traffic Signal Shop
Nov 30, 09 7:00 pm	Lewis and Clark County Blackfoot Valley Comm. Council Lincoln	Jim Paris	BVCC chairman
	Lewis and Clark County	Andy Hunthausen	Commissioner Lewis and Clark
	Lewis and Clark County	Eric Griffin	County Public Works Director Lewis and Clark
	Lewis and Clark County	Mike Murray	Commissioner Lewis and Clark
	Lewis and Clark County	4 members	Public
Dec 1, 09	Glacier County Court House	Michael DesRosier	Commissioner

Table 30
Consultation Meetings

Date / Time	Entities / County / Location	Attendees	
2:00 pm	Cut Bank		
	Glacier County	Wayne Dusterhoff	Sheriff / Coroner
	Blackfeet Tribe	Don White	Blackfeet Transportation Planner
	Blackfeet Tribe	Emerald “Beep" Grant	TERO Compliance officer
	Glacier county	Bill Bandell	Roads Superintendent
Dec 2, 09 9:30 am	Teton County Court House Choteau	Arnie Gettel	Commissioner
	Teton County	Darin Johnson	Road Foreman
Dec 2, 09 11:00 am	Teton County Court House Choteau	John “Jay” Dunckel,	Mayor
	Teton County	Jodi Rogers	Finance Officer
	Teton County	Kelly Hirsch	Public Works Director
Dec 3, 09 3:00 pm	Malmstrom Air Force Base Great Falls	Michael Miner	Civ. CES/CEMC
	Air Force Personnel	17 Staff	Various
Dec 4, 09 9:00 am	Jefferson County Court House Boulder	Tom Lythgoe	Commissioner
	Jefferson County	Joe Carter	Sheriff / Coroner
	Jefferson County	Craig Doolittle	Road & Bridge Supervisor
	Jefferson County	Carolyn Henry	Administration assistant
Dec 4, 09 11:00 am	Blackfeet Tribal Business Council	Willie Sharp	Tribal Chairman
	Blackfeet Tribe	Peter “Rusty” Tatsey	Vice Chair
	Blackfeet Tribe	Joseph “TJ” Show	Secretary
	Blackfeet Tribe	Roger “Sassy” Running Crane	Council Member
	Blackfeet Tribe	Paul McEvers	Council Member
	Blackfeet Tribe	Henry Butterfly	Council Member
	Blackfeet Tribe	Henry Deverow	Law Enforcement
	Blackfeet Tribe	Don White	Blackfeet Transportation Planner
	Blackfeet Tribe	Emerald “Beep" Grant	TERO Compliance officer
Jan 29, 2010 / 10:00am	Montana Highway Patrol HQ / Helena	Major Tom Butler	Operators Commander
	Montana Highway Patrol	Capt. Tom Hamilton	District 1 Commander
	Montana Highway Patrol	Capt. Kent Hickethier	District 2 Commander

Table 30
Consultation Meetings

Date / Time	Entities / County / Location	Attendees	
	Montana Highway Patrol	Capt. Gary Becker	District 3 Commander
	Montana Highway Patrol	Capt. Brad Sangray	District 8 Commander
Feb 4, 10 1:00 pm	Blackfeet Tribal Employee Rights Office (TERO)	Emerald “Beep" Grant	TERO Compliance officer
	TERO	Carl Fitzpatrick	TERO Compliance officer
Feb 16, 10 / 10:30am	Town of Valier	Mackenzie Grayde	Mayor
	Town of Valier	Jackie Sheble	Clerk / Treasurer
	Town of Valier	Roger Skoges	Public Works
	Town of Valier	Leo Malinak	Public Works
Feb 16, 10 / 1:00 pm	City of Choteau	Kelly Hirsch	Public Works Director
Feb 16, 10 / 2:30 pm	Choteau Businesses	3 Businesses	
Feb 16, 10 / 12:00 pm	Augusta Residences	Five residences	
Feb 16, 10 / 1:00 pm	Lewis and Clark Co / Augusta	Eric Griffin	Public Works Director
Feb 17, 10 / 10:00 am	Pondera Co./ Valier Road Shop	John Stokes	Pondera County Road Dept.
Feb 18, 10 / 1:00 pm	City of Missoula – Engineering	Doug Harby	Construction Manager
	City of Missoula – Engineering	Kevin Slovarp	City Engineer
	City of Missoula – Engineering	Rick Larsen	City Comm.& Traffic Signal
	Montana Department of Transportation	Steve Miller	MDT Maintenance Supervisor
	Montana Department of Transportation	Jack May	MDT Maintenance Supervisor
	Kiewit	Clayne Larsen	Kiewit
Mar 03, 10 / 08:00 am	Toole County / Shelby	Allan Underdal	Commissioner (Chair)
	Toole County	Dave Miller	Commissioner
	Toole County	Ben Ober	Commissioner
	Toole County	Donna Matoon	Sheriff
	Toole County	James Midboe	Road Department, Supervisor
	Toole County	Val Moench	Road Dept., Office manager
Mar 03, 10 / 1:00 pm	Pondera County / Conrad	Joe Christiaens	Commissioner
	Pondera County	Sandra J. Broesder	Commissioner
	Pondera County	Cynthia Johnson	Commissioner
	Pondera County	Janice Hoppes	Clerk and Recorder
	Pondera County	John Stokes	Pondera County Road Dept.
Mar 04, 10 / 10:00 am	Teton County / Choteau	Arnie Gettel	Commissioner
	Teton County	Joe Dellwo	Commissioner
	Teton County	Jim Hodgskiss	Commissioner
	Teton County	Keith Van Seth	Sheriff

Table 30
Consultation Meetings

Date / Time	Entities / County / Location	Attendees	
	Teton County	Melody Marlensen	Choteau Acantha
	Teton County	Jane Wolery	MSU Extenstion
	Teton County	Richard Van Auken	Teton County Fire Chief
	Teton County	Paula Jaconetty	Teton County
	Teton County	3 members	Public
March 04, 10 / 3:00 pm	Powell County / Deer Lodge	Ralph "Rem" Mannix	Commissioner
	Powell County	Cele Pohle	Commissioner
	Powell County	Pat Hansen	Montana Standard - Deer Lodge
	Powell County	Mark Eisenbeil	Silver State Post
March 5, 10 / 10:30 am	Lewis and Clark County / LinCountyln	Jim Paris	BVCC chairman
	Lewis and Clark County	Andy Hunthausen	Commissioner
	Lewis and Clark County	Derek Brown	Commissioner
	Lewis and Clark County	Andrea Stinson	Montana, Field Project Manager
	Lewis and Clark County	Susan Howsman	Blackfoot Valley Dispatch
	Lewis and Clark County	Nyle Howsman	Blackfoot Valley Dispatch
	Lewis and Clark County	Eric Bryson	County CAO
	Lewis and Clark County	Leo Dutton	Sheriff
	Lewis and Clark County	4 members	Public
Mar. 12, 10 / 11:00 am	Lewis and Clark County / Augusta	Eric Bryson	County CAO
	Lewis and Clark County	14 members	Public
Mar. 15, 09 / 3:00 pm	Glacier County / Cut Bank	Michael DesRosier	Commissioner
	Glacier County	Ron Rides At The Door	Commissioner
	Glacier County	Tony Sitzmann	Commissioner
	Glacier County	Wayne Dusterhoff	Sheriff / Coroner
	Glacier County	Glenda M.Hall	Clerk and Roecorder
	Glacier County	Nikki Lako	Minutes
	Glacier County	Della Dubbe	Library
	Glacier County	Charles Farmer	DES
Mar 16, 10 / 08:00 am	Toole County Road Board / Shelby	Allan Underdal	Commissioner (Chair)
	Toole County	Dave Miller	Commissioner
	Toole County	Ben Ober	Commissioner
	Toole County	Bert Baldwin	Road Board contact
	Toole County	Bill Meech	Road Board contact
	Toole County	Dave Sandon	Road Board contact
	Toole County	Roger Smedsrud	Road Board contact
	Toole County	Jurgen Norick	Road Board contact

Table 30
Consultation Meetings

Date / Time	Entities / County / Location	Attendees	
	Toole County	Val Moench	Road Dept. Admin
	Toole County	Shawn Norick	Liberty County Roads
	Toole County	Larry Bonderud	Mayor of Shelby

A team of Imperial Oil company representatives have met face to face with each county along the routes at least once. Consultation is an ongoing process and the intention is to schedule further consultation meetings prior to shipment of the first module, as appropriate. Additional meetings will be scheduled following the movement of the initial module to solicit further feedback, as appropriate.

Imperial Oil representatives have met with the County Commissioners, Sheriff's departments and Public Works officials along the transportation route and empty trailer return route. As a result of these consultations, additional entities were identified and discussions have been held.

The up-to-date information communicated to the counties provided both a general project overview as well as county specific details. These details included county concentric maps, data, and unique traffic structure modification and/or traffic control plans. This information framework was a basis for discussion to solicit feedback.

Feedback was captured from each individual discussion and then summarized into a set of topic areas. Actions identified during the consultation process were captured. Following is a summary of the findings by topic area from the consultation discussions to date.

4.1.1 State and Federal Agencies Contacted

4.1.1.1 MT Department of Environmental Quality

Cameo Flood from Tetra Tech spoke to Jeff Ryan, who said that based on the project description, MDEQ did not have any concerns, except that the loads may be too heavy for some of the bridges and he was afraid that might lead to water pollution or a possible spill. On December 2, 2009, Tetra Tech again contacted Jeff Ryan about the need for additional turnouts to see if any concerns could be identified. Since the turnouts would be constructed in MDT ROW and avoid all water, he was not concerned.

Tetra Tech consulted with DEQ Permitting and Compliance/Water Quality regarding requirements for MDPES permits 3/17/2010 Kari Smith). DEQ stated that project construction activities involving multiple utilities, activities, contractors could be logically split into their respective categories based on geographic location, reach, or district. Determinations regarding SWPPP requirement could then follow based on the effects and size of disturbance for each geographic area. It was determined that the Missoula Electrical Cooperative Utility Occupancy and Location Agreement Permit for the 10-mile Plow and the all the new vehicle turnout construction activities would require a General Permit.

4.1.1.2 Montana SHPO

As described in the Historical and Archaeological Resources section, the SHPO was consulted on all ground disturbing activity locations to determine if any historical sites listed, eligible for listing, or undetermined for listing on the NRHP would be affected by any of the activities. An exhaustive record search was conducted.

4.1.1.3 US Army Corps of Engineers

Todd Tillinger, the US Army Corps of Engineers Montana Regulatory Program Manager, was initially contacted by Tom Martin of MDT. Ms. Cameo Flood with Tetra Tech followed up with Todd via a telephone call on October 1, 2009.

Todd said to avoid impacts to Waters of the US. If any burying of utilities would occur in aquatic areas, a permit must be granted by USACE. Ms. Flood confirmed that Tetra Tech will be investigating all buried utility locations to determine if any aquatic areas would be affected, and if any, will coordinate with the Army Corps of Engineers to see if a permit is required.

4.1.1.4 US Fish and Wildlife Service

Tetra Tech held several discussions with Scott Jackson between September and December. On December 2, 2009, Scott indicated that because the turnouts would be constructed in MDT ROW and avoid all water, he concluded effects on fish were not a concern. The analysis indicated there would be no impact on listed species, therefore, wildlife species were not discussed with FWS at that time.

Upon request of the MDT, Tetra Tech contacted Scott Jackson on February 8, 2010 to address any concerns regarding the proposed project and potential impacts to wolves in the event the federal court decides they were erroneously delisted from the endangered species act (action currently under judicial review). MDT also requested that Tetra Tech seek guidance from Scott regarding a plan to address impact avoidance and mitigation. Scott stated that the project did not present any concerns for wolves and a plan was not necessary. He also stated that the project would result in a 'no effect' determination in the event of wolves relisting.

On March 15th the US Fish and Wildlife Service was consulted regarding impacts on grizzly bears from night time activities, particularly auxiliary lighting. They indicated that sometimes traffic can be a concern, however, the module transportation and associated work would occur in locations where existing similar activities are already occurring and the speed would be slower, so there is no concern on the part of USFWS on impacts on grizzly bears. The USFWS agreed that the special provision included with all contracts (Appendix D) would be adequate to prevent situations that would attract bears to the roadway.

USFWS was also consulted about the potential impacts on eagles nesting within or near the project. USFWS was not concerned because the roads are existing and the activities are not out of the ordinary. Eagles that nest adjacent to highways are accustomed to the disturbance and the project would introduce any additional disturbance to the nesting eagles. USFWS also indicated that a 1/2 – mile buffer was ample enough to avoid adverse impacts on eagles during the nesting season.

4.1.1.5 USDA Forest Service

The Forest Service was contacted (Pat Corts, Steve Wyatt, and Ed DeCleva) on several occasions to discuss easements and historical resources. MDT and Tetra Tech provided information on turnout modifications or construction, and MEC, QWest, NorthWestern Energy provided information on utility relocations. After it was determined which activities would occur on National Forests, the potential effects on all resources were evaluated. No historical sites would be affected on National Forest System lands as the Lolo/Nez Perce trails are at least 250 feet from any ground disturbing activities. The Forest Service is reviewing potential environmental effects such as water quality, fisheries, wildlife, and weeds from the proposed ground disturbing activities. Coordination with the USFS is ongoing.

4.1.2 Consultation with Blackfeet THPO

John Murray, the THPO of the Blackfeet Indian Reservation, on September 18, 2009 regarding the proposed project, who requested the locations where utility lines will be buried. Mr. Murray indicated the Blackfeet Nation would like to have a monitor present during excavation. Imperial Oil has included mitigation measures committing to this request.

Tetra Tech applied for and received an ALPO 90-A Permit from the Blackfeet Nation for geotechinical testing completed on Highway 358 on the Blackfeet Indian Reservation.

4.1.3 Consultation with Counties

Information was communicated to the counties and provided both a general project overview as well as county specific details. These details included county concentric maps, data, and unique traffic structure

modification and/or traffic control plans. This information framework was a basis for discussion and to solicit feedback.

Montana Association of Counties (MACO) and Montana Highway Patrol (MHP)

Imperial Oil attended this September meeting and provided an overview of the KMTP to the gathered attendees. Toole County Commissioner, Allen Underdal, organized a meeting of the seven counties along the module transportation route. This group received the presentation on the project as well as participated in a question period. We identified that some County Road Use Agreements would be required.

A meeting with the Operations Commander and four District Commanders of Montana Highway Patrol was held in Helena in January. The purpose of the meeting was to provide a project overview, solicit feedback on emergency response plans and determine resources available to support project escort requirements. Off duty resources are available locally and across the state. A representative schedule of module movements is required to progress planning further.

Missoula County

Two meetings were held with the County and three meetings were held involving City Officials in Missoula. This stage through Missoula is at night and contains a majority of the traffic structures to be modified along the route. The discussion included an understanding of City of Missoula requirements and the need to create an agreement to meet these requirements and facilitate overview by the City.

Lewis and Clark County

Eight meetings were held in Augusta, Lincoln and Helena. Four of the meetings were held on Government Days in Augusta and Lincoln and included members from the public. Topics of importance were the traffic structure in Lincoln, compatibility with the Main Street reconstruction in Augusta and parking restrictions along one end of Main Street in Augusta. Feedback was requested on the impact of night travel through the county and no concerns were raised.

Glacier County

Three meetings were held with the County, two meetings were held involving the Blackfeet Tribe and one meeting with City of Cut Bank Public Works Superintendent. We clarified jurisdictional questions on N. Santa Rita Road and City of Cut Bank truck route along Railroad Street. Plans for traffic structure modifications and traffic control were reviewed and found acceptable. A County Road Use Agreement is pending.

Discussions with the Blackfeet Tribal Business Council and Tribal Employment Rights Office (TERO) focused on potential employment opportunities and gravel sources.

Pondera County

Three meetings were held with County and two meetings with the Town of Valier. Plans for traffic structure modification and traffic control were reviewed and found acceptable. Parking restrictions were also discussed. The Town water system upgrade project may affect portions of the route, but is scheduled to be completed prior to first module shipment. Feedback received from County on suitable County Road parking locations and resulted in a change to avoid the school bus route. A County Road Use Agreement is pending.

Teton County

Two meetings were held with County and four meetings with the City of Choteau. Review of traffic control plans and detour route resulted in the addition of a separate truck detour route along Airport Road. Traffic structure modification and turning radius drawings were reviewed and found acceptable. Three Businesses along the route where parking restrictions are required after midnight will likely be closed during this time. A potential sewer project in 3Q2010, trenching across Hwy 287 was noted. Feedback was requested on the impact of night travel through the County and no concerns were raised.

Powell County

Two meetings were held with County. No significant concerns were identified.

Toole County

Three meetings were held with County and the County Road Board. The Loop Road / Highway 214 / N. Santa Rita Road / By-pass Road are gravel and a Road Use Agreement is pending. No significant concerns were identified.

Counties on the Trailer Return Route and Malmstrom AFB

Five meetings were held with these Counties along the trailer return route and one meeting with the Malmstrom AFB Missile Support Group. Cascade County provided an introduction to Malmstrom AFB as they are an important traveler on some of these roads. The empty trailers move at highway speed and will utilize interstate highways systems which has provision for following traffic to pass. No significant concerns were identified.

4.1.4 Agreements

Imperial Oil discussions with the local governments have investigated the opportunities where project requirements take place outside the MDT ROW. Imperial Oil has identified opportunities for five formal agreements. Another group of potential opportunities were discussed and will result in no formal agreement required. These discussions on potential opportunities will be documented with a confirmation letter. A list of these pending agreements and potential opportunities outside the MDT ROW is shown in **Table 31**.

Table 31
Agreements

Stage	Entity	Description	Comments
All	Montana Department of Transportation	Memorandum of Agreement covering fundamental duties and responsibilities regarding the KMTP, including financial responsibility.	This Memorandum is in development.
All	Montana Highway Patrol	Agreement with Mont. Highway Patrol for transport escort services	Meetings held at District land Headquarters levels. Once Transportation plan is finalized, a schedule will be developed for resource planning and contract formation.
2	City of Missoula	House Moving Ordinance Permit with City of Missoula for Reserve Street. This document will address the ordinance requirements and includes details of traffic structure rotation.	Draft MOU wording to be provided by City. Agreement pending after MOU with MDT finalized. City overview requirements will be part of this agreement.
2	Montana Rail Link	Structure modification agreement at Railway crossing light at Bonner and intermittent rotation of structure for each shipment.	Structure modification design submitted for review. Agreement pending for construction and rotation by Rail Link staff.
3	Lewis and Clark County (Lincoln)	Reviewed location specific details of MTP including: time of travel, traffic structure modification, utility relocation and shared use of Hwy 200, MP 75, snowmobile parking turnout, traffic control plan for location at Hwy 200 MP 71.5.	Confirmation letter to be sent to County on traffic structure modifications traffic Structure rotation and Traffic Control Plan.
4	Lewis and Clark Co.	Reviewed location specific details of MTP including: time of travel, Traffic detour and	Confirmation letter to be sent to County on Traffic detour and Control

Table 31
Agreements

Stage	Entity	Description	Comments
	(Augusta)	Control Plan, utility relocations and schedule for Main St. reconstruction project.	Plan.
5	Teton County and City of Choteau	Reviewed location specific details of MTP including: time of travel, Traffic detour and Control Plan, tree trimming, traffic structure modifications, utility relocations, parking restriction areas and schedule for city construction activities.	Confirmation letter to be sent to City on Traffic detour and Control Plan, traffic structure modification, traffic structure rotation and night parking restrictions.
5	Pondera County and Town of Valier	Reviewed location specific details of MTP including: time of travel, Traffic Control Plan, traffic structure modifications, utility relocations, restricted night parking and schedule for town construction activities.	Confirmation letter to be sent to Town on Traffic Control Plan, restricted night parking, traffic structure modification and traffic structure rotation.
5/6	Pondera County	Road Use Agreement with Pondera County for parking Buena Vista Rd. at MP 3.0, on HWY 358.	Draft agreement with County is pending.
6	Dupuyer	Reviewed location specific details of MTP including: time of travel and detour at rest area Hwy 89 MP 76 and side street traffic control.	A meeting was held with Commissioner and Dupuyer resident, Joe Christiaens, and no concerns were raised.
6	Glacier County and City of Cut Bank	Reviewed location specific details of MTP including: time of travel, Traffic detour and Control Plan, traffic structure modifications, utility relocations, restricted day parking and schedule for railroad overpass construction activities.	Confirmation letters sent to City on Traffic Control Plan, traffic structure modification, traffic structure rotation, use of Railroad Street and no City permit required for Railroad Street utilities relocations.
6	Glacier County	Road Use Agreement with Glacier County for N. Santa Rita Rd. (cold rolled portion) including new turnouts and maintenance. No formal agreement required for Losing Rd. detour.	Agreement with County is pending. Confirmation letter to be sent on Losing Rd. detour.
6	Toole County	Road Use agreement for Hwy 214 / N. Santa Rita Road / Loop road / By-pass.	Agreement with County is pending.

Discussions with local governments are ongoing. Additional agreements may be made, or existing agreements modified.

4.2 Consultation Findings

4.2.1 Notification

All groups consulted with were pleased that the consultation team was able to provide them with current information on the MTP. Many requested on-going information on the transportation schedule. Imperial Oil intends to establish a notification network that will provide up-to-date information on the module movements. This information is expected to be distributed to contacts which may include: law enforcement officers, state and county officials, business leaders, Malmstrom Air Force Base, agriculture producers, and the general public.

4.2.2 Response to Emergency Situations

The majority of the groups questioned whether emergency vehicles could successfully navigate during the module movement. Typical questions centered around movement of ambulance or fire vehicles and how

quickly the modules can be moved off the roads. The emergency response plan in the MTP (available for public review on the MDT website) describes communications and actions to not impede emergency vehicles. Additional emergency situations, such as vehicle accidents, mechanical failure, fire, environmental spills (no hazardous materials will be shipped with the modules), and extreme weather conditions have also been addressed.

4.2.3 Local Community Information

The consultation process has allowed Imperial Oil to gather information on local events and activities along the route. Module transportation during local community events (parades, major sporting events and other similar activities) would not occur. A majority of the community events identified during consultations appear to occur on Friday evenings or weekends. The modules are not scheduled to move during the weekend.

4.2.4 School and School Bus Information

Imperial Oil discussed bus routes and schedules with counties along the route and will produce a schedule that considers school bus schedules and routes. Prior to module movement, a schedule will be provided to the schools so the schools can determine if movement of the transport vehicles will interfere with school buses. Schools will be requested to inform Imperial Oil of any changes in the bus schedule that need to be accommodated.

4.2.5 Residual Benefits

Most county officials and members of the public were pleased to hear that the overhead wires along the route would be permanently raised or buried underground. The modifications to existing turnouts and addition of new turnouts were also seen as positive, recognizing that these turnouts will remain in place after the project concludes.

4.3 On Going Consultation Efforts

Consultation and scoping efforts will continue with the public and agency review of this EA and associated public hearings. MDT will submit press releases to announce the availability of the EA for public review; the dates of the formal public review period; the dates, times, and locations of public hearings; the web address for electronic viewing of the EA; and various locations where “hard copies” of the document will be made available for public review.

MDT will collect and consider all comments submitted regarding this EA. Comments may be submitted in writing to Dwane Kailey, MDT, 2960 Prospect Avenue, PO Box 201001, Helena, MT 59620 1001, online at http://www.mdt.mt.gov/pubinvolve/eis_ea.shtml; or in person at one of the public hearings.

Upon consideration of comments received during the review period, and prior to making a decision on the proposed state actions, MDT will produce a decision document. The decision document will be made available for public review. The decision document will include responses to the comments.

5.0 REFERENCES

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6.0 LIST OF PREPARERS AND REVIWERS

Preparer Name	Preparer Responsibility
Cameo Flood	Community, Economics, Traffic, Transportation, Cumulative Impacts
Vicki Regula	Wetland Delineator
Stacy Pease	Wildlife, Water Quality, Threatened and Endangered Species, Farmlands
Lynn Peterson	Historical/Cultural Resources
Patricia Williams	Database, GIS, Maps
Mark R. Pearson	Maps
Corey Richardson	Cultural, Maps
Thad Jones	Wetland Aerial interpretation
Natalie Morrow	Hazardous Materials, Contaminated Sites
Ed Surbrugg	MEPA Review
Bill Craig	MEPA Review
Richard Dombrouski	MEPA Review
Mitch Paulson	Graphics, Document Production

Reviewer Name	Reviewer Responsibility
MDT Chief Engineer, Dwane Kailey, P.E.	MEPA Review
MDT Environmental Services Bureau Chief, Tom S. Martin, P.E.	MEPA Review
MDT Environmental Services Engineering Section Supervisor, Heidy Bruner, P.E.	MEPA Review
MDT Environmental Services Missoula District Project Development Engineer, Susan Kilcrease	MEPA Review
MDT Environmental Services Great Falls District Project Development Engineer, Eric Thunstrom	MEPA Review
MDT Environmental Services Missoula District Biologist, Pat Basting	MEPA Review – Biological Resources
MDT Environmental Services Great Falls District Biologist, Paul Sturm	MEPA Review – Biological Resources
MDT Environmental Services Archaeologist, Steve Platt	MEPA Review - Cultural Resources
MDT Environmental Services Historian, Jon Axline	MEPA Review – Cultural Resources
MDT Environmental Services Soil/Hazardous Materials Specialist, Joe Radonich	MEPA Review – Air, Noise, Hazardous Material
MDT Rail, Transit, and Planning, Economist, Hal Fossum, Ph. D.	MEPA Review – Economic Analysis
MDT Highways Engineer, Paul Ferry, P.E.	MEPA Review - Highways
MDT Hydraulics Engineer, Mark Goodman, P.E.	MEPA Review - Hydraulics
MDT Hydraulics Operations Engineer, Dave Hedstrom, P.E.	MEPA Review - Hydraulics

Appendix A
Maps of Turnouts and Road Modifications

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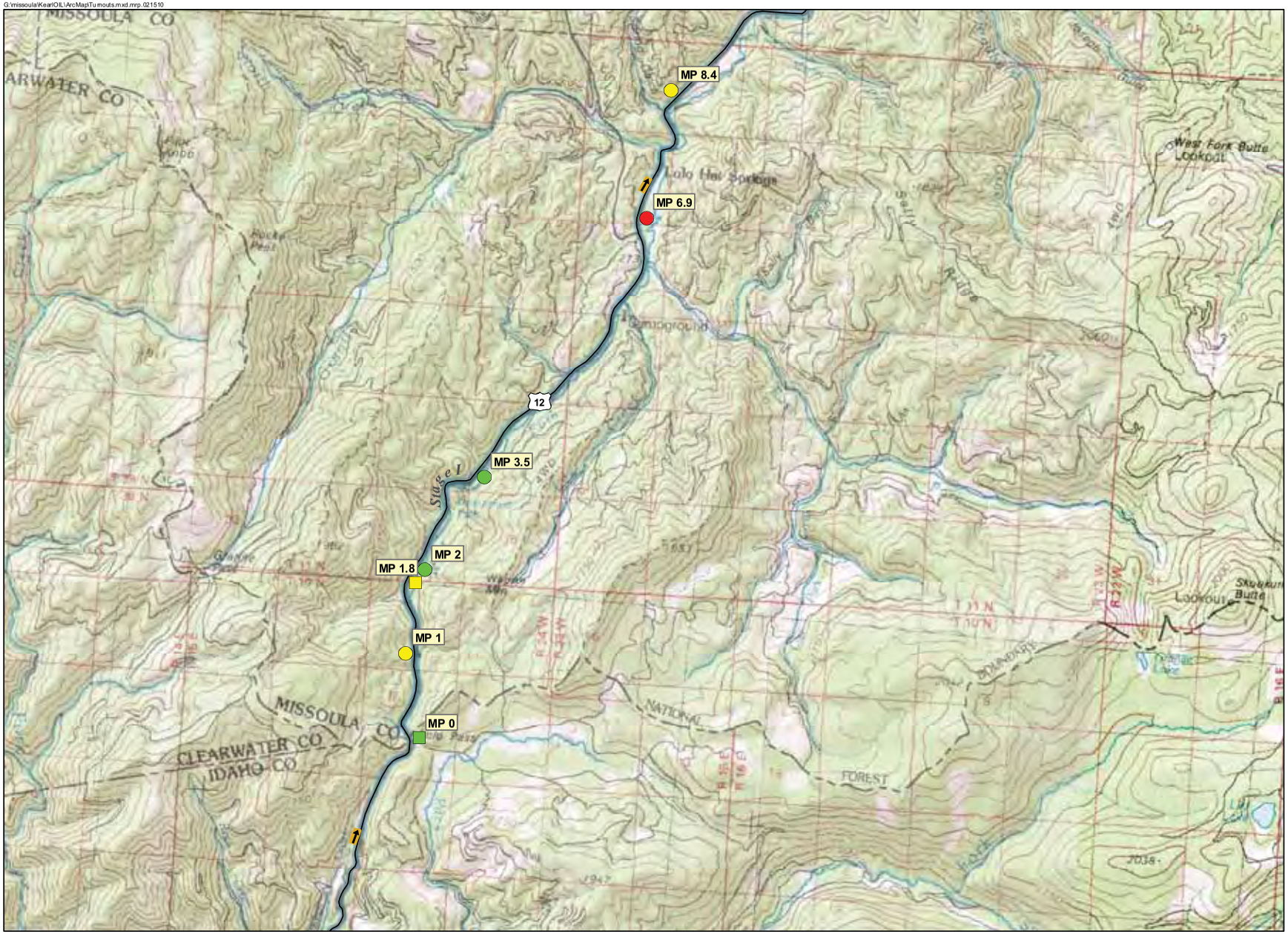

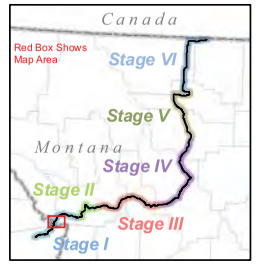

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage I

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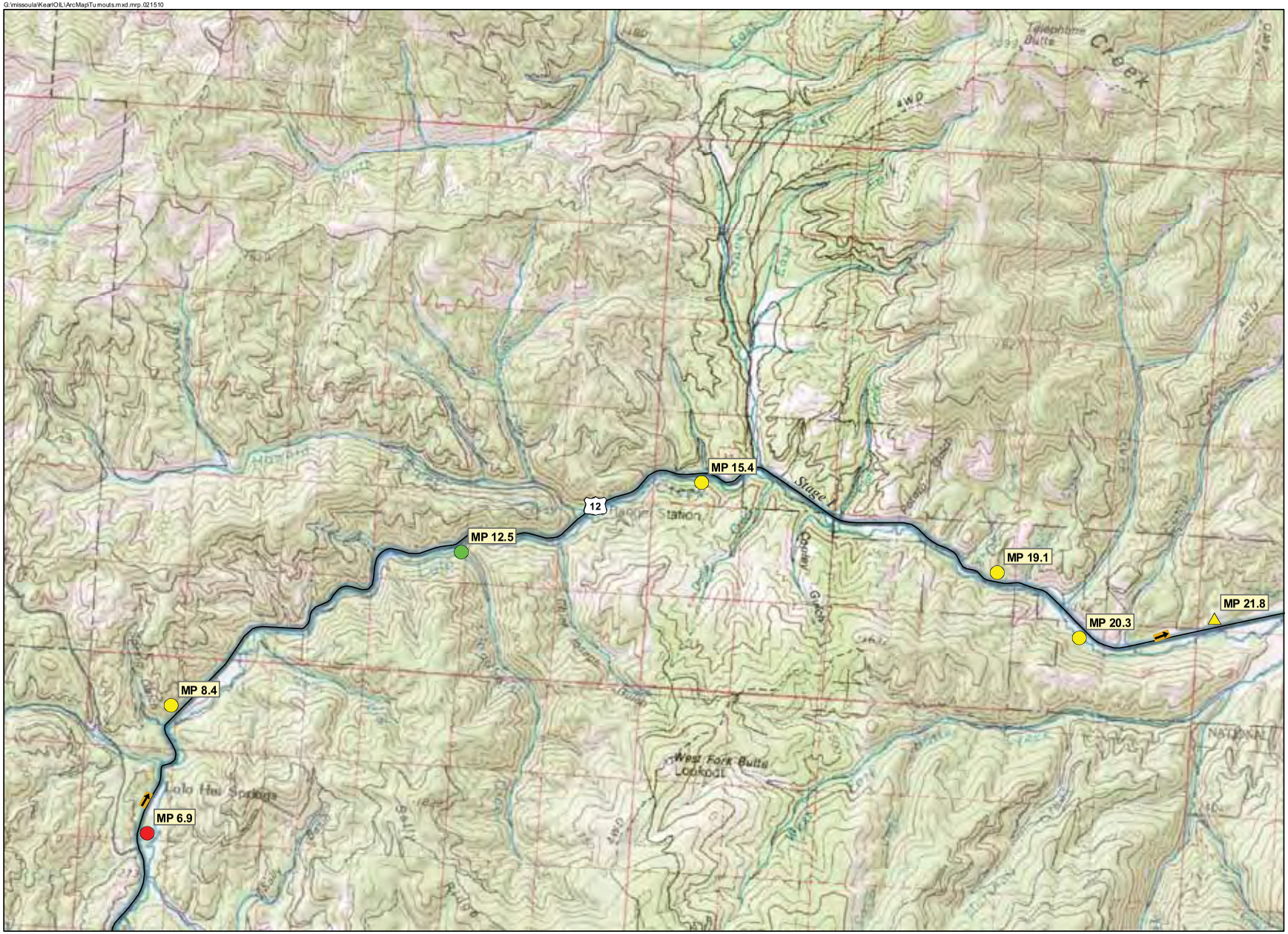

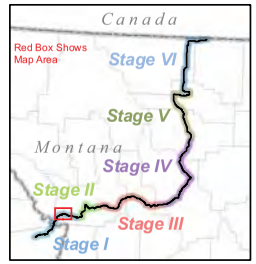

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage I

Sheet 2 of 29

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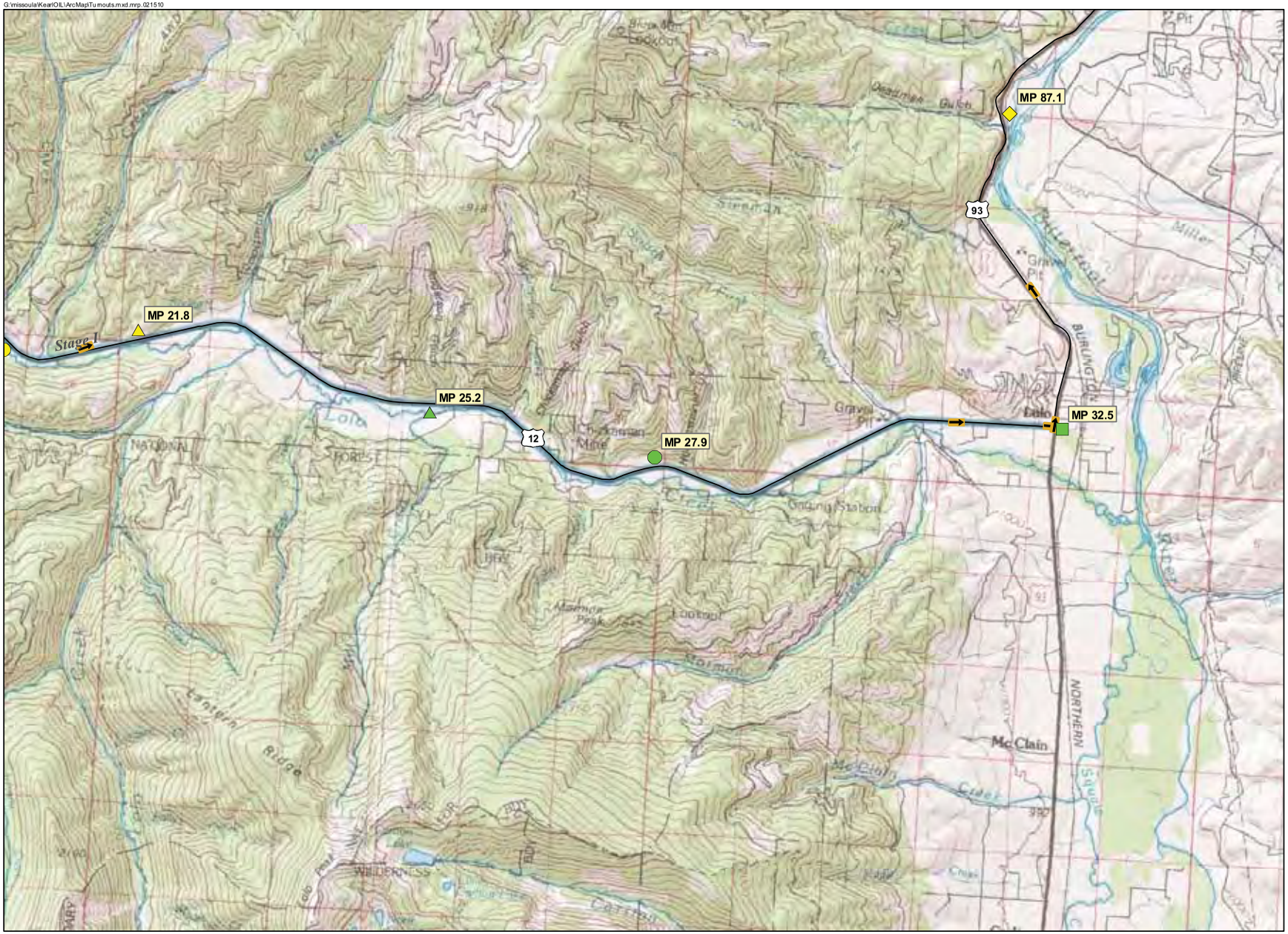

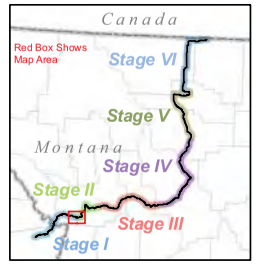

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

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Miles
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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage I

Sheet 3A of 29

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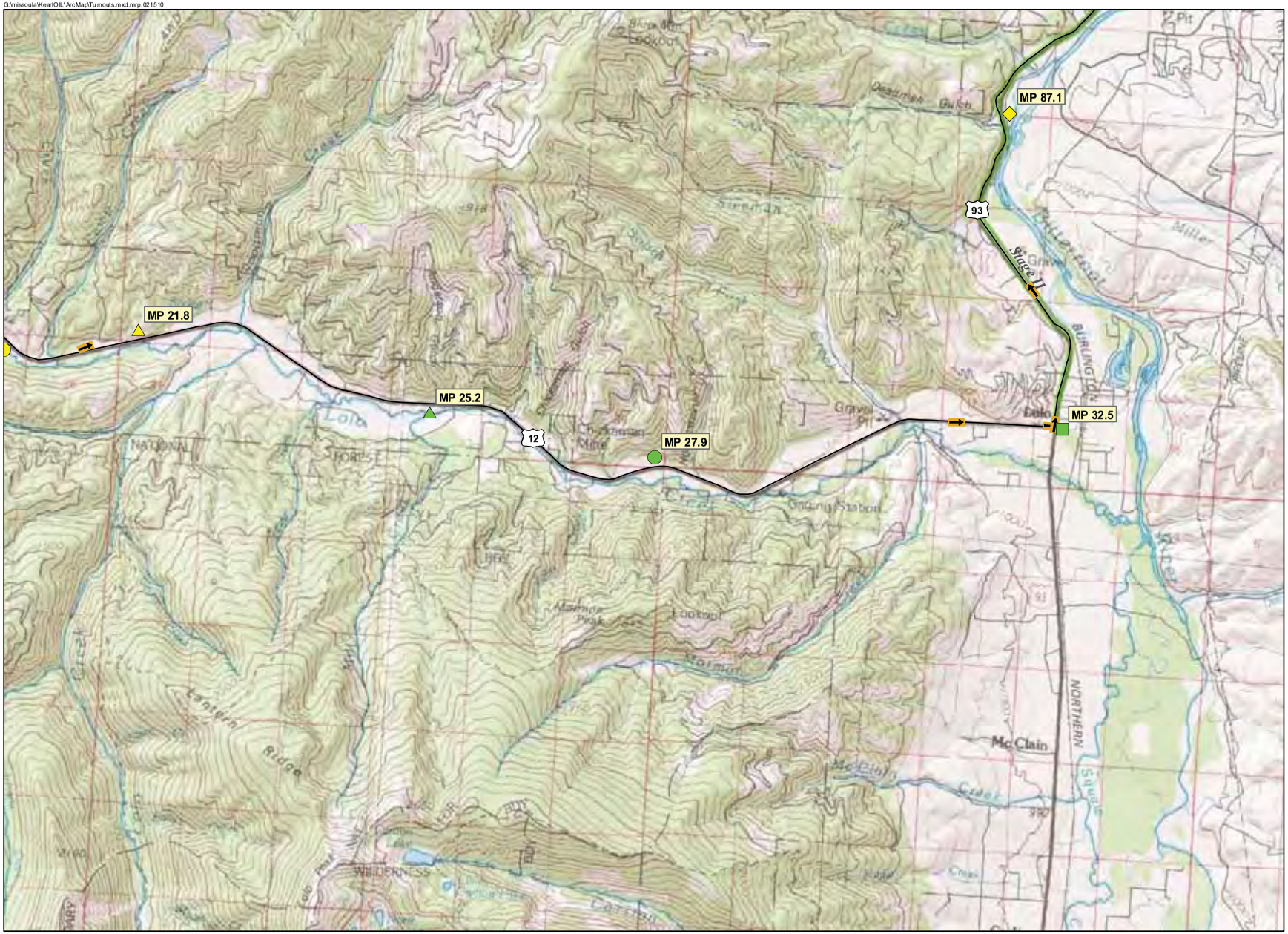

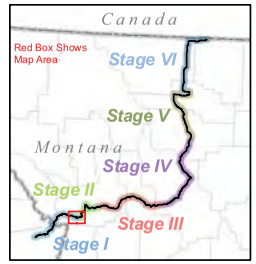

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

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Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage II

Sheet 3B of 29

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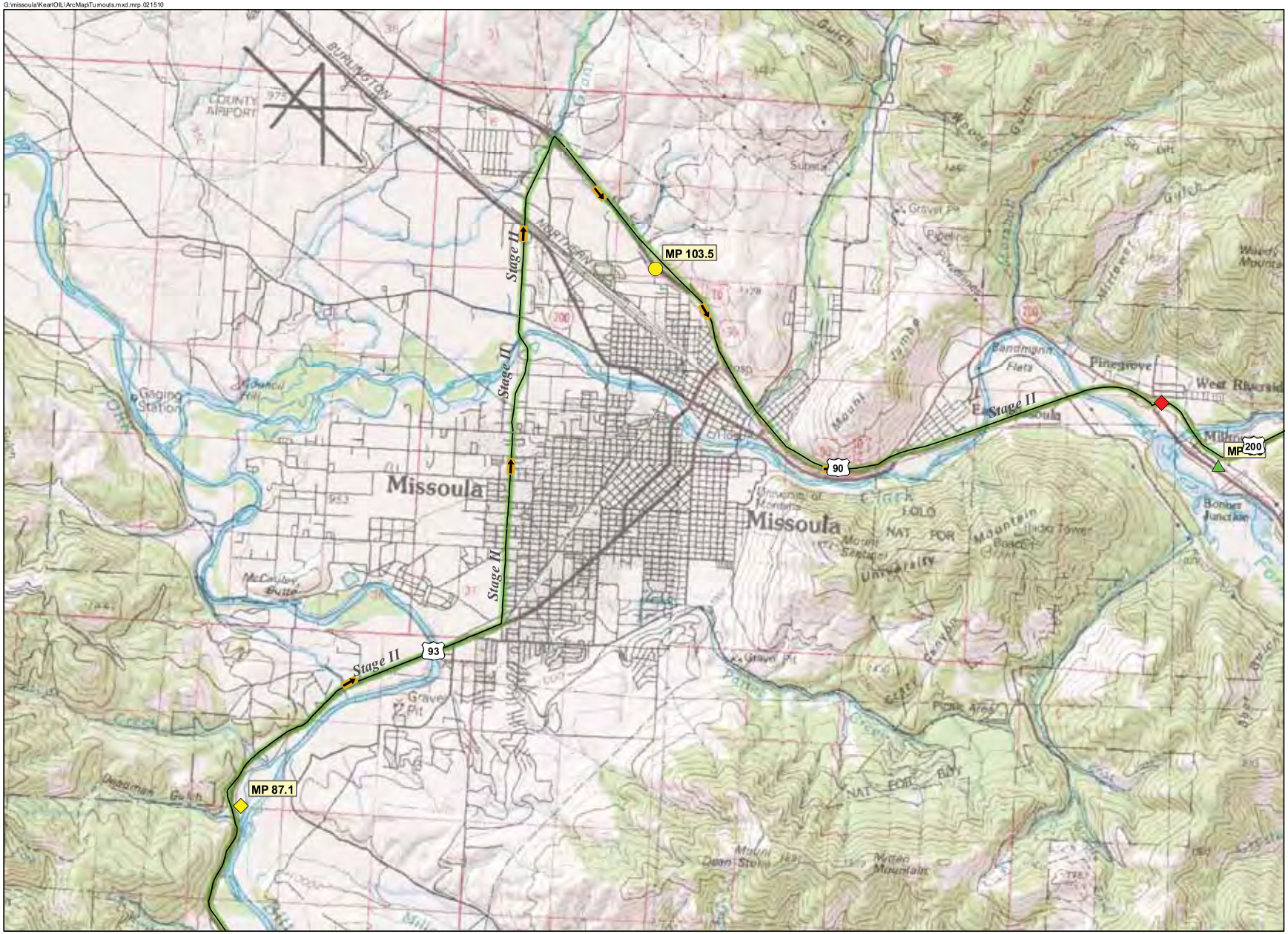

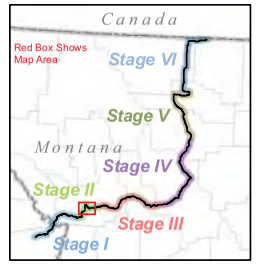

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage II

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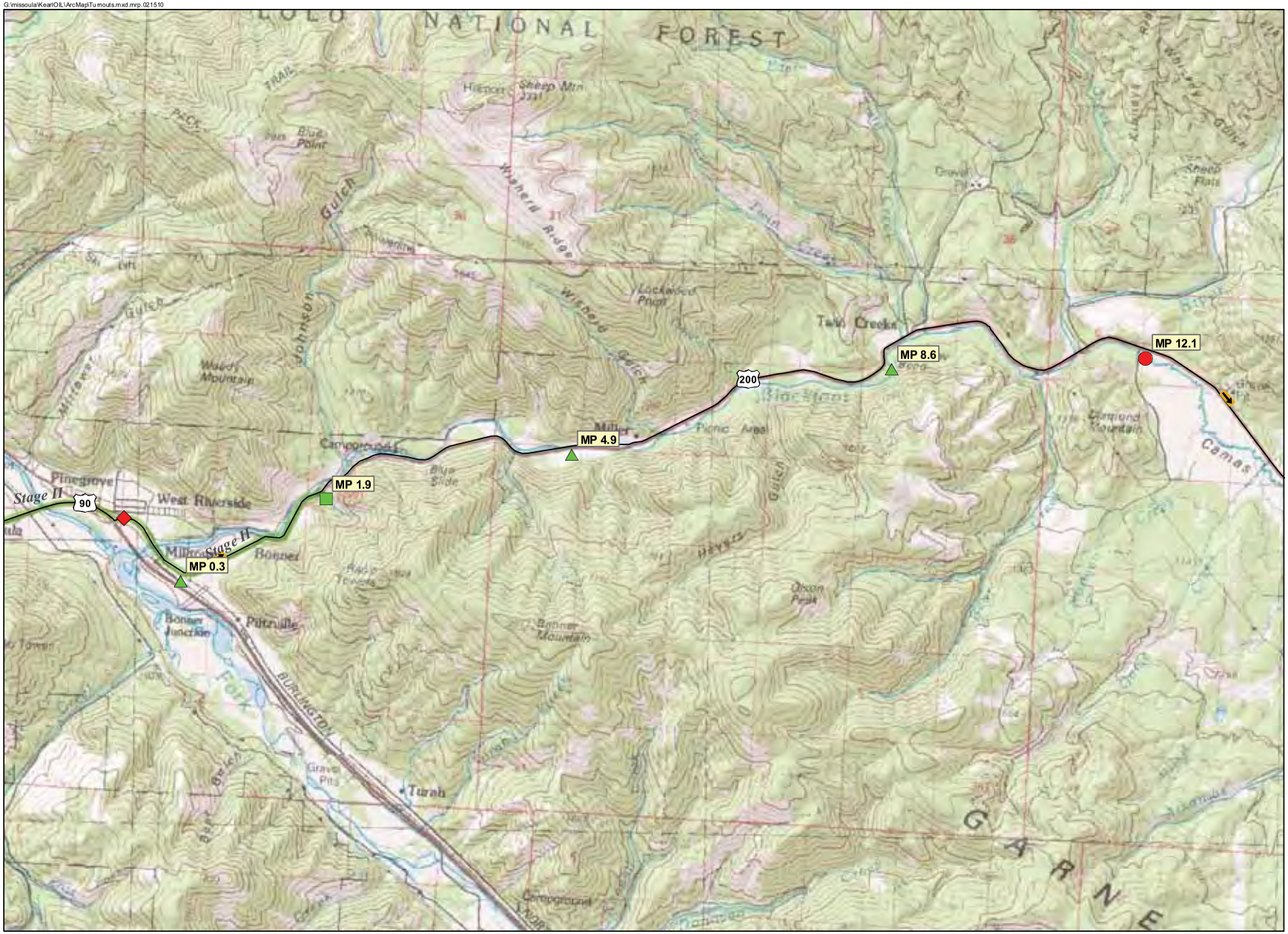

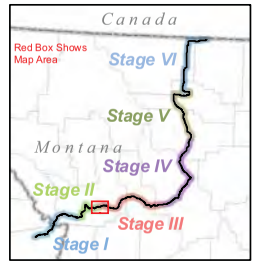

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage II

Sheet 5A of 29

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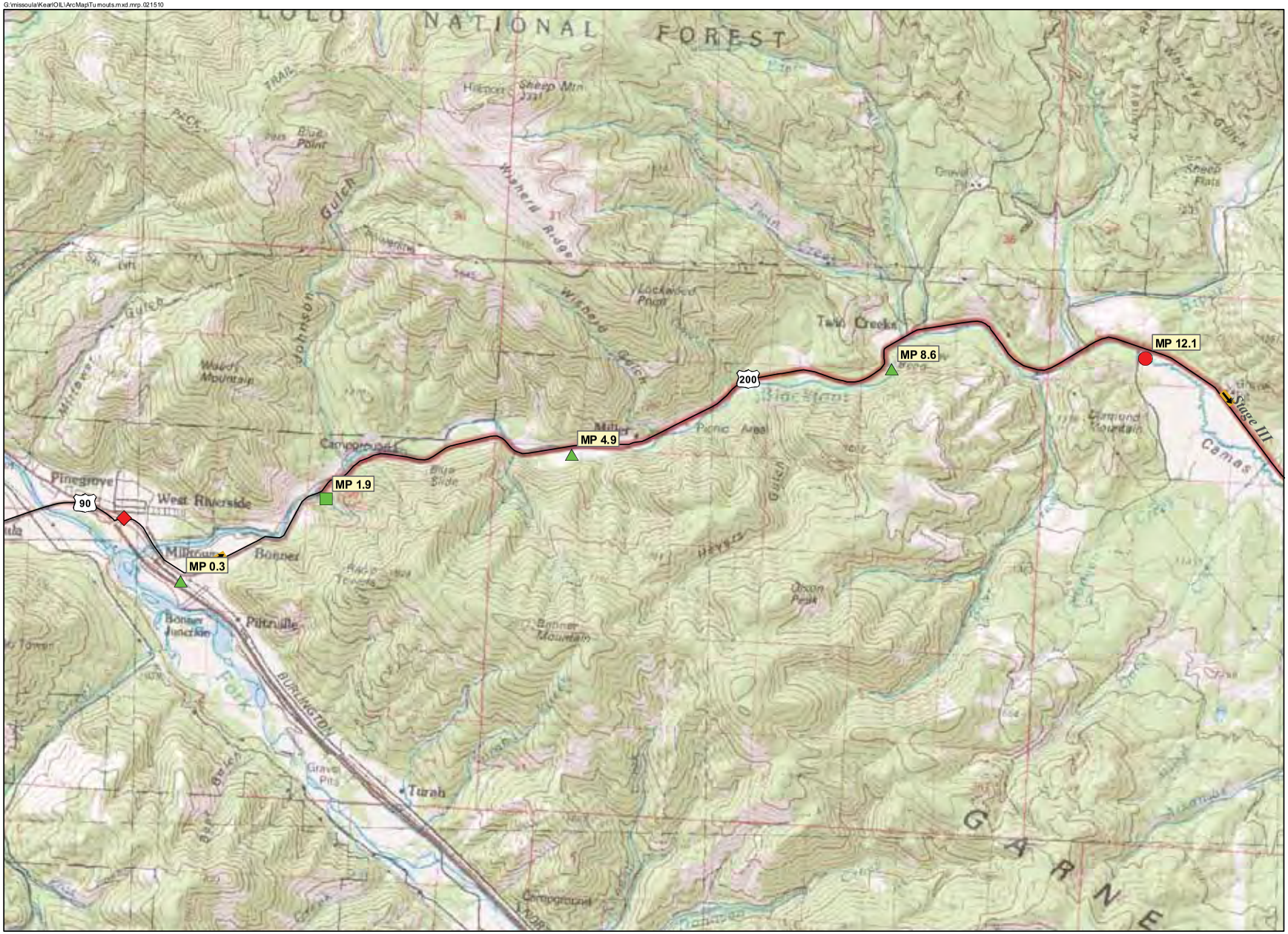

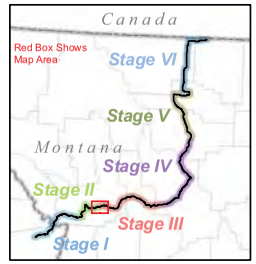

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage III

Sheet 5B of 29

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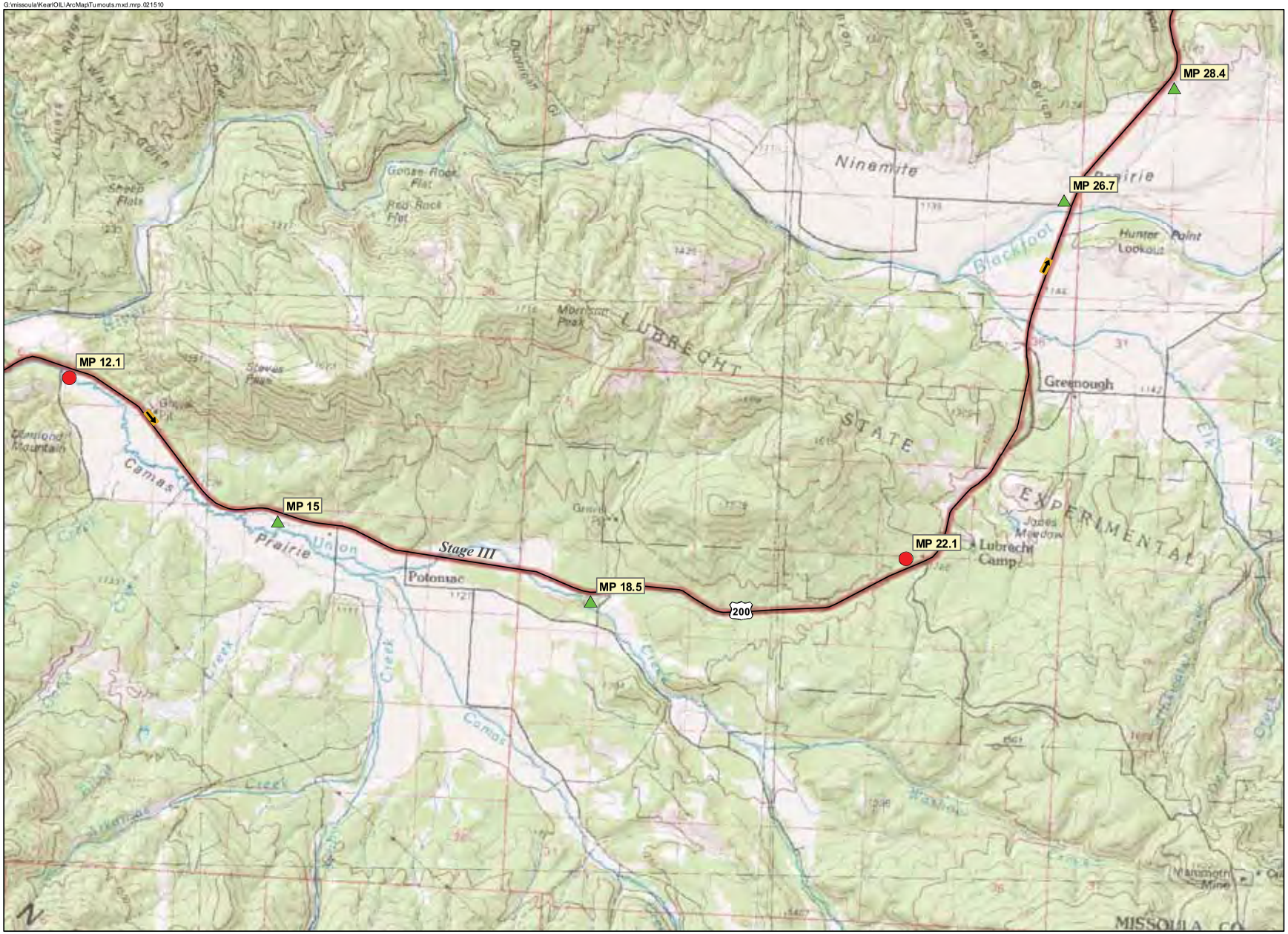

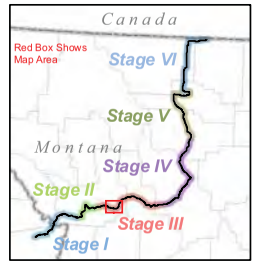

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage III

Sheet 6 of 29

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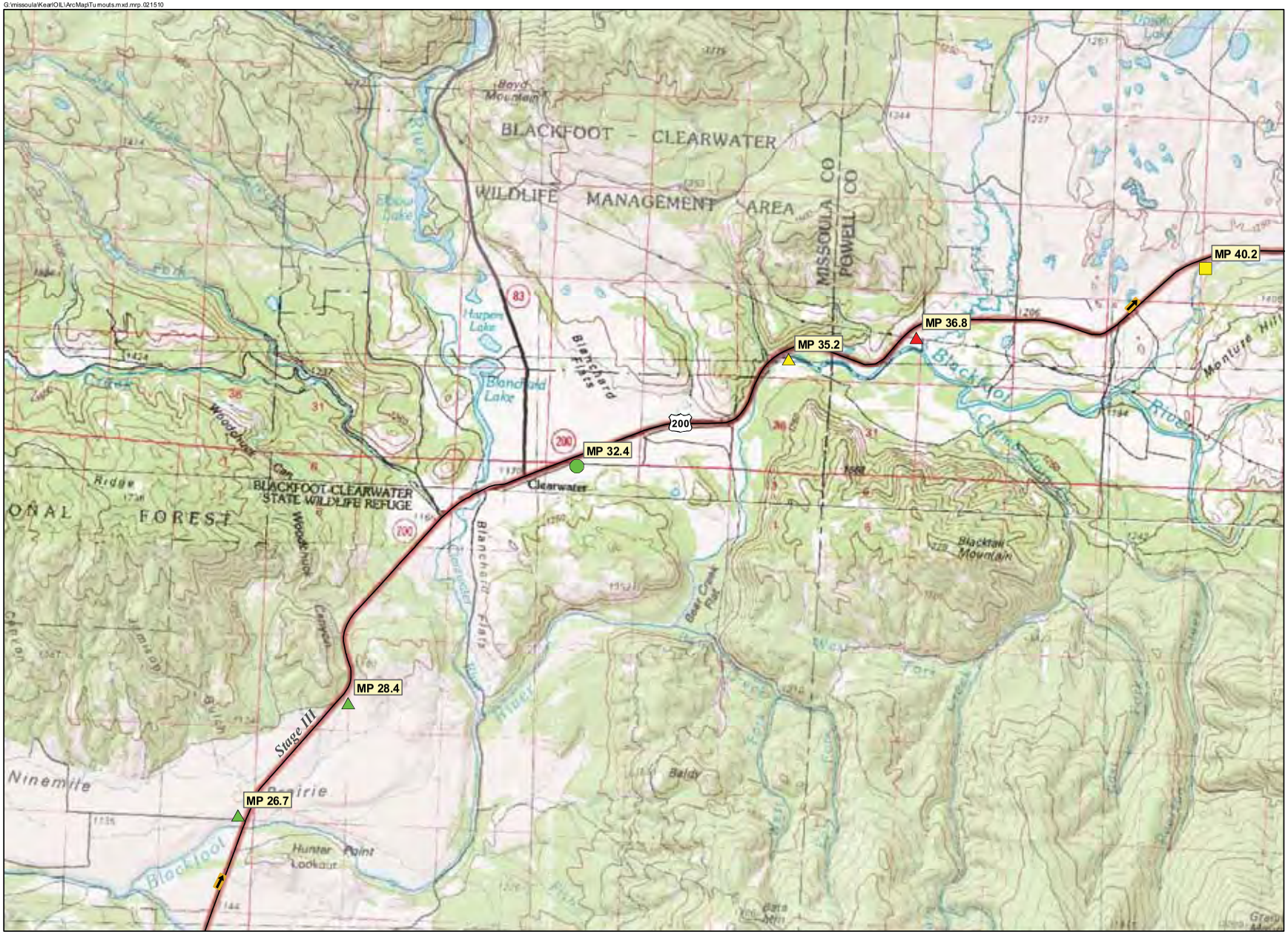

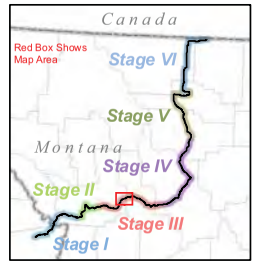

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
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- New
- MP 1.5 Mile Marker
- Route Direction

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage III

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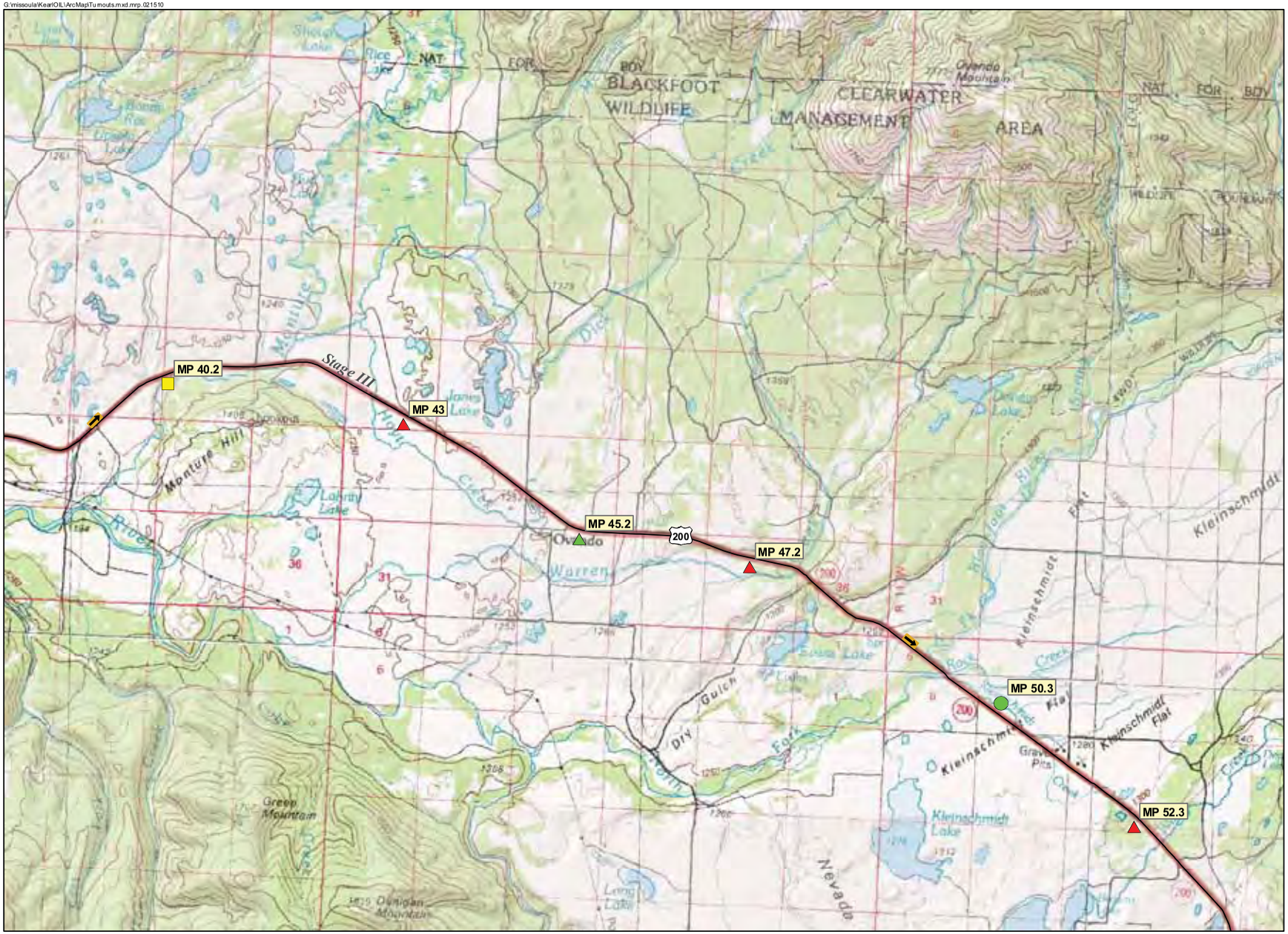

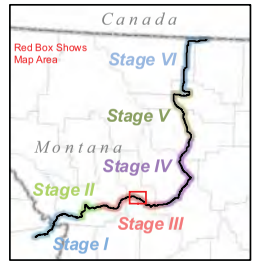

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage III

Sheet 8 of 29

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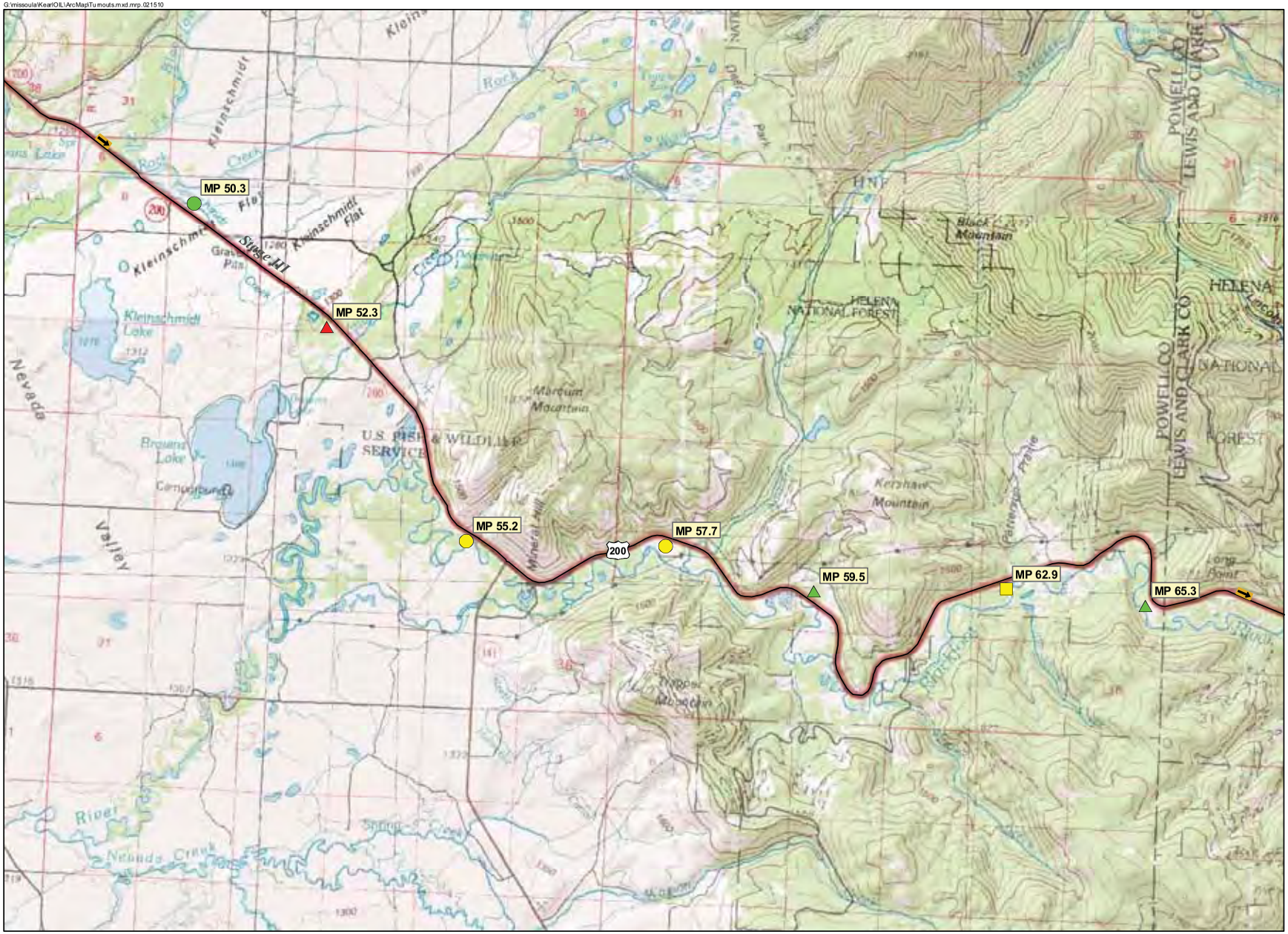

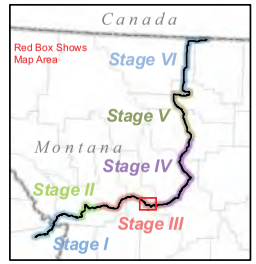

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

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Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage III

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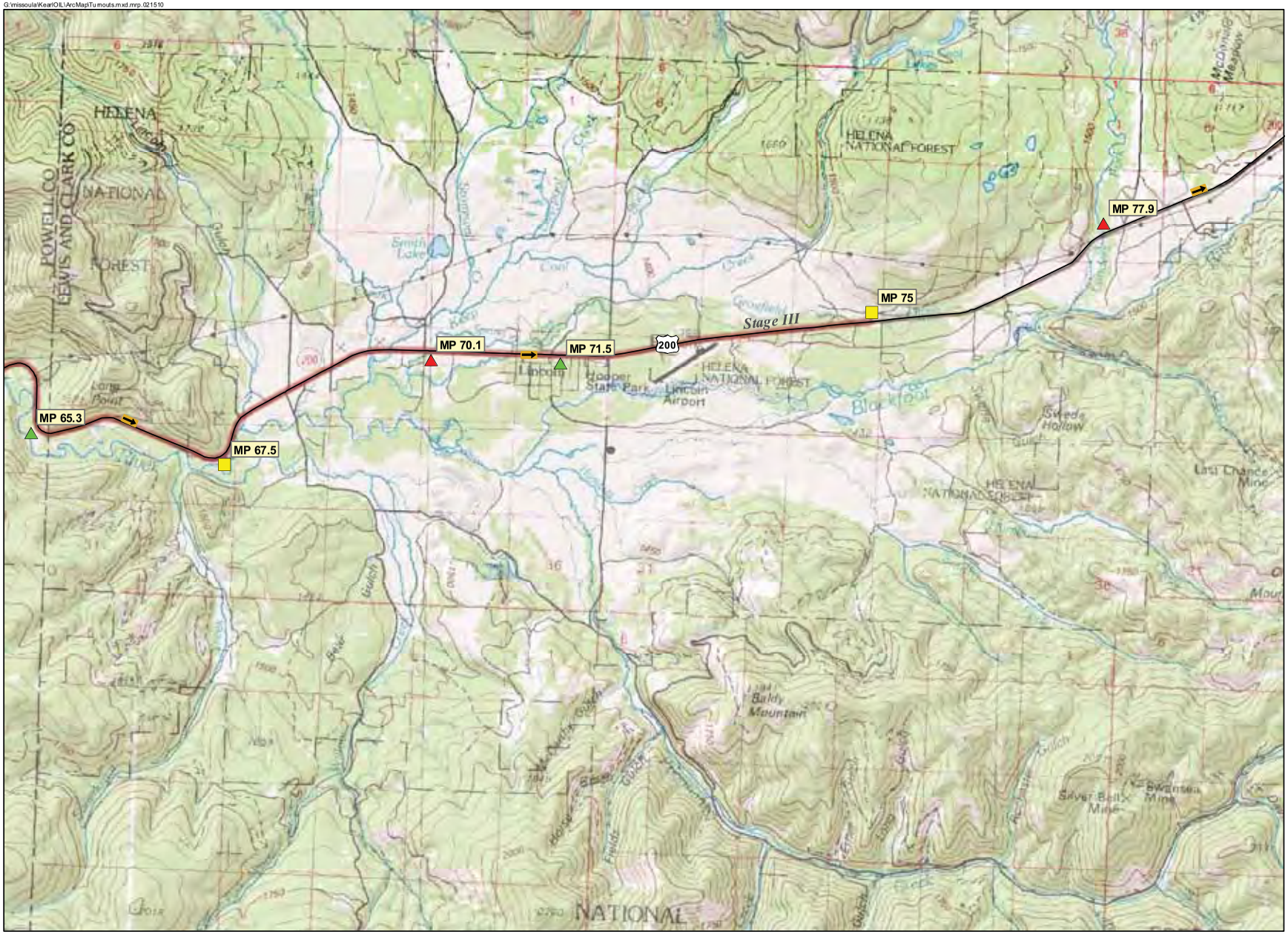

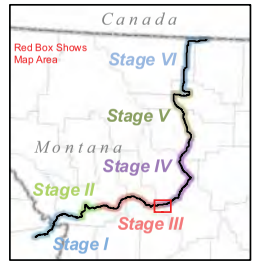

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage III

Sheet 10A of 29

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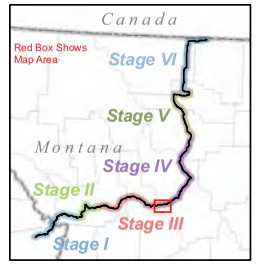

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage IV

Sheet 10B of 29

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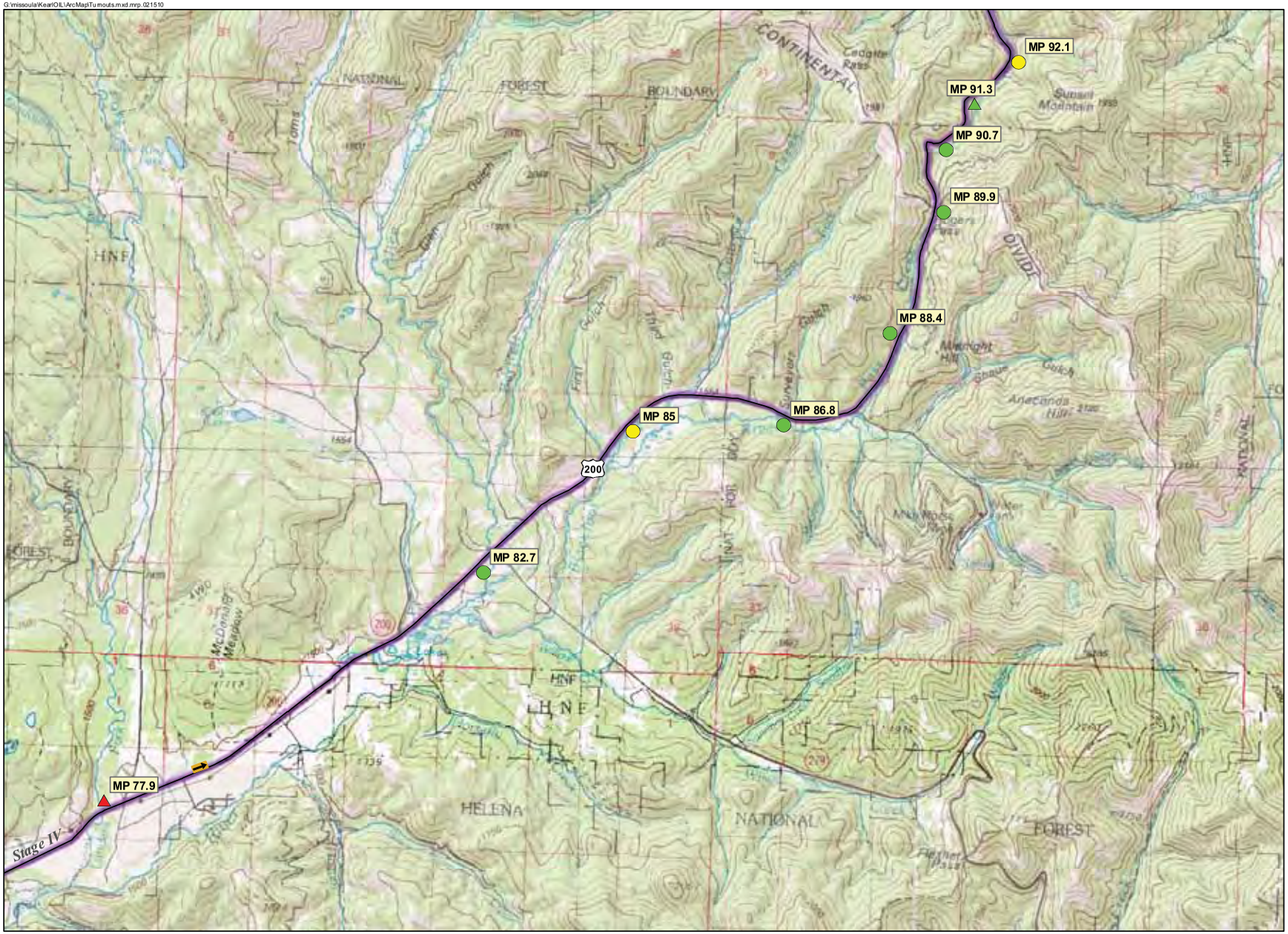

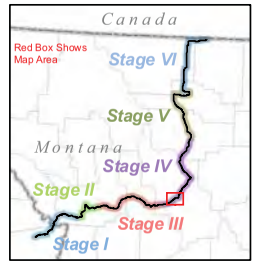

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage IV

Sheet 11 of 29

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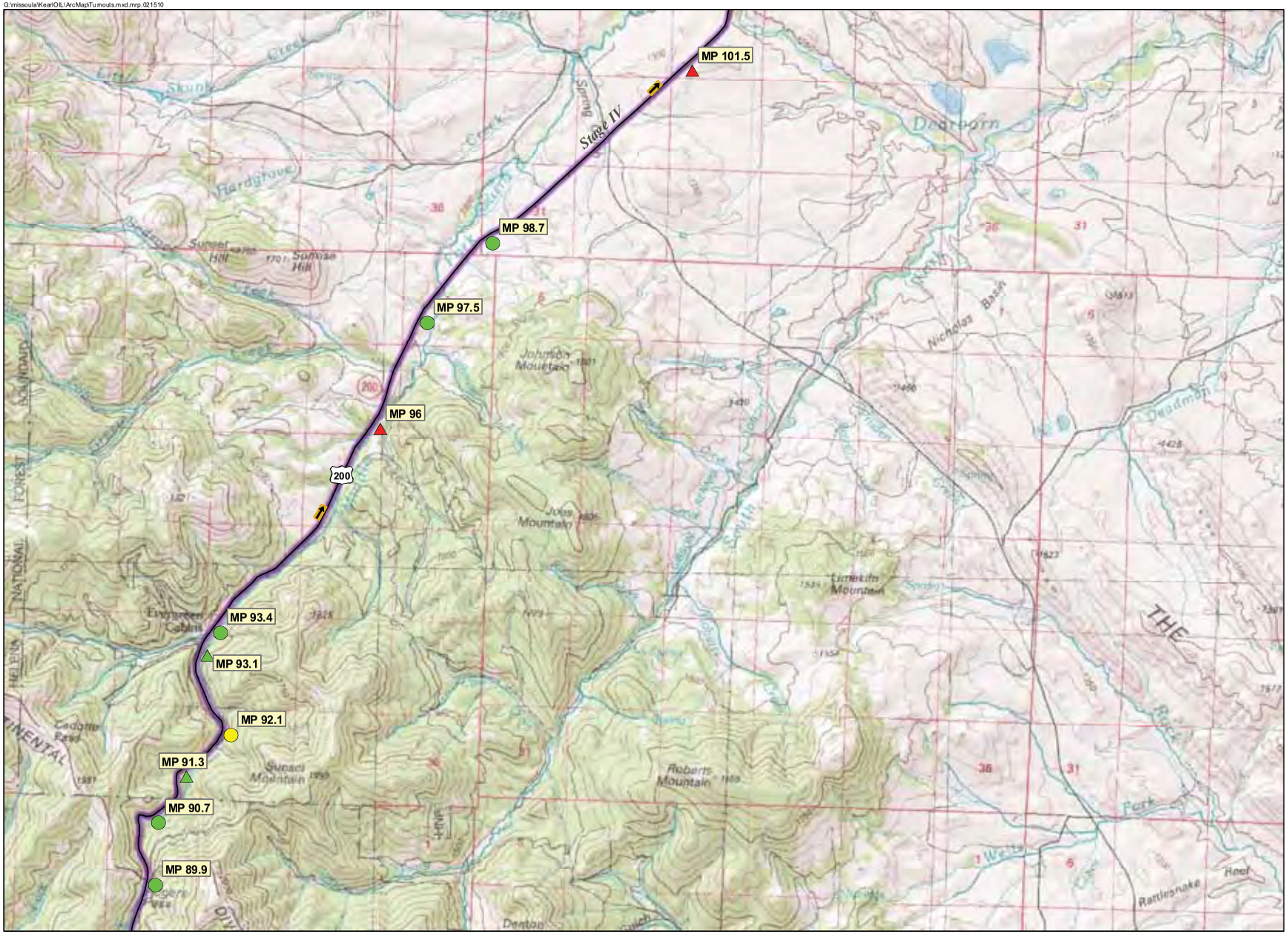

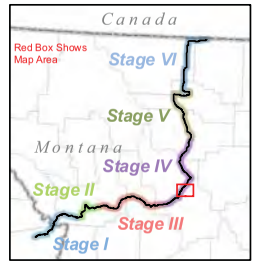

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

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1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage IV

Sheet 12 of 29

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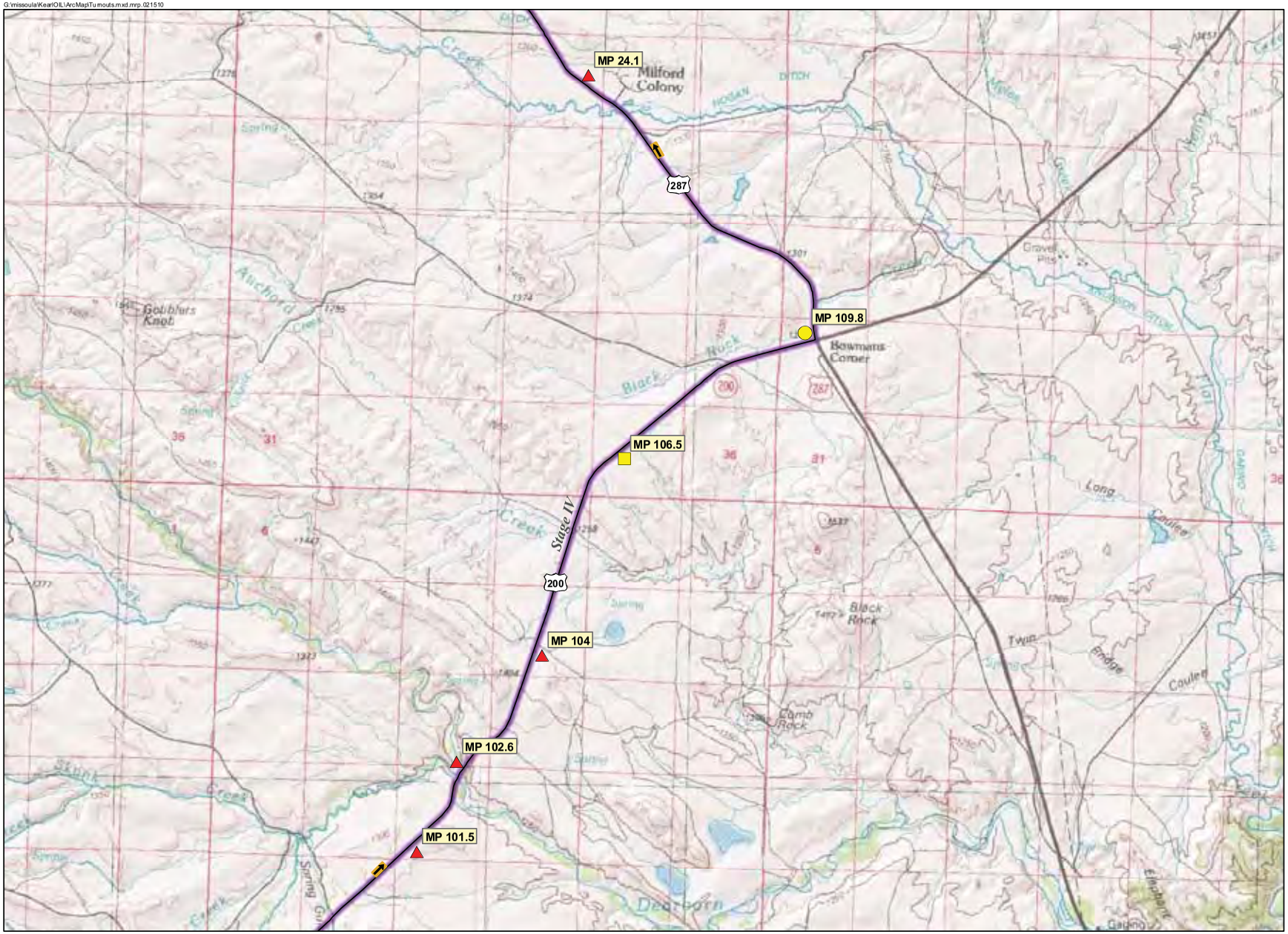

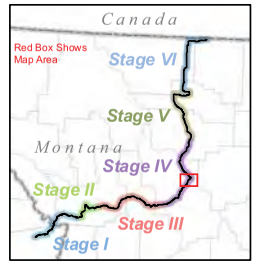

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
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- MP 1.5 Mile Marker
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Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage IV

Sheet 13 of 29

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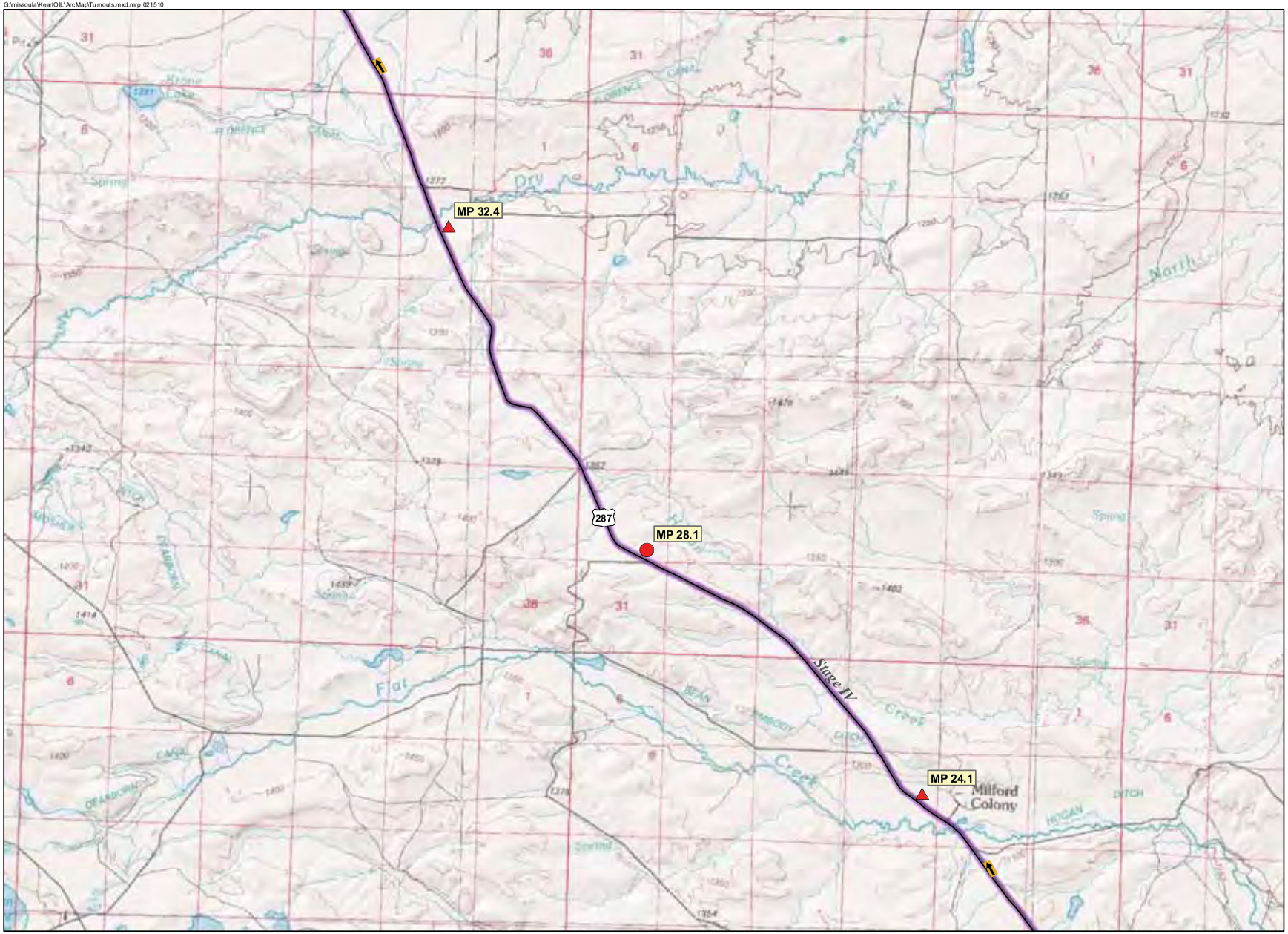

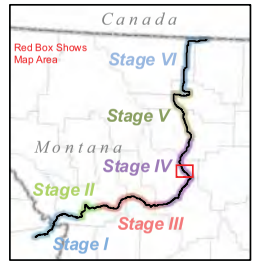

Legend

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- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
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- New
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Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage IV

Sheet 14 of 29

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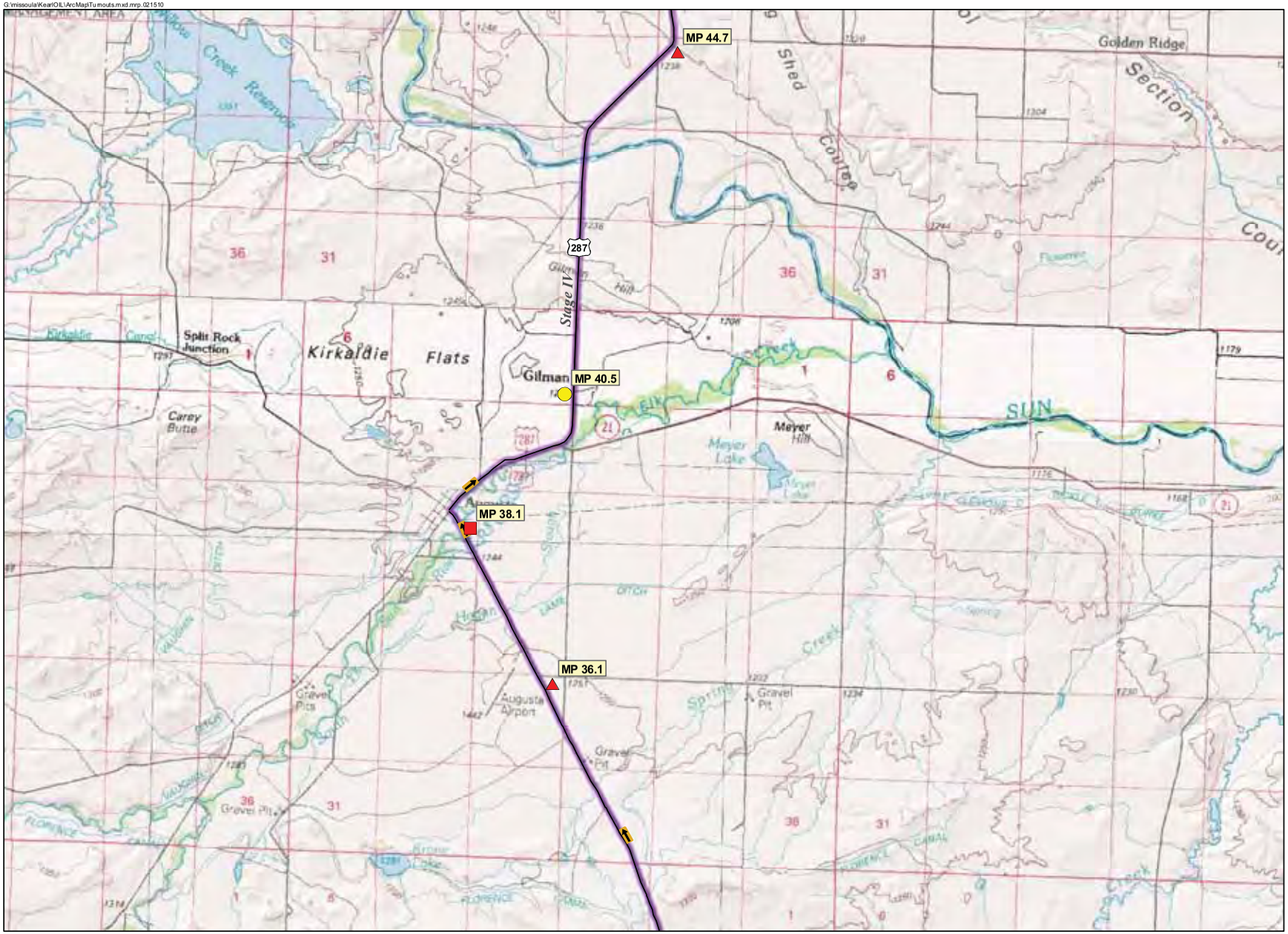

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

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Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage IV

Sheet 15 of 29

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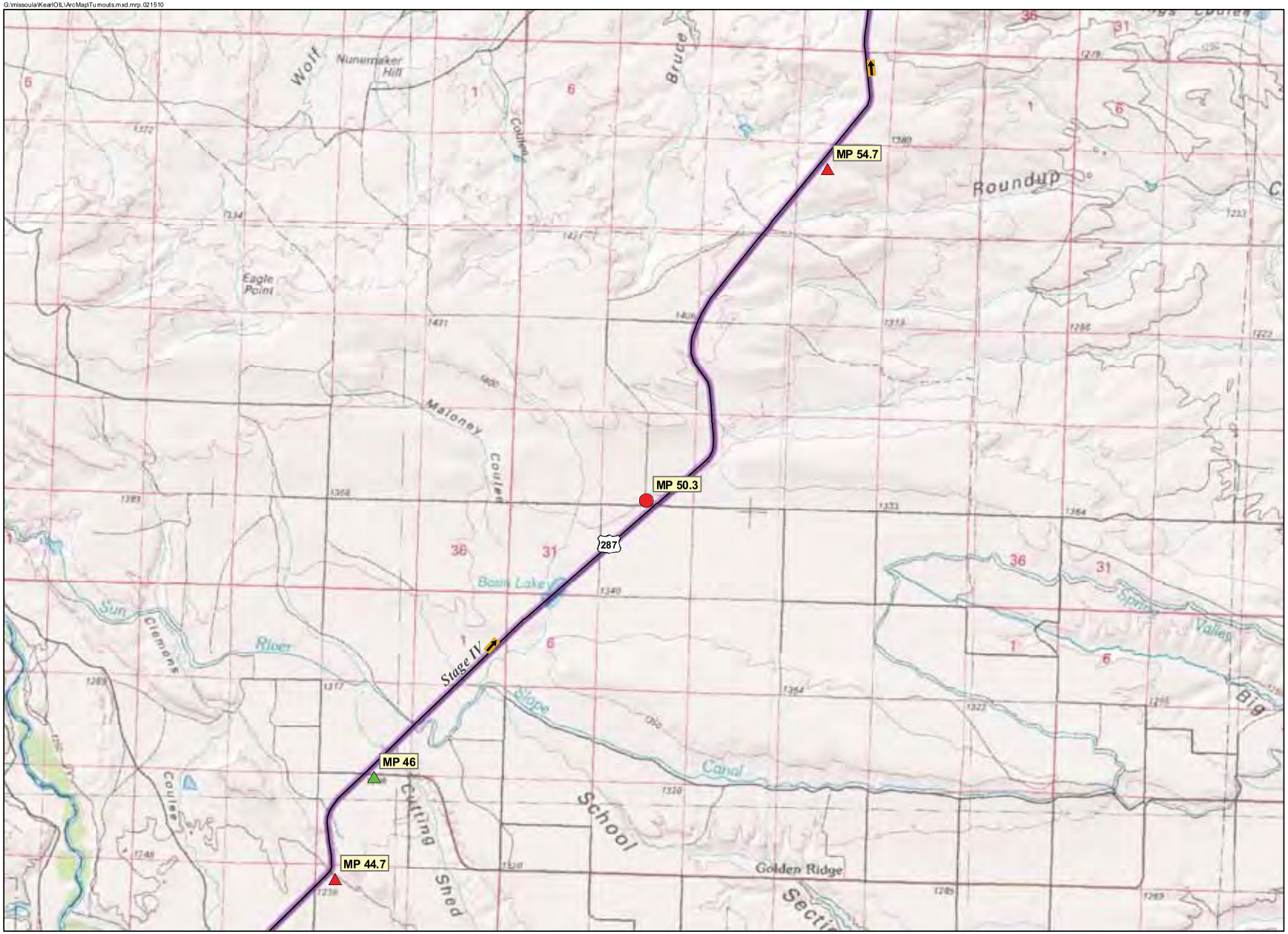

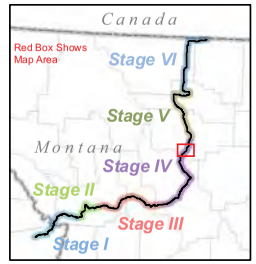

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

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1:63,360

Miles

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Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage IV

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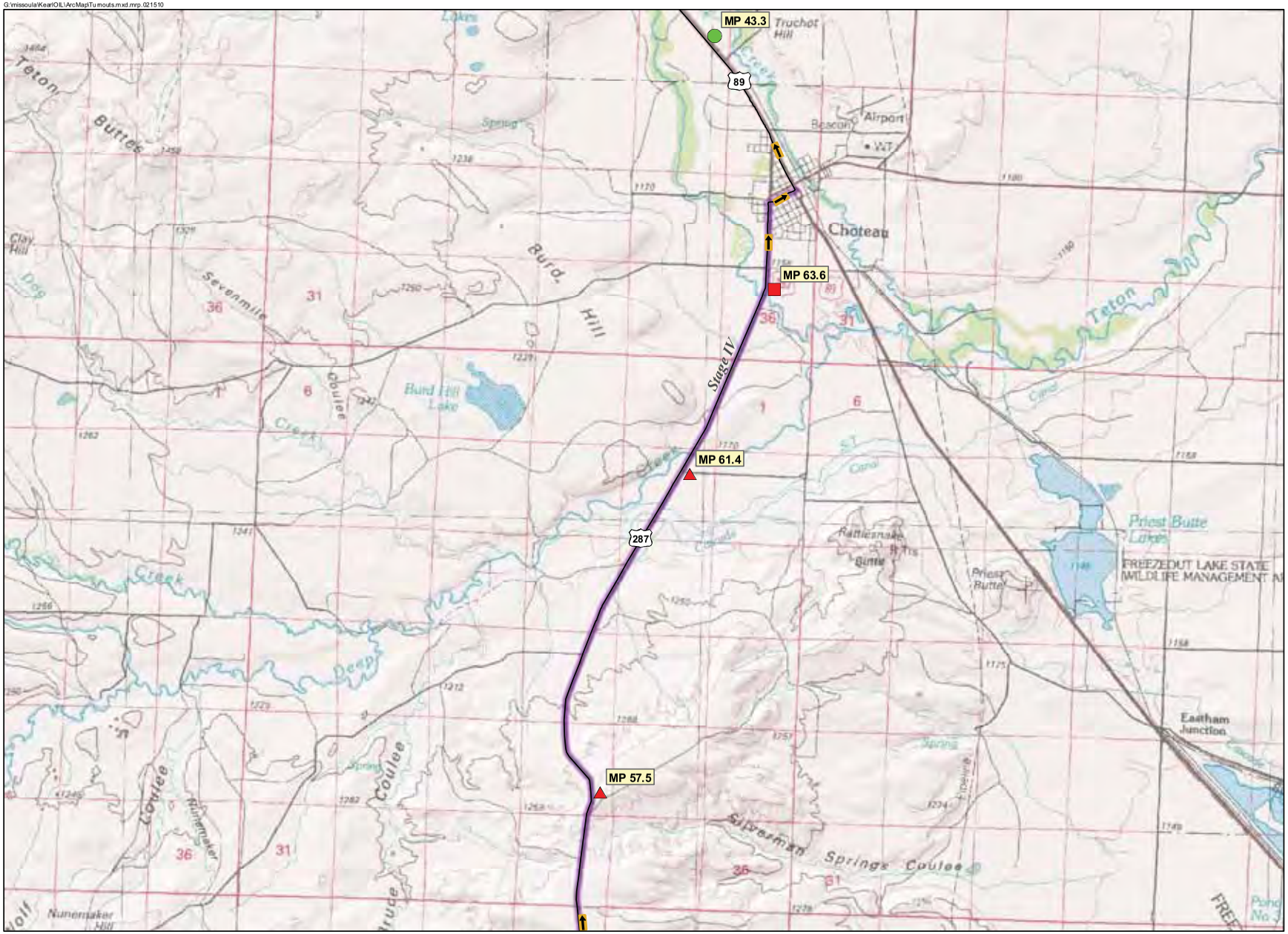

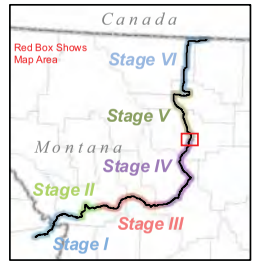

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage IV

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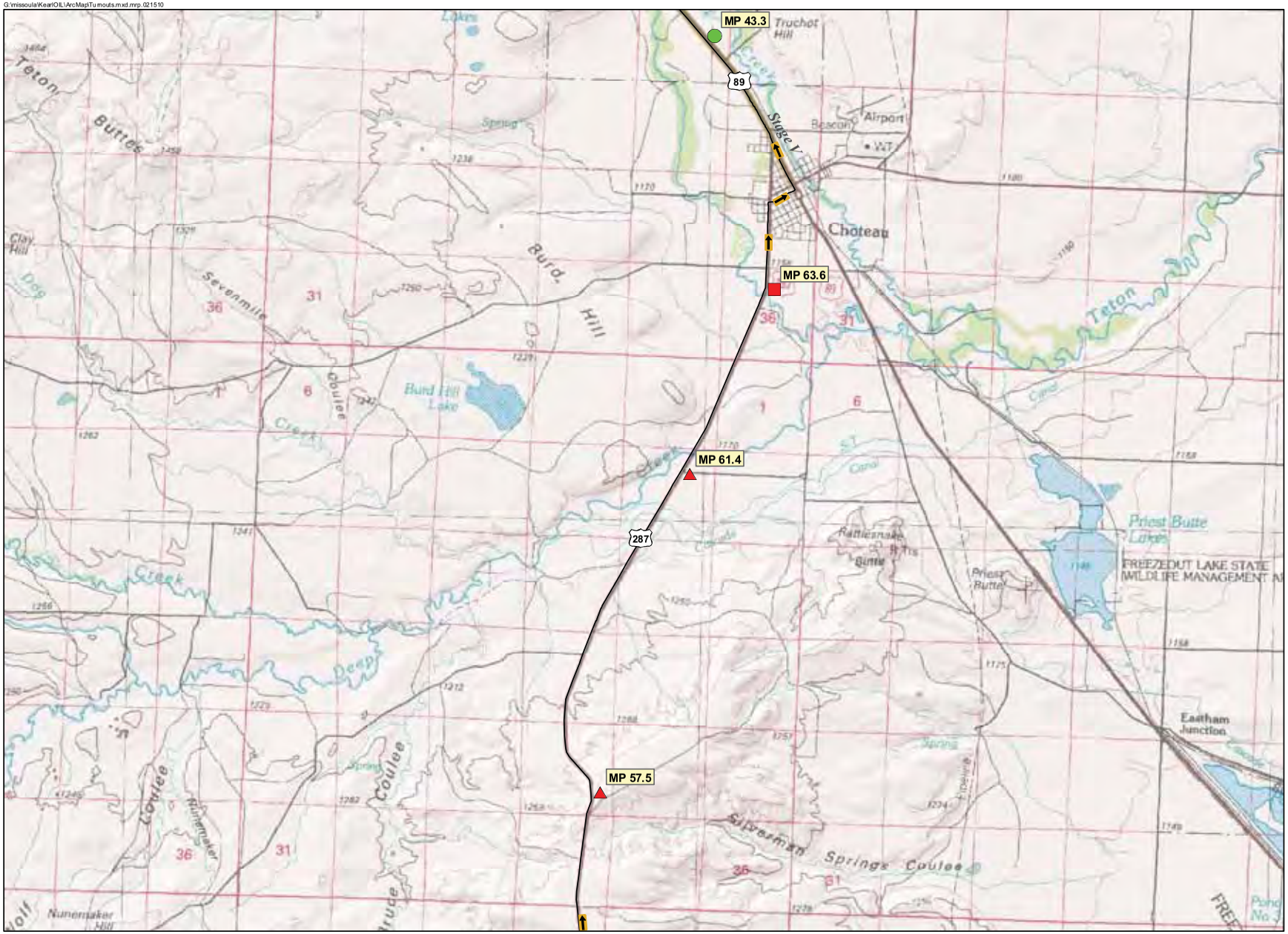

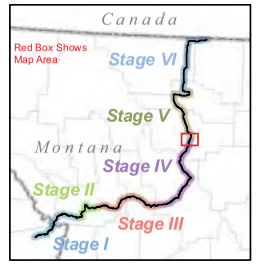

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage V

Sheet 17B of 29

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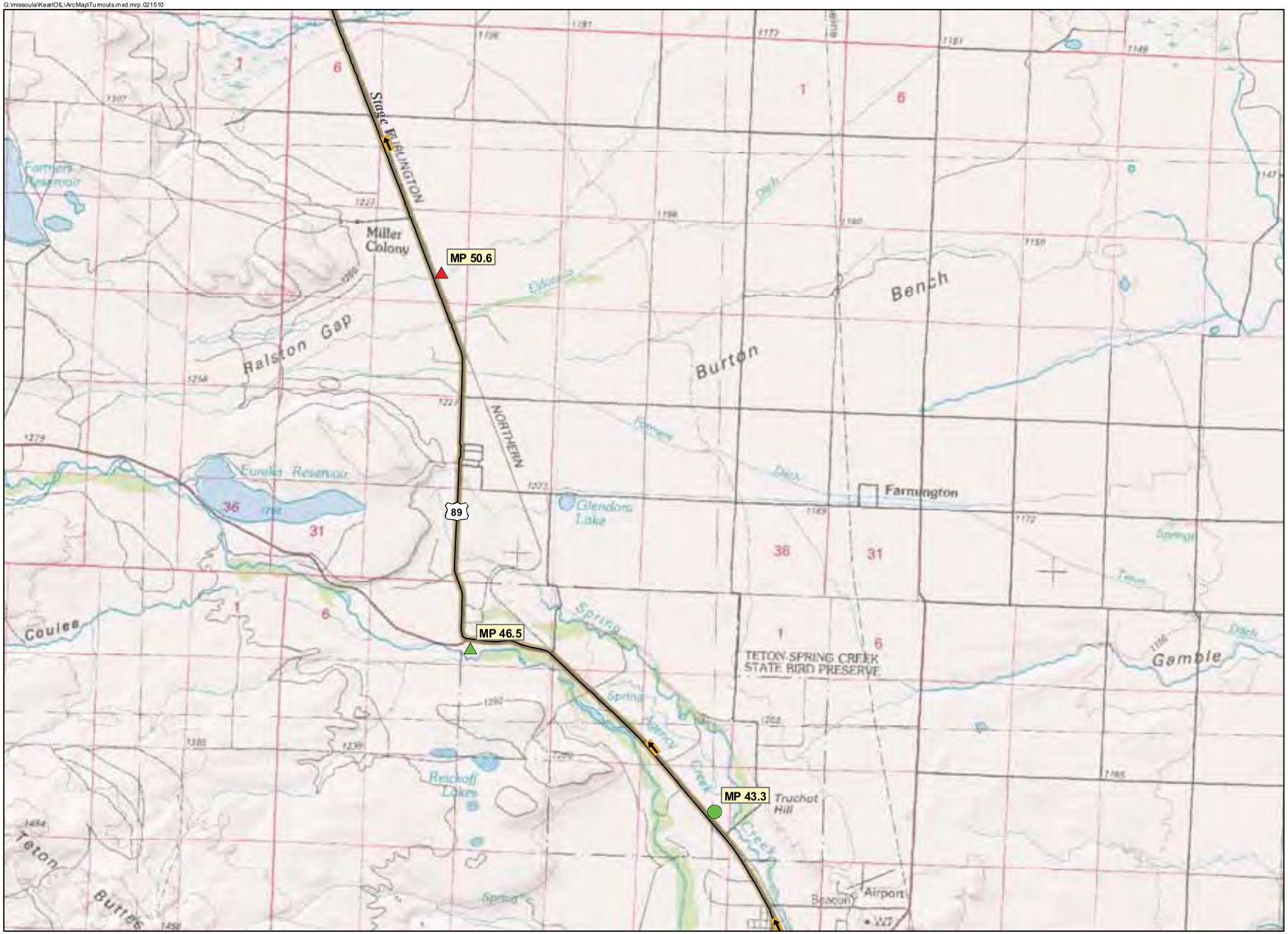

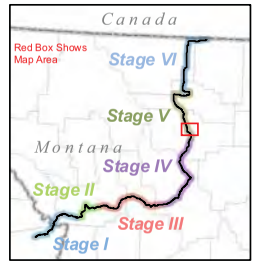

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage V

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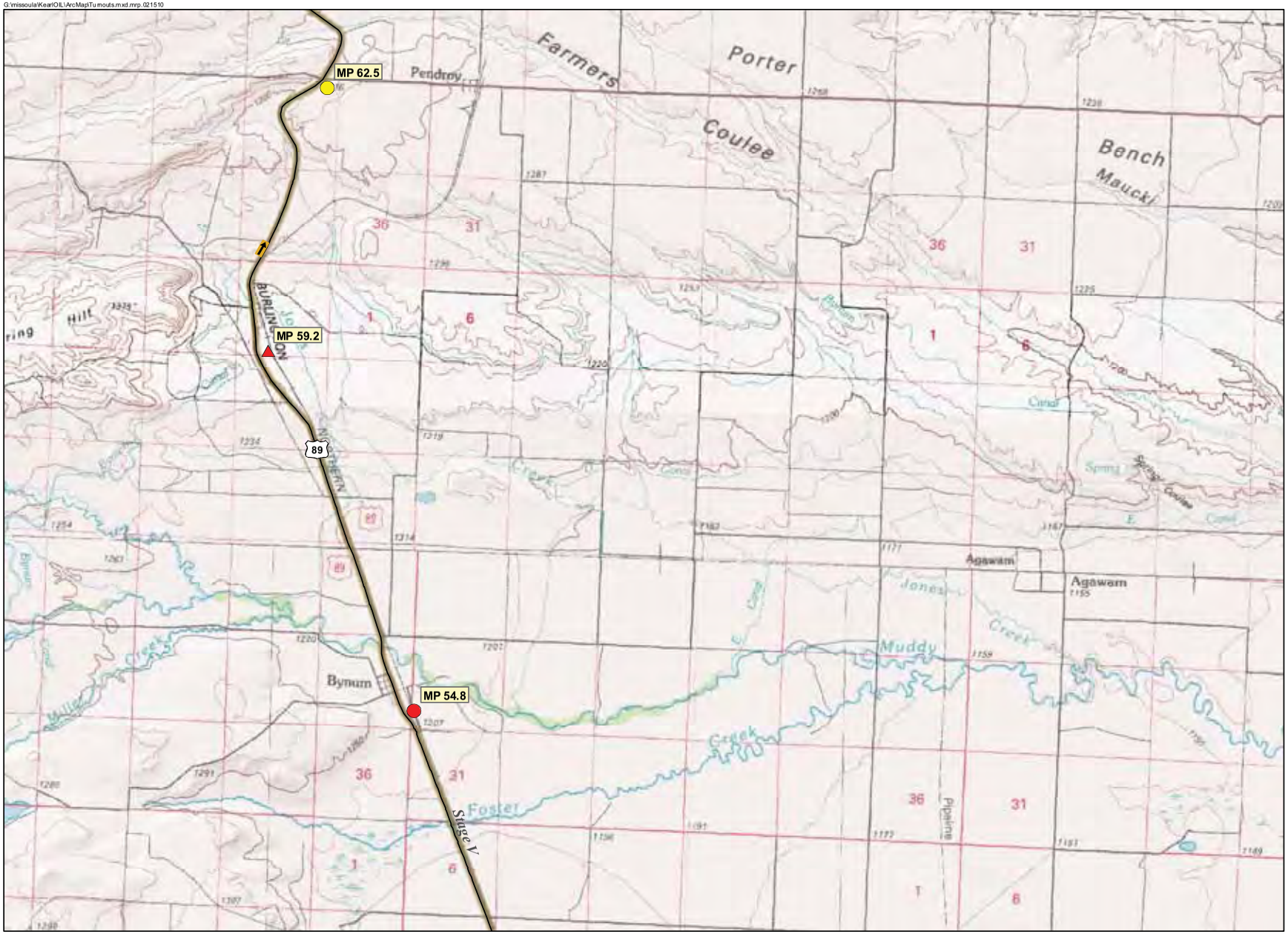

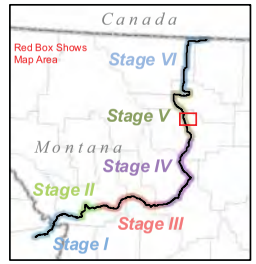

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage V

Sheet 19 of 29

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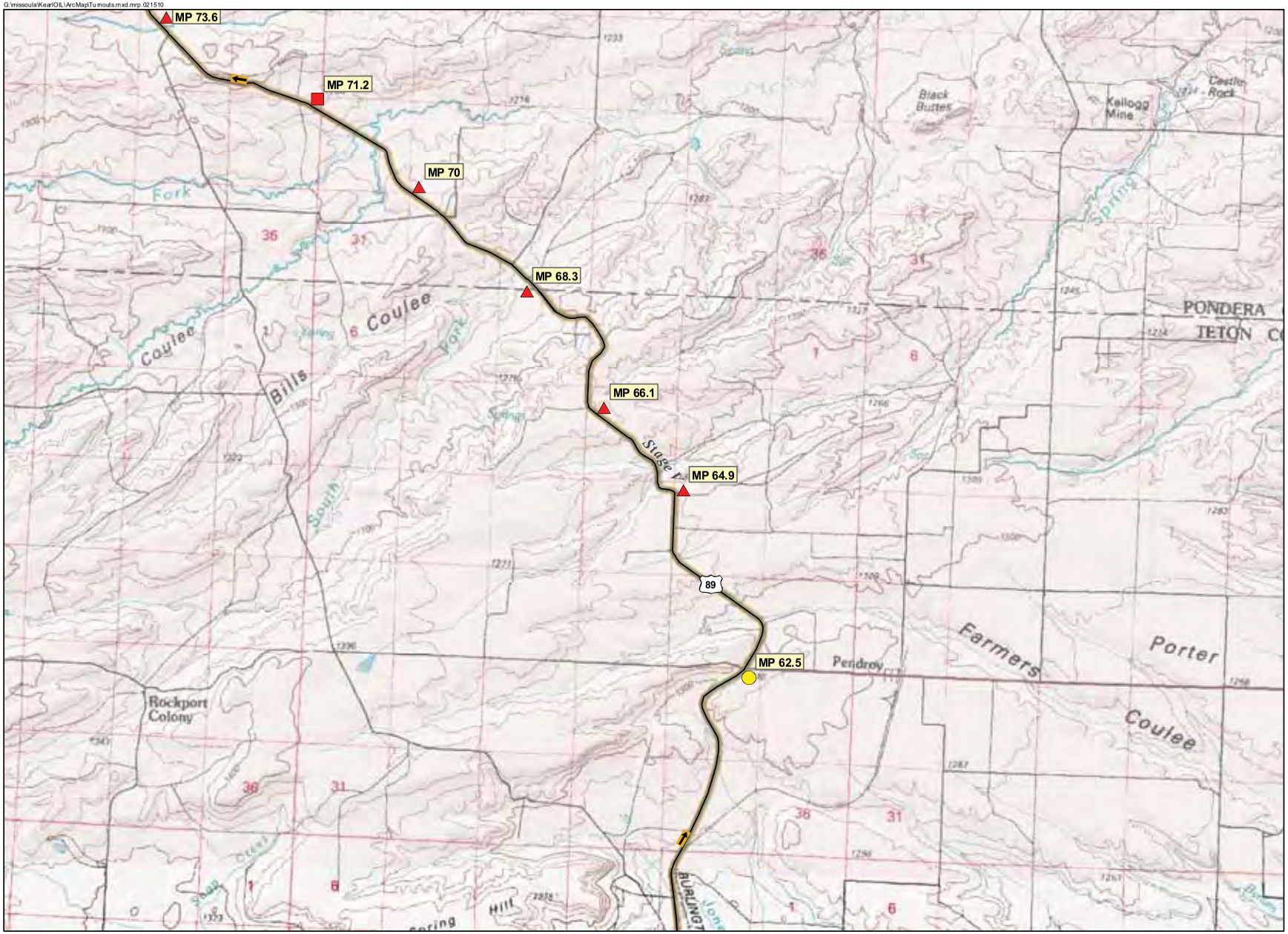

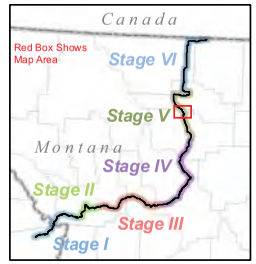

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage V

Sheet 20 of 29

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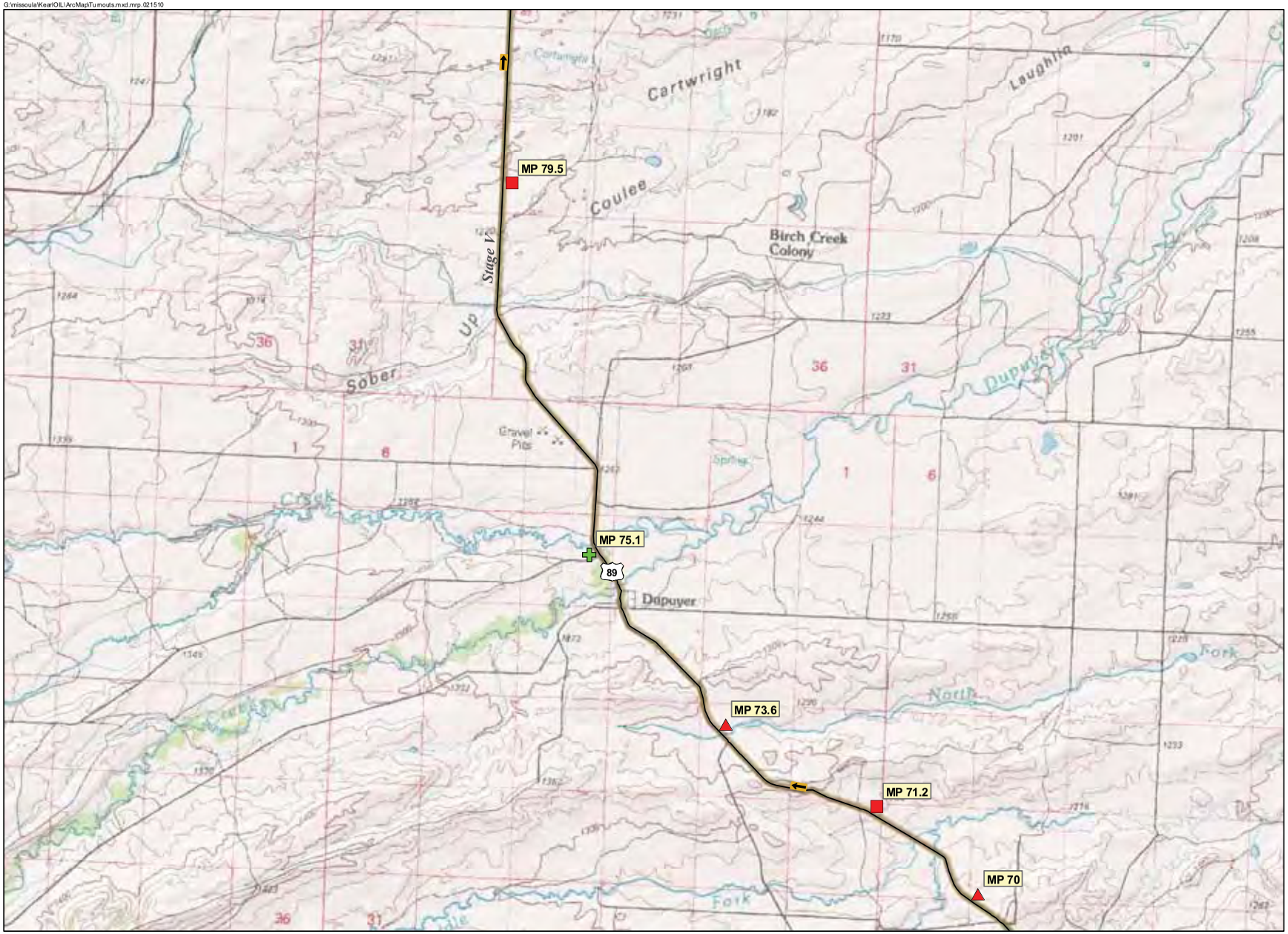

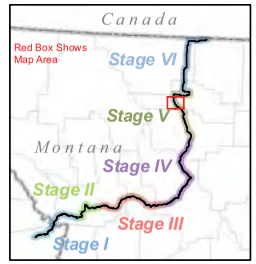

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage V

Sheet 21 of 29

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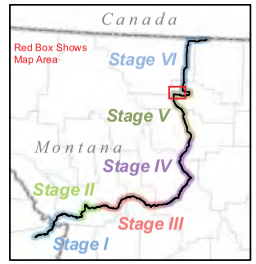

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage V

Sheet 22 of 29

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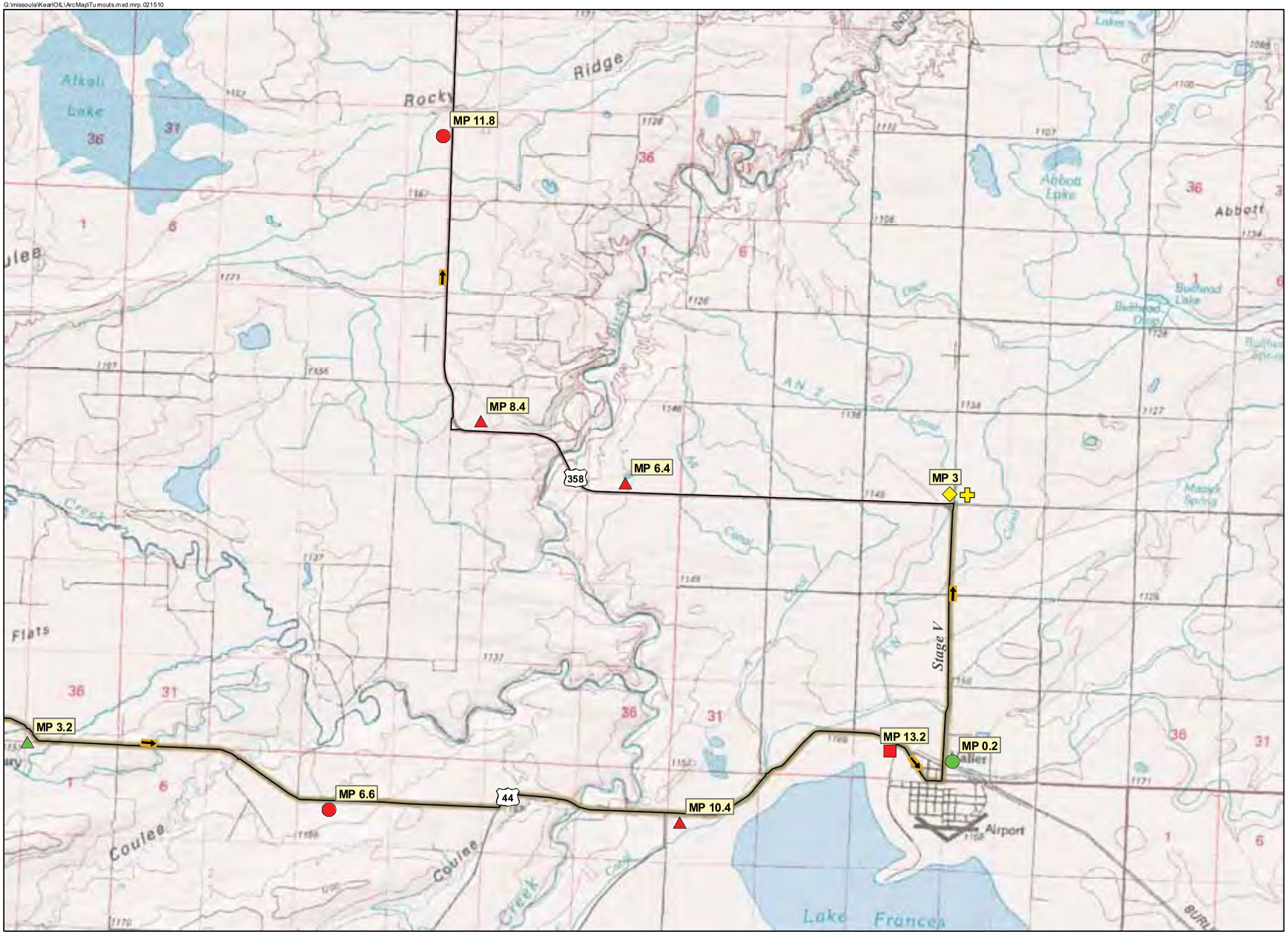

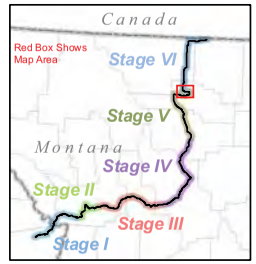

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage V

Sheet 23A of 29

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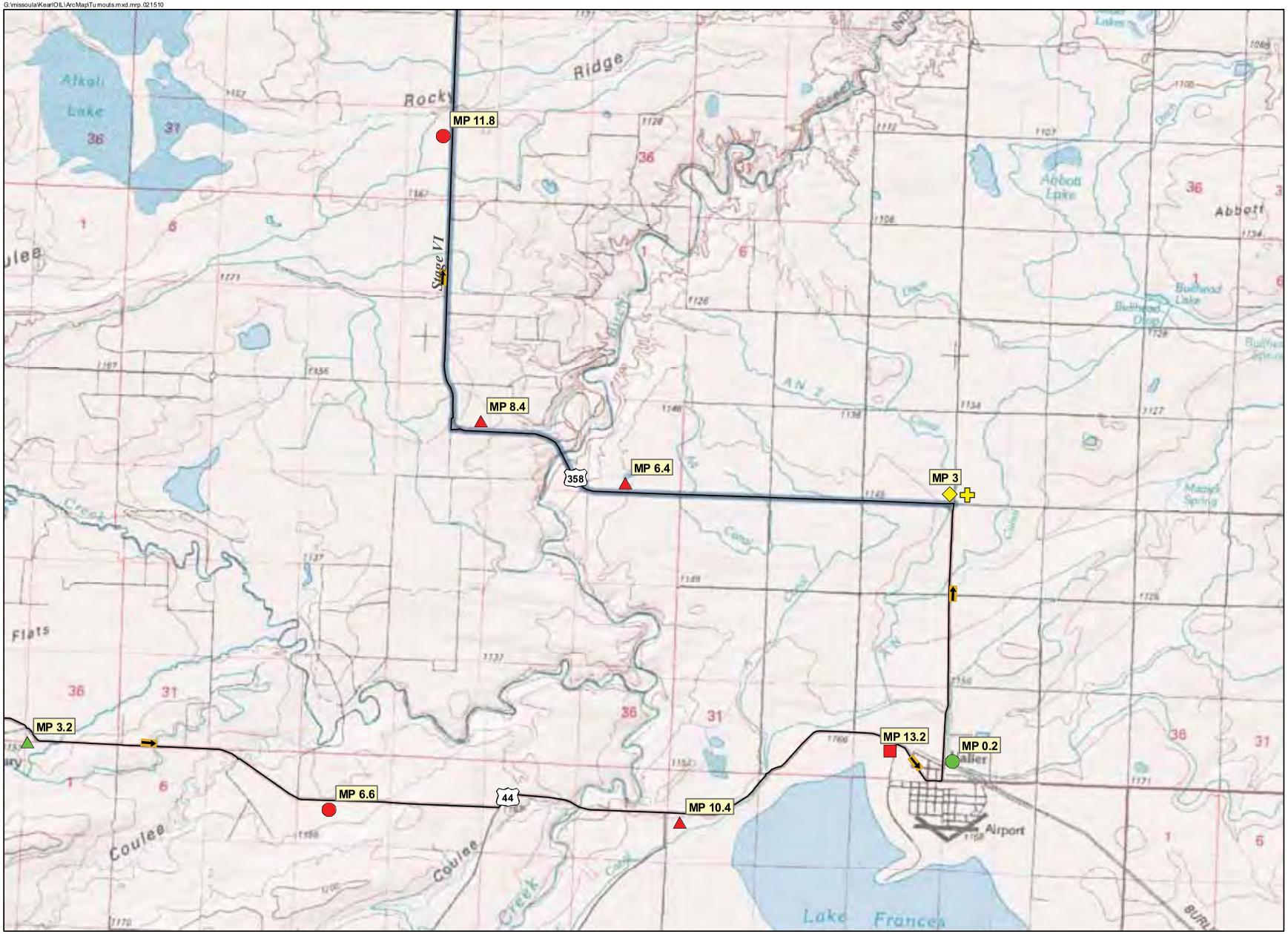

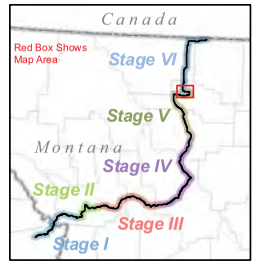

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage VI

Sheet 23B of 29

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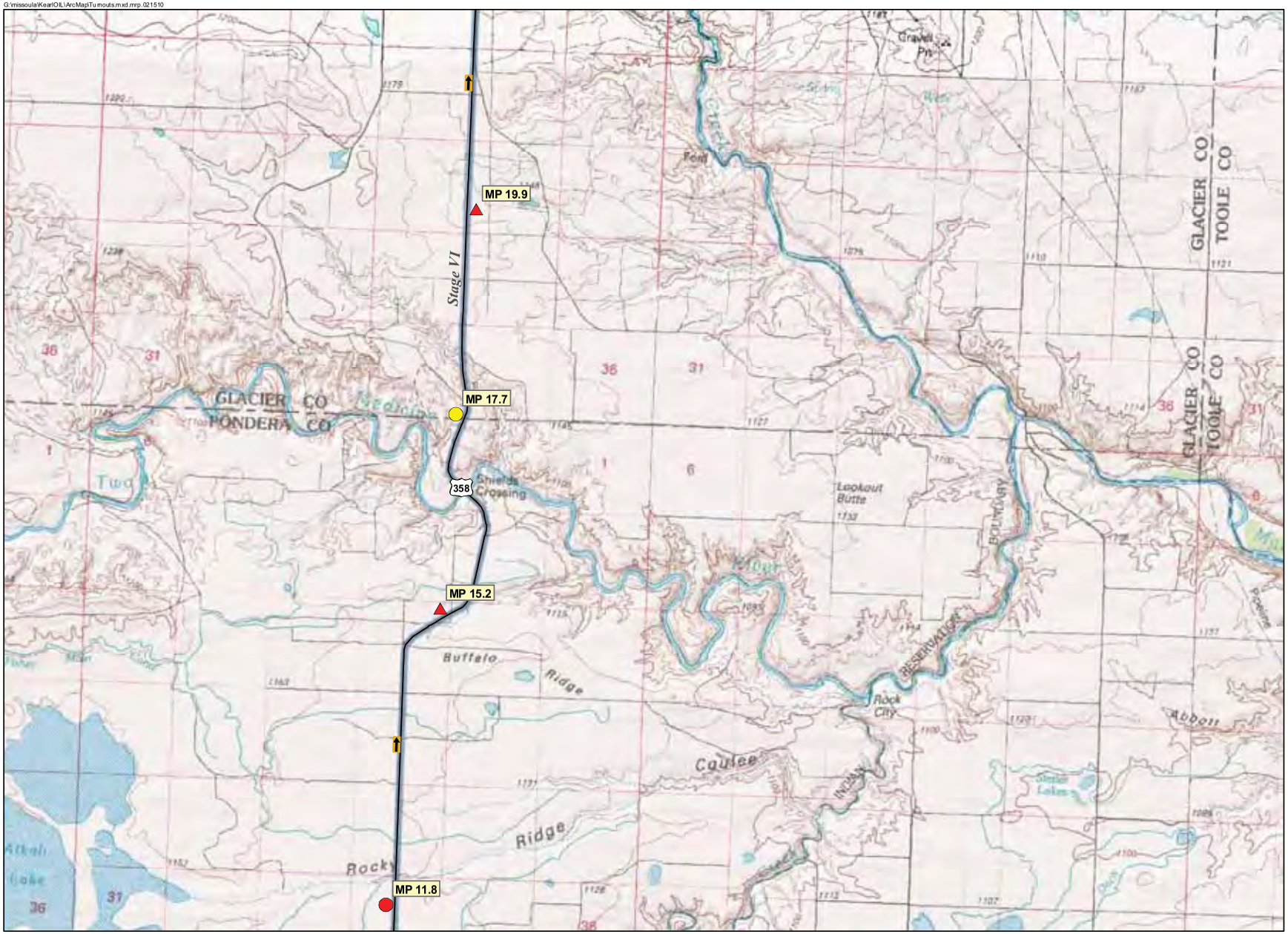

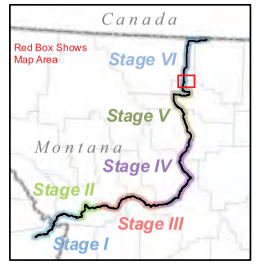

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage VI

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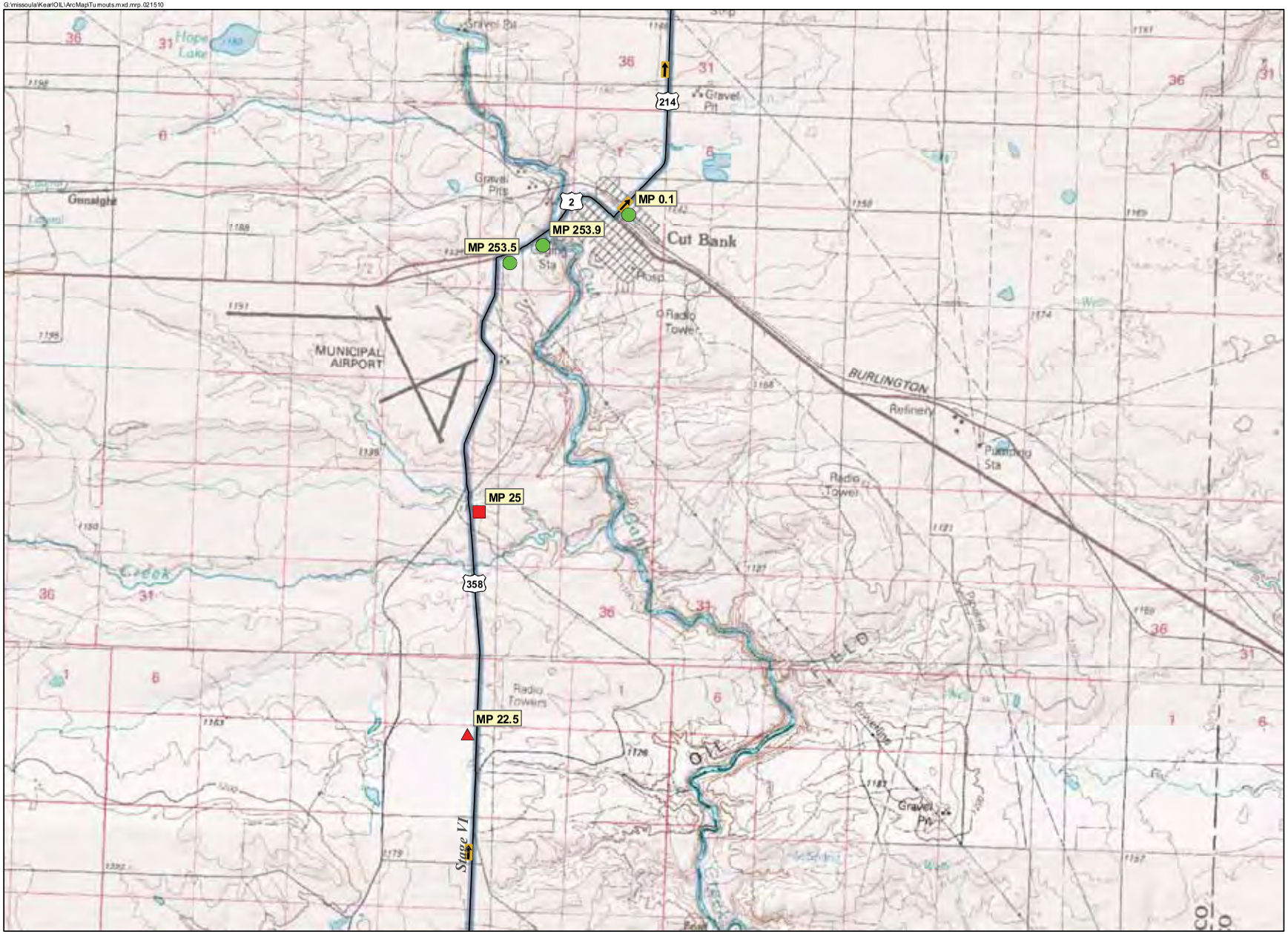

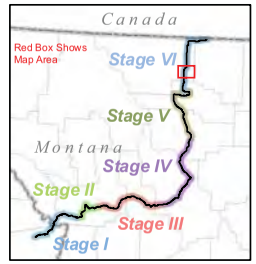

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage VI

Sheet 25 of 29

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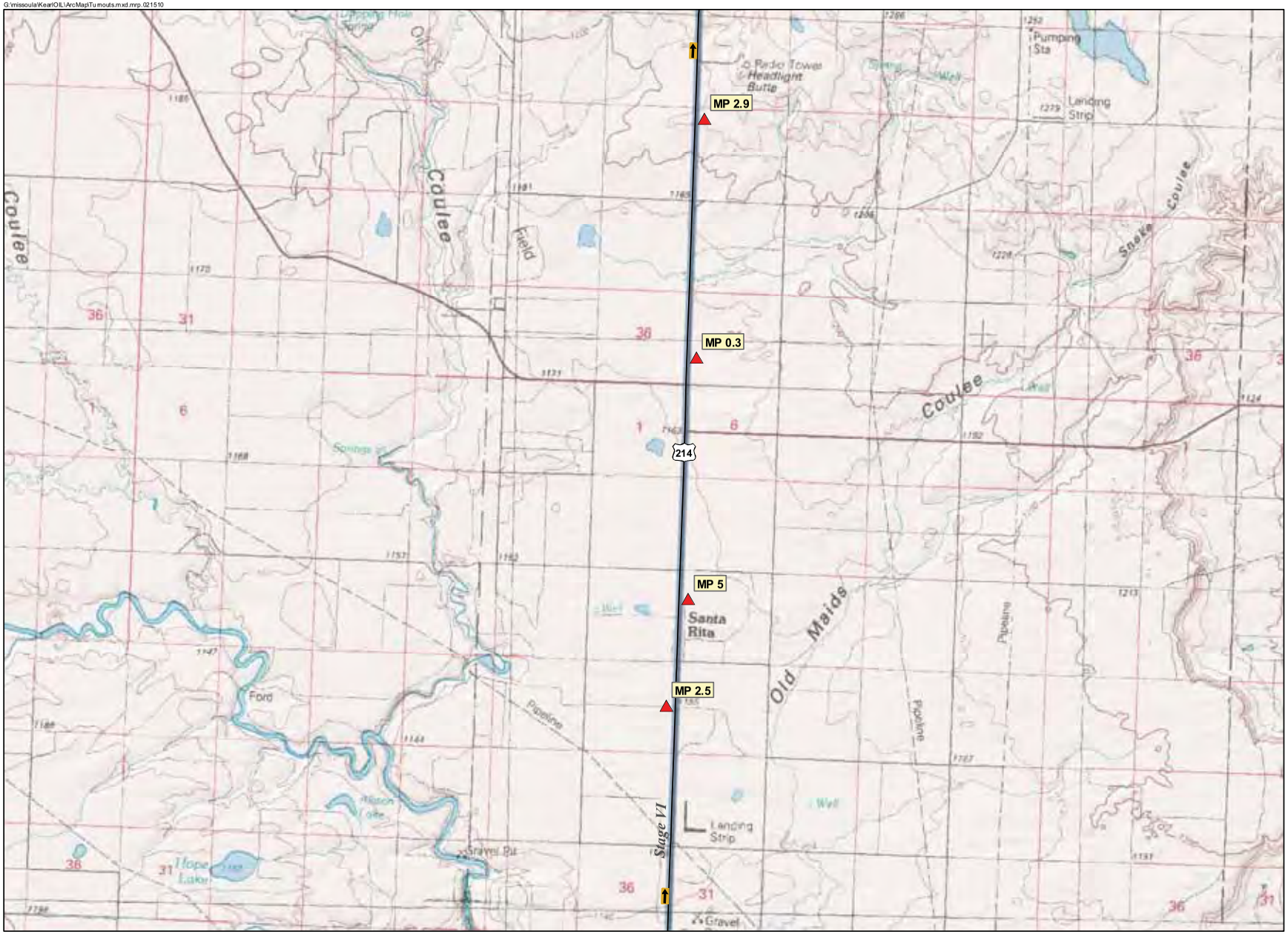

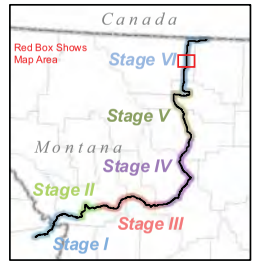

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage VI

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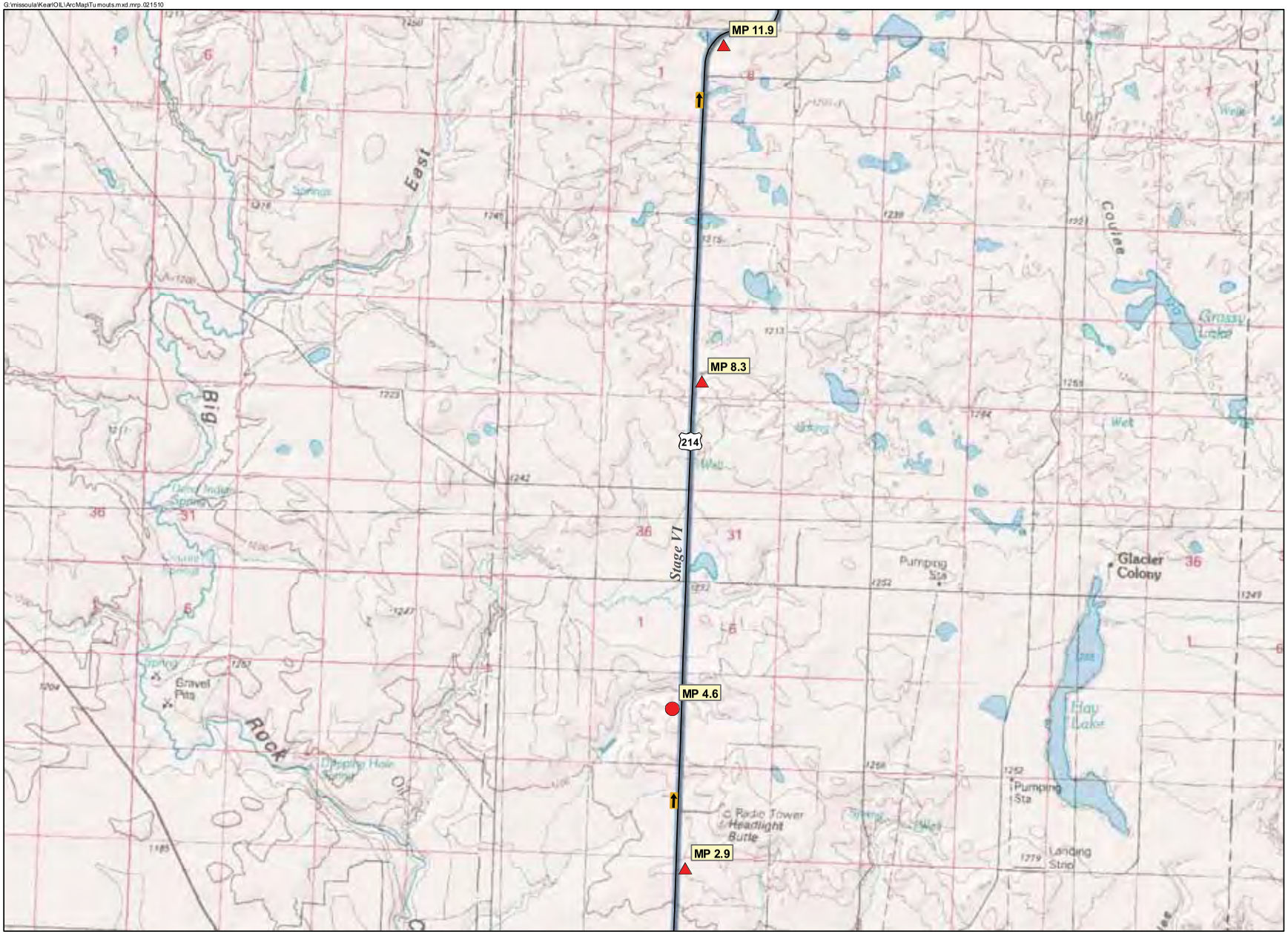

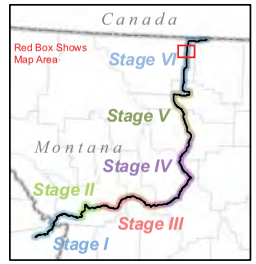

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage VI

Sheet 27 of 29

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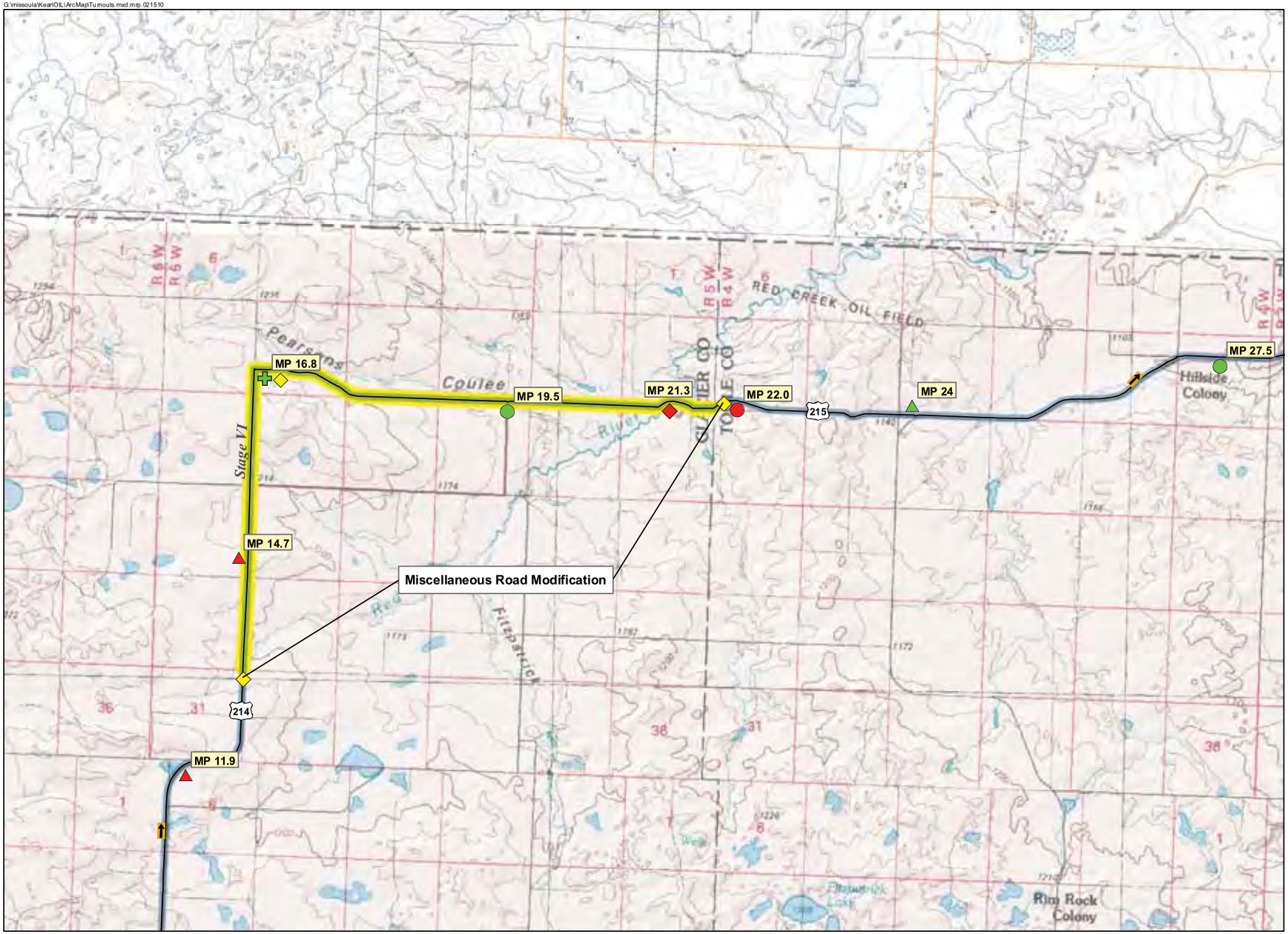

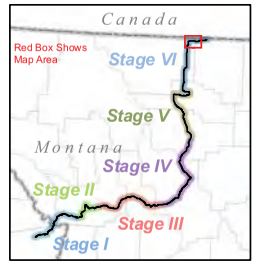

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage VI

Sheet 28 of 29

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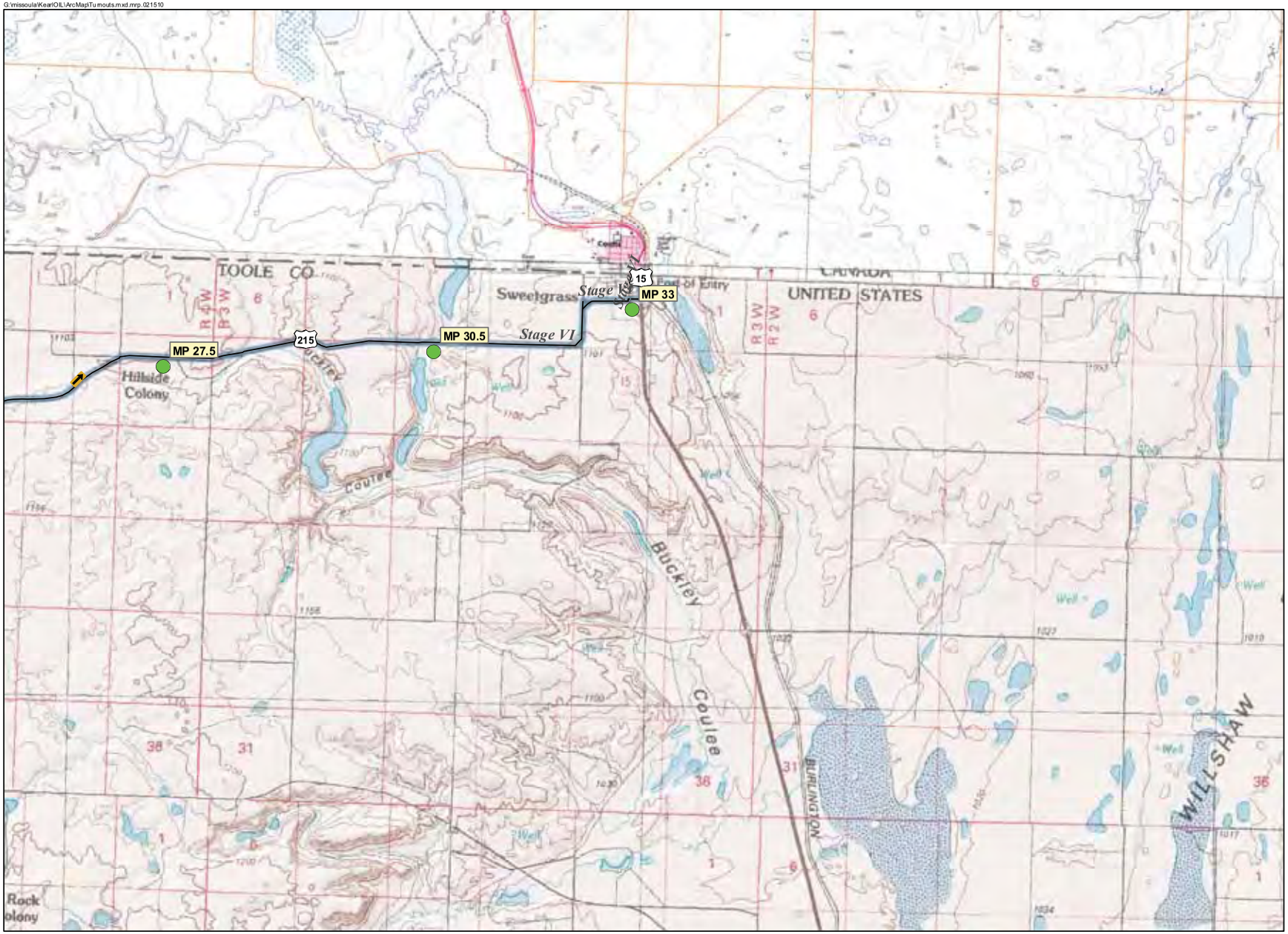

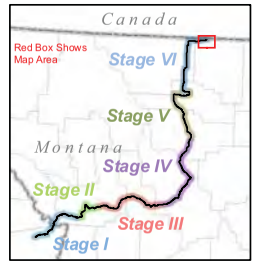

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage VI

Sheet 29 of 29

Appendix B
Maps of Utility Locations

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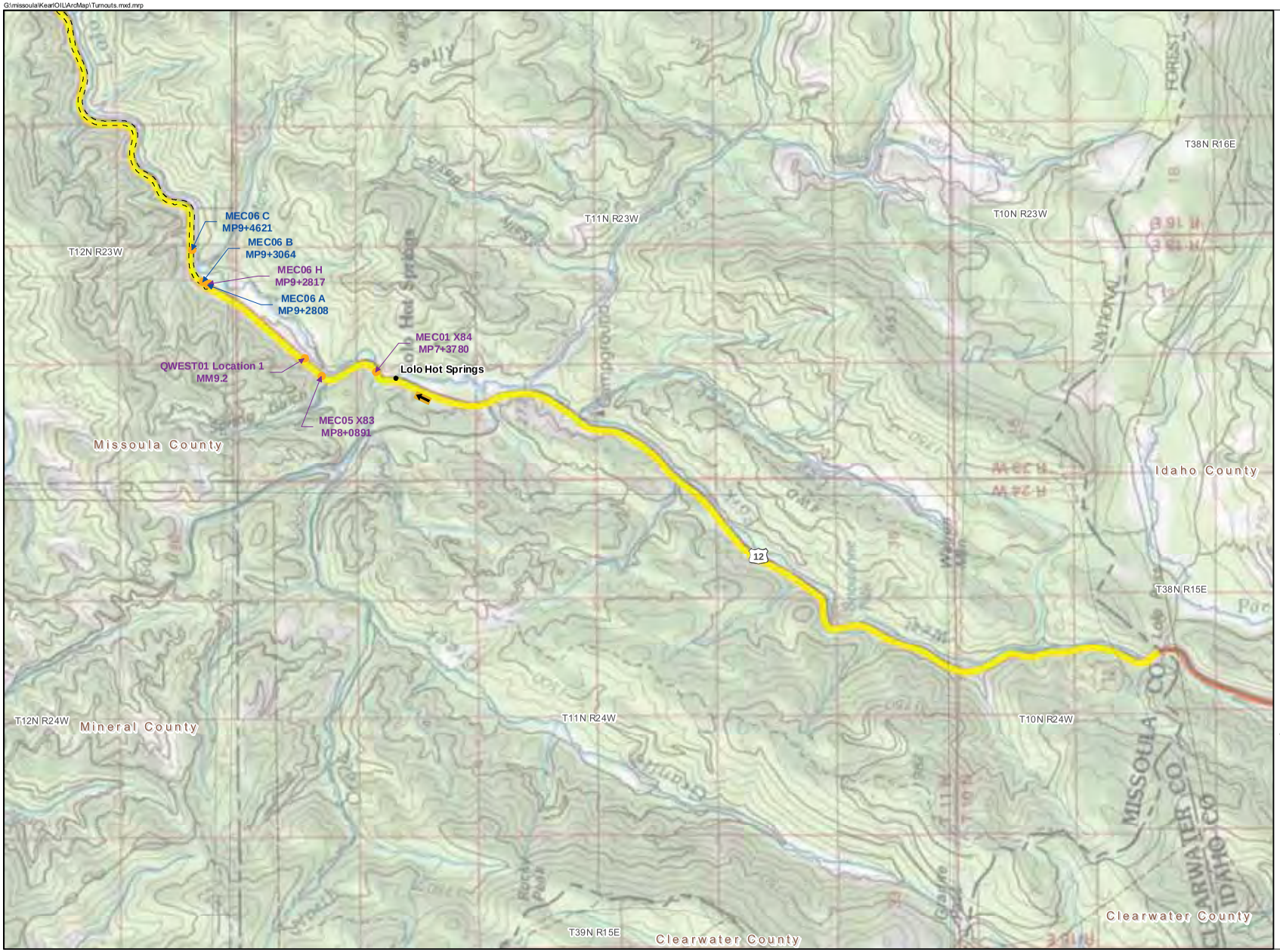
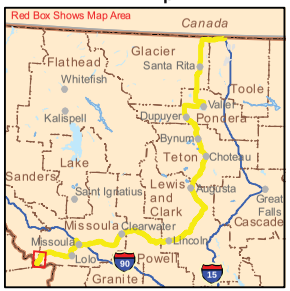


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 — Packet Number
B — Crossing Identification
MP9+3064/MM16.9 — Mile Post/Mile Marker
Above Ground **Under Ground**

Designates Priority Crossing

3RIV	- 3 Rivers (COM)
BLF	- Blackfoot Telephone (COM)
BRESNO	- Bresnan North (COM)
BRESSO	- Bresnan South (COM)
GLACEL	- Glacier Electric (POW)
MEC	- Missoula Electric Coop (POW)
NWEGF	- NorthWestern Energy Great Falls (POW)
NWEHEL	- NorthWestern Energy Helena (POW)
NWETRANS	- NorthWestern Energy Transmission (POW)
MIS	- NorthWestern Energy Missoula (POW)
QWEST	- Qwest (COM)
SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line
NA - Not Available

1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 1 of 26

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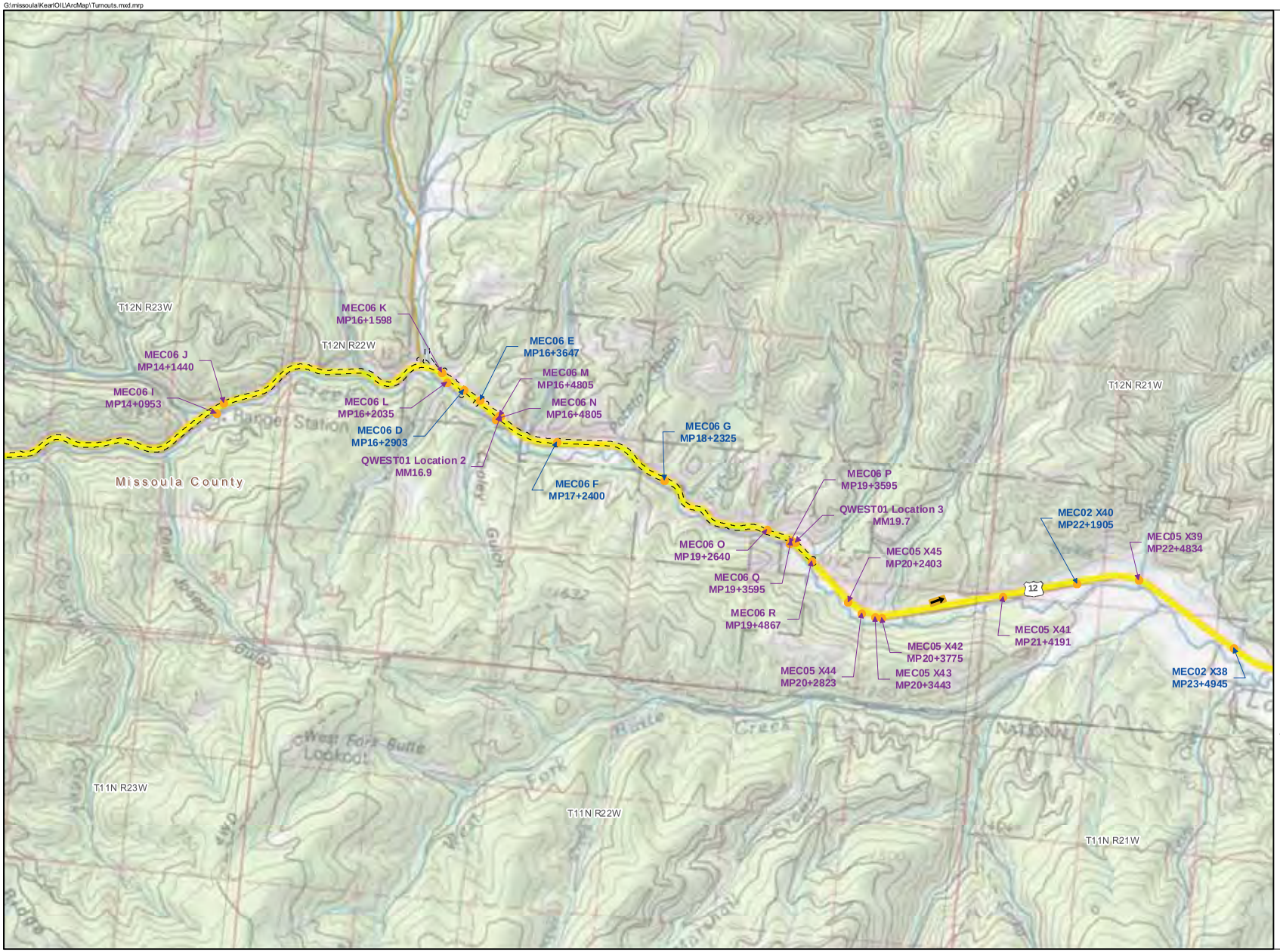
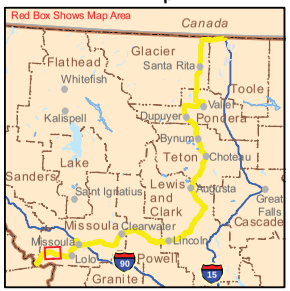


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 B — Packet Number Crossing Identification
MP9+3064/MM16.9 — Mile Post/Mile Marker
Above Ground — Under Ground

Designates Priority Crossing

3RIV	- 3 Rivers (COM)
BLF	- Blackfoot Telephone (COM)
BRESNO	- Bresnan North (COM)
BRESSO	- Bresnan South (COM)
GLACEL	- Glacier Electric (POW)
MEC	- Missoula Electric Coop (POW)
NWEGF	- NorthWestern Energy Great Falls (POW)
NWEHEL	- NorthWestern Energy Helena (POW)
NWETRANS	- NorthWestern Energy Transmission (POW)
MIS	- NorthWestern Energy Missoula (POW)
QWEST	- Qwest (COM)
SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line
NA - Not Available

N W E S
1:50,000
Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 2 of 26

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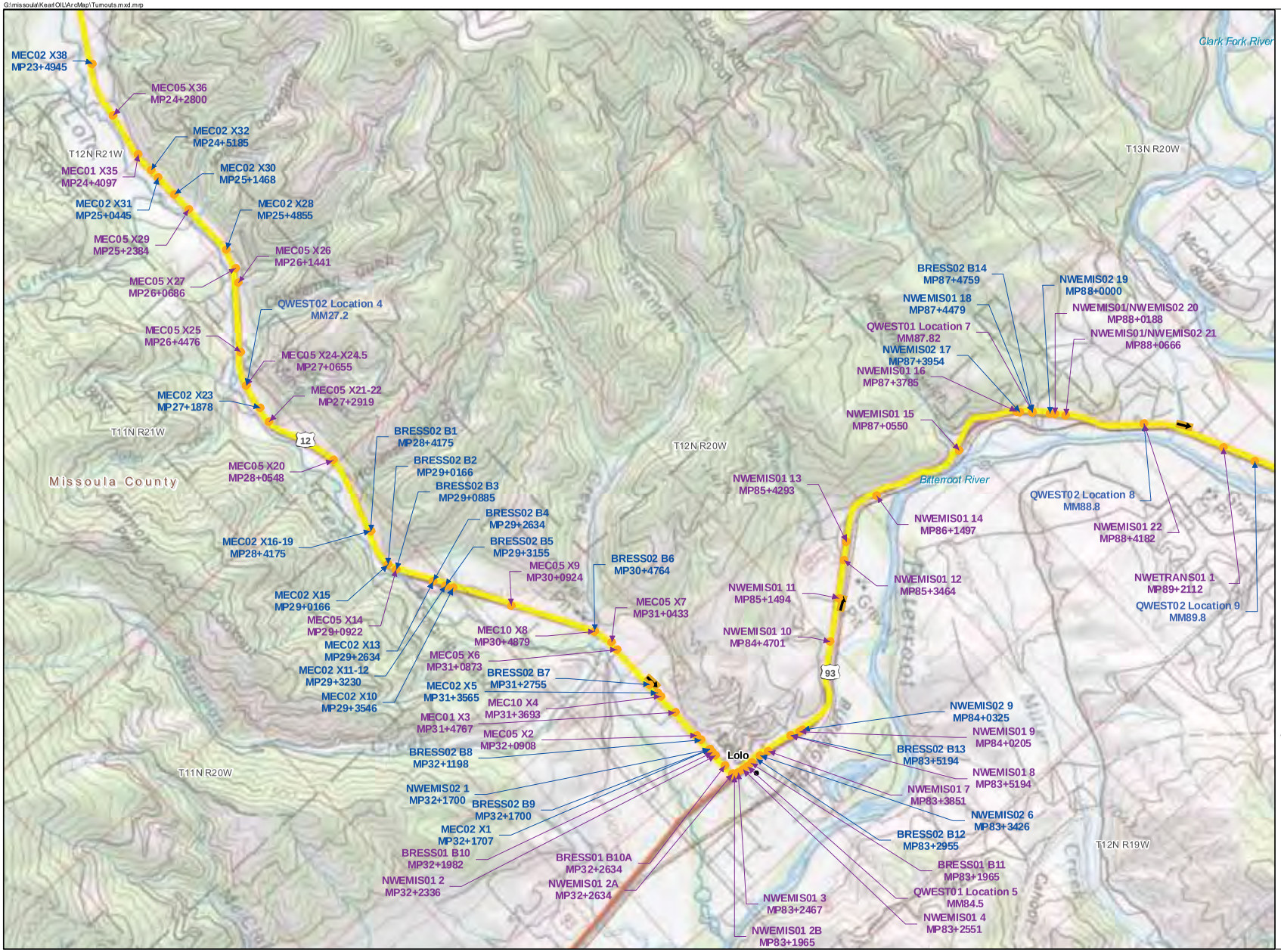
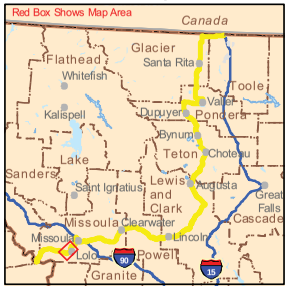


Route Map for Module Transportation



- Approximate Utility Locations (Within MDT ROW)
- Approximate Utility Locations (Outside MDT ROW)
- Route Direction
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 B — Packet Number Crossing Identification
MP9+3064/MM16.9 — Mile Post/Mile Marker

Above Ground	Under Ground
3RIV	- 3 Rivers (COM)
BLF	- Blackfoot Telephone (COM)
BRESNO	- Bresnan North (COM)
BRESSO	- Bresnan South (COM)
GLACEL	- Glacier Electric (POW)
MEC	- Missoula Electric Coop (POW)
NWEGF	- NorthWestern Energy Great Falls (POW)
NWEHEL	- NorthWestern Energy Helena (POW)
NWETRANS	- NorthWestern Energy Transmission (POW)
MIS	- NorthWestern Energy Missoula (POW)
QWEST	- Qwest (COM)
SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line
NA - Not Available

1:50,000
Miles
0 0.5 1

Approximate Utility Locations In Montana

Kearl Module Transportation Project

Sheet 3 of 26

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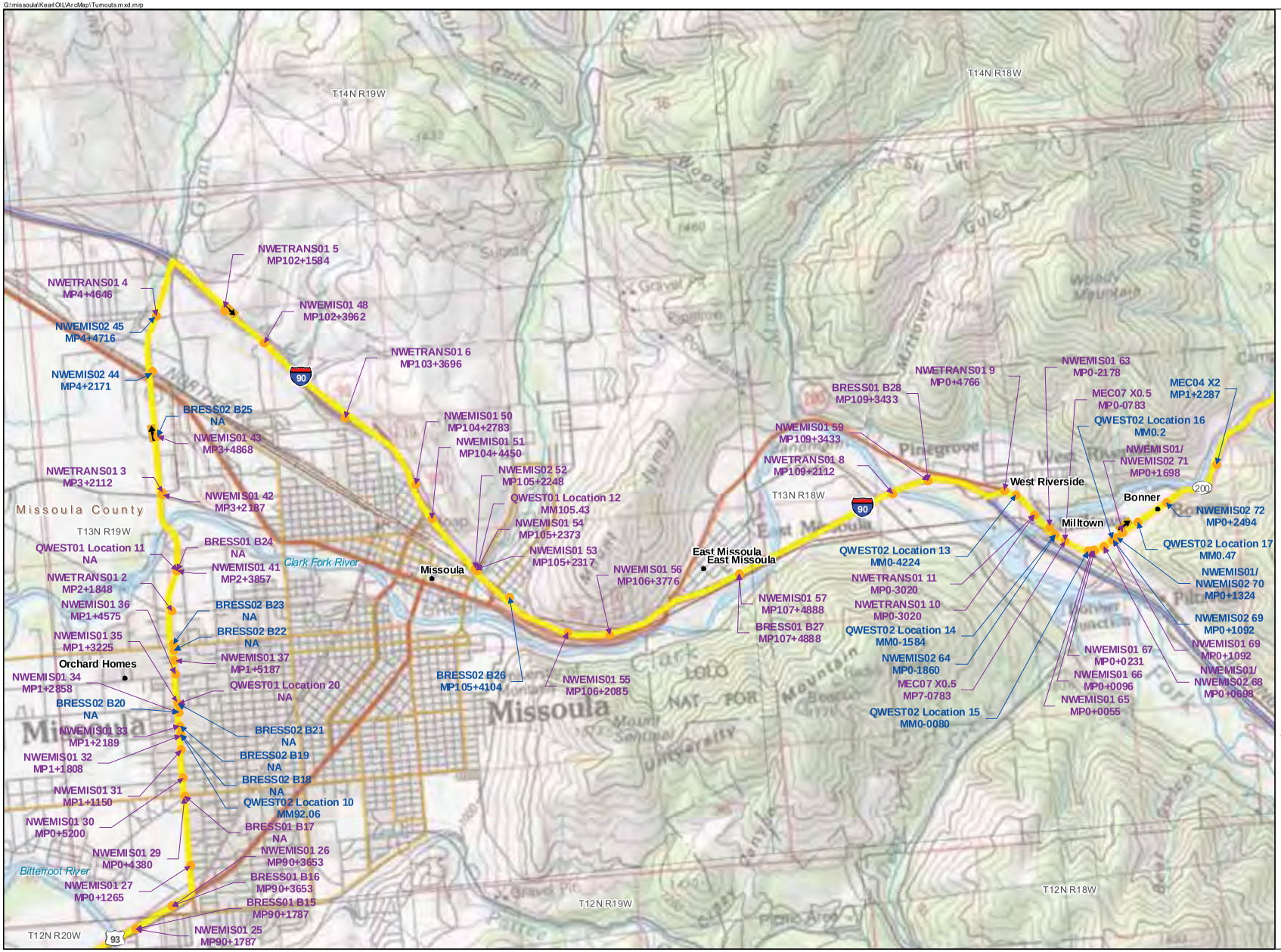
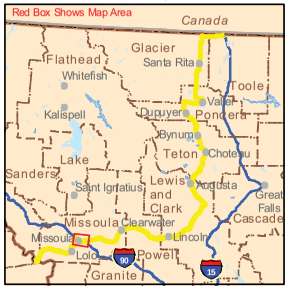


Route Map for Module Transportation



- Approximate Utility Locations (Within MDT ROW)
- Approximate Utility Locations (Outside MDT ROW)
- Route Direction
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Highway
- Major Road
- Local Road

MEC06 B — Packet Number Crossing Identification
MP9+3064/MM16.9 — Mile Post/Mile Marker
Above Ground / Under Ground

3RIV	- 3 Rivers (COM)
BLF	- Blackfoot Telephone (COM)
BRESNO	- Bresnan North (COM)
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SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line
NA - Not Available

1:50,000
Miles
0 0.5 1

Approximate Utility Locations In Montana

Kearl Module Transportation Project

Sheet 4 of 26

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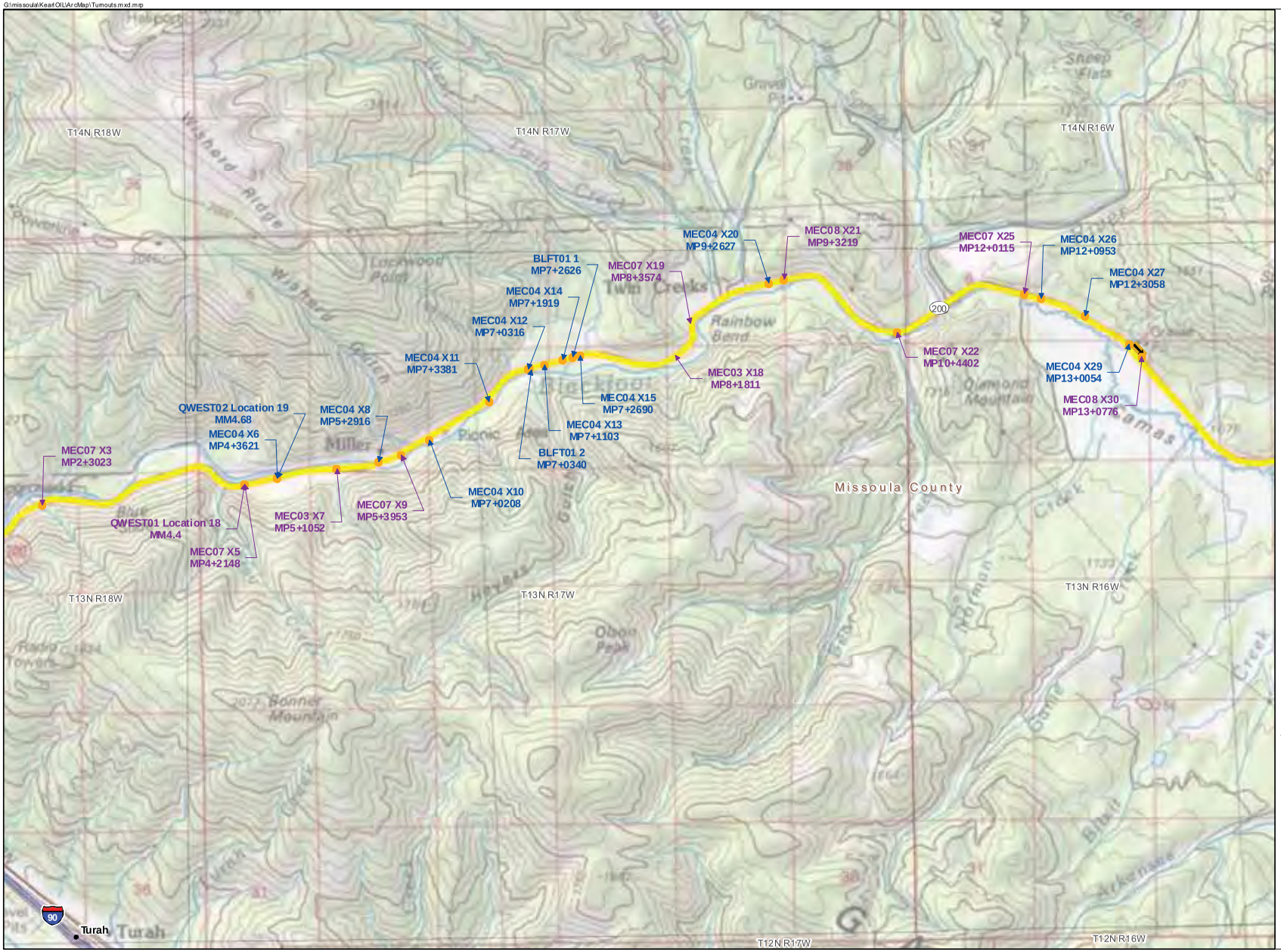
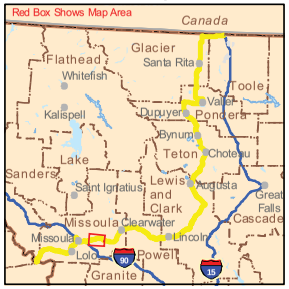


Route Map for Module Transportation



- Approximate Utility Locations (Within MDT ROW)
- Approximate Utility Locations (Outside MDT ROW)
- Route Direction
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 Packet Number
B Crossing Identification
MP9+3064/MM16.9 Mile Post/Mile Marker
Above Ground **Under Ground**

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BLF	- Blackfoot Telephone (COM)
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QWEST	- Qwest (COM)
SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line
NA - Not Available

1:50,000
Miles
0 0.5 1

Approximate Utility Locations In Montana

Kearl Module Transportation Project

Sheet 5 of 26

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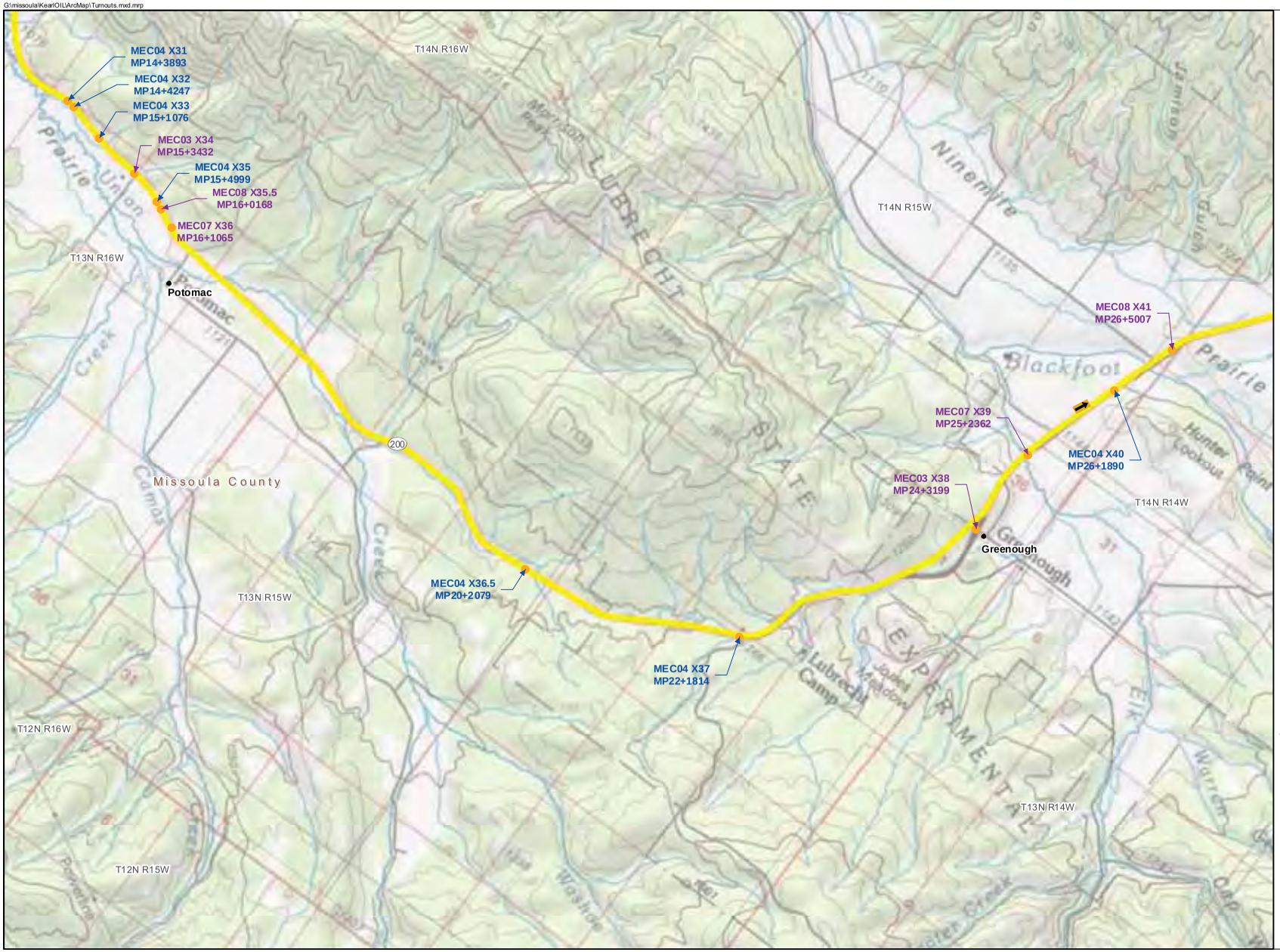
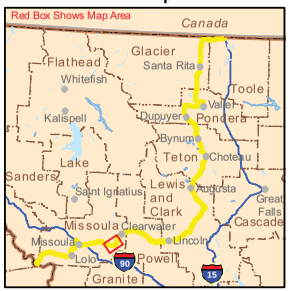


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 B — Packet Number Crossing Identification
MP9+3064/MM16.9 — Mile Post/Mile Marker
Above Ground / Under Ground

Designates Priority Crossing

3RIV	- 3 Rivers (COM)
BLF	- Blackfoot Telephone (COM)
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QWEST	- Qwest (COM)
SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line
NA - Not Available

1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 6 of 26

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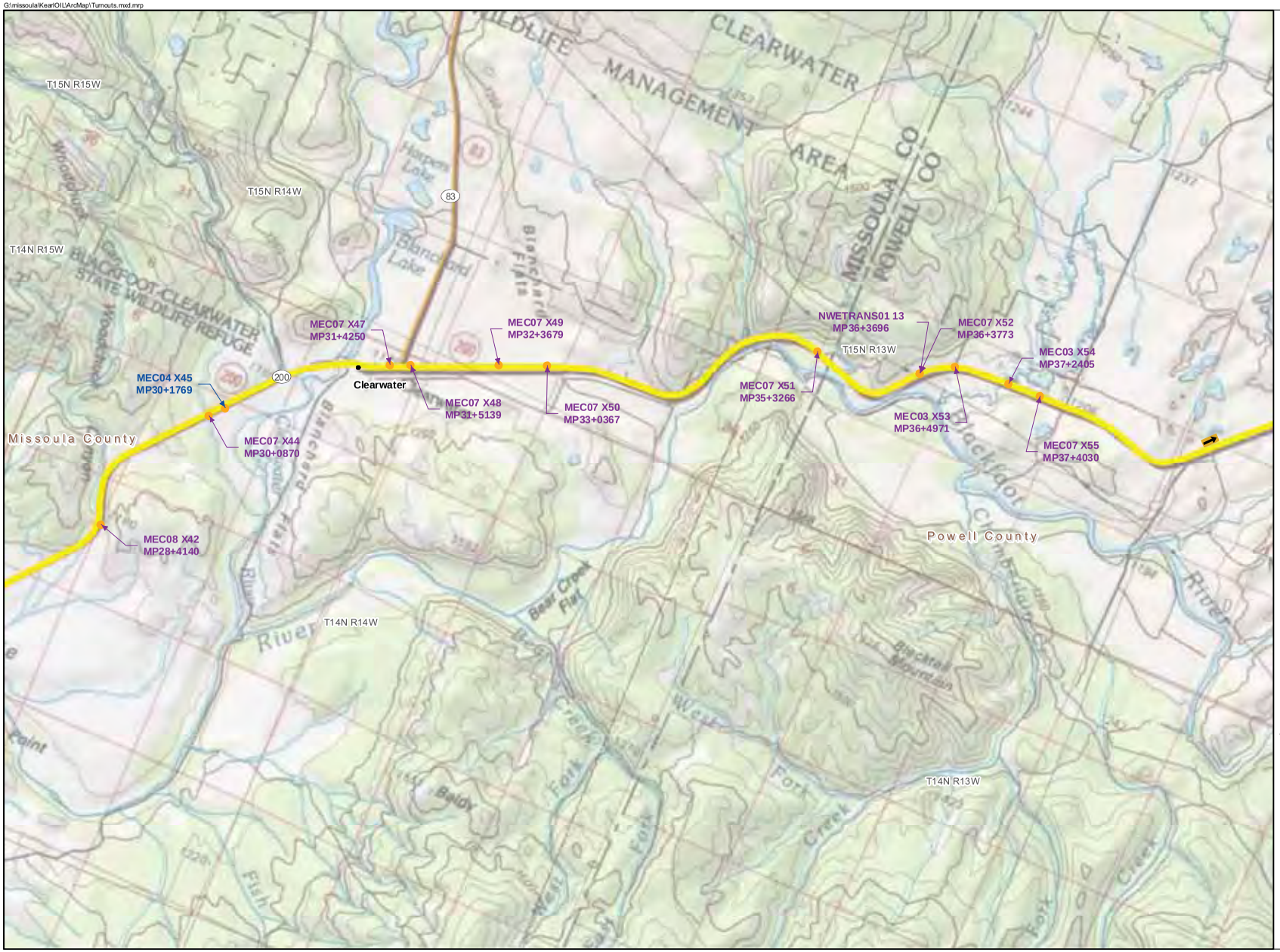
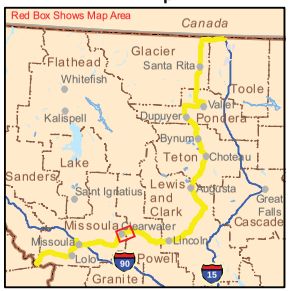


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 B — Packet Number Crossing Identification
MP9+3064/MM16.9 — Mile Post/Mile Marker
Above Ground — Under Ground

Designates Priority Crossing

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QWEST	- Qwest (COM)
SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line
NA - Not Available

1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 7 of 26

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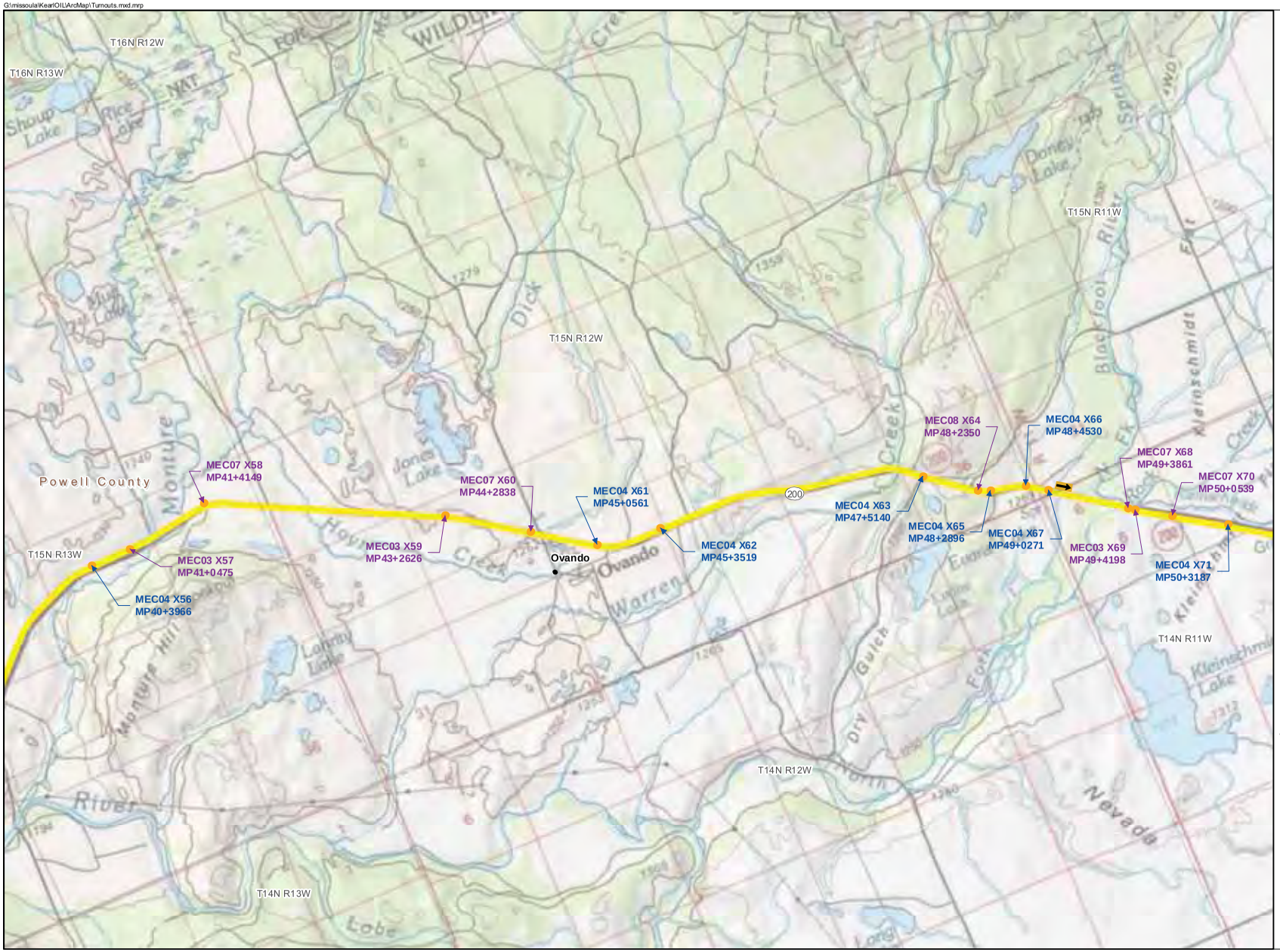
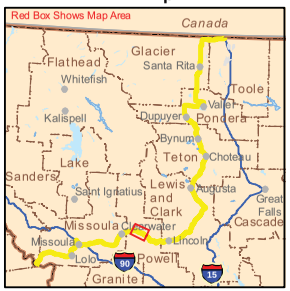


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 B MP9+3064/MM16.9 — Packet Number Crossing Identification, Mile Post/Mile Marker

Above Ground — Under Ground

Designates Priority Crossing

3RIV	- 3 Rivers (COM)
BLF	- Blackfoot Telephone (COM)
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QWEST	- Qwest (COM)
SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line

NA - Not Available

1:50,000

Miles

0 0.5 1

Approximate Utility Locations In Montana

Kearl Module Transportation Project

Sheet 8 of 26

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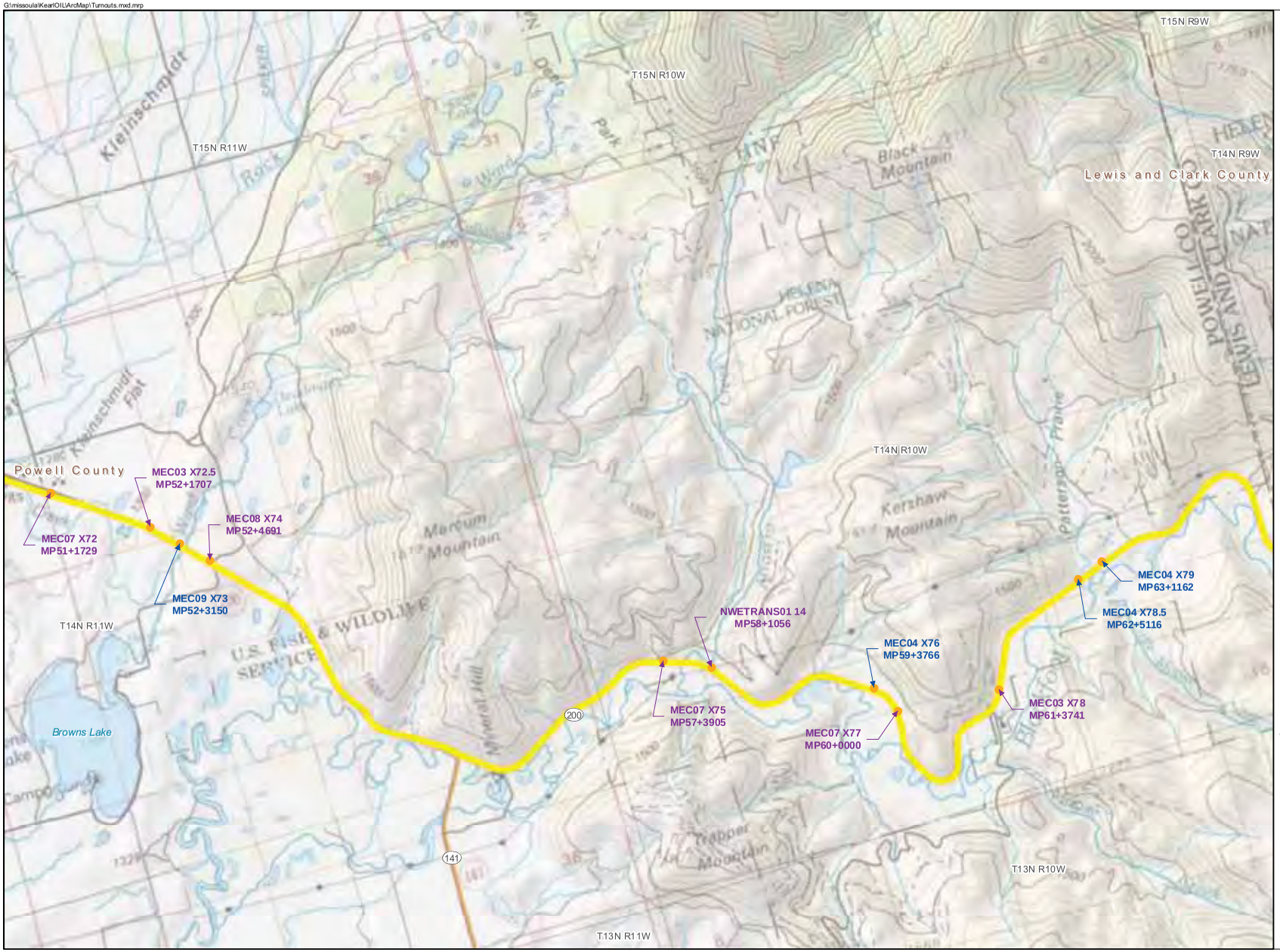
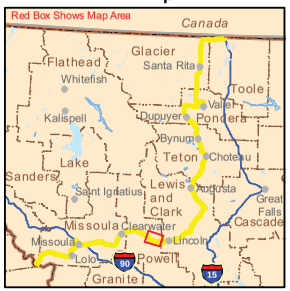


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 — Packet Number
B — Crossing Identification
MP9+3064/MM16.9 — Mile Post/Mile Marker
Above Ground **Under Ground**

Designates Priority Crossing

3RIV	- 3 Rivers (COM)
BLF	- Blackfoot Telephone (COM)
BRESNO	- Bresnan North (COM)
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QWEST	- Qwest (COM)
SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line
NA - Not Available

1:50,000

Miles
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Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 9 of 26

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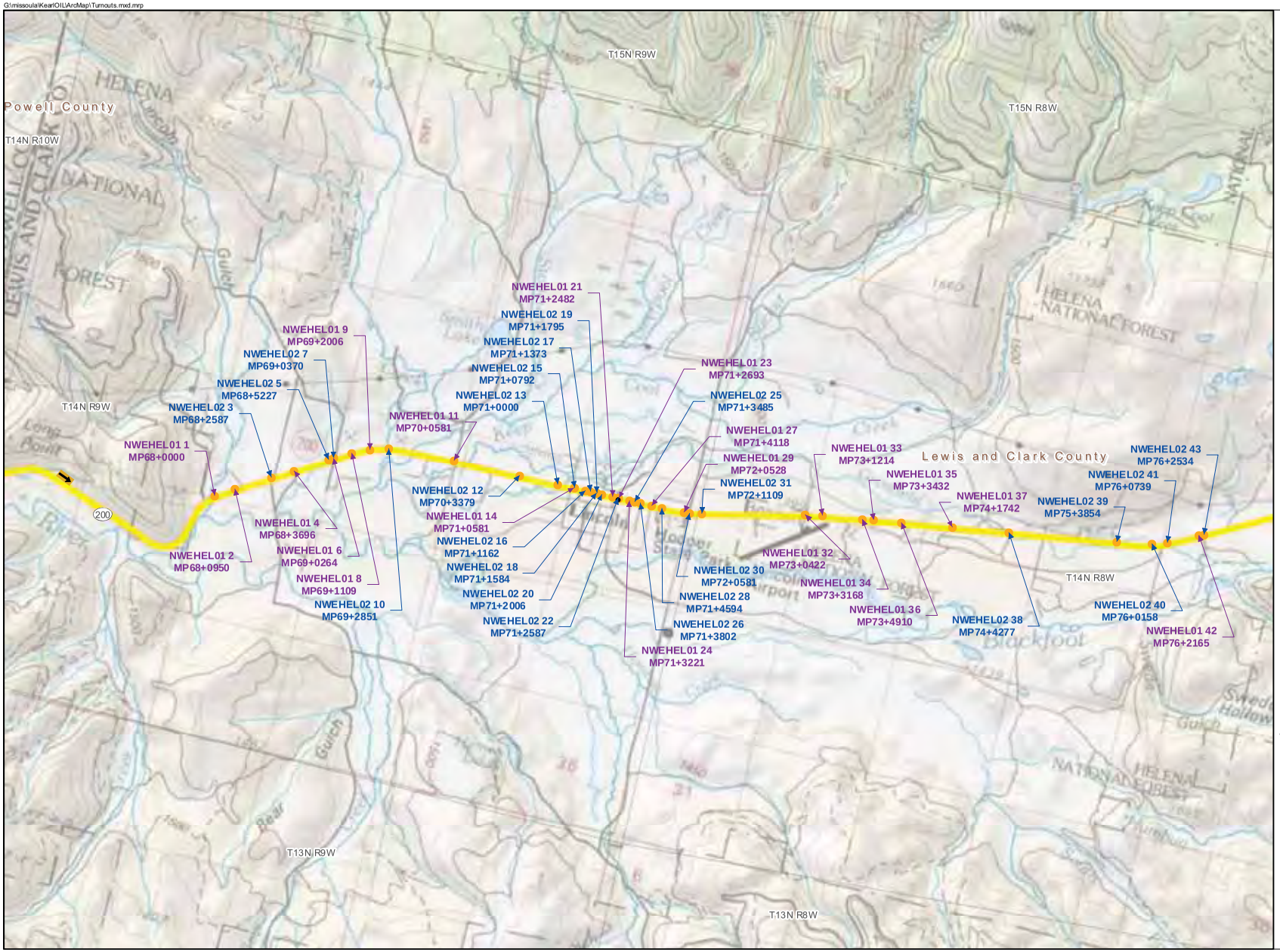
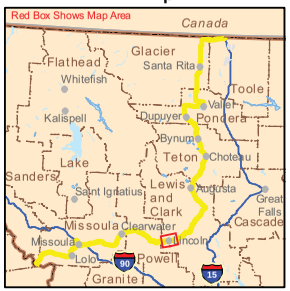


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 B MP9+3064/MM16.9 — Packet Number Crossing Identification Mile Post/Mile Marker

Above Ground — Under Ground

Designates Priority Crossing

3RIV	- 3 Rivers (COM)
BLF	- Blackfoot Telephone (COM)
BRESNO	- Bresnan North (COM)
BRESSO	- Bresnan South (COM)
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QWEST	- Qwest (COM)
SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line

NA - Not Available

1:50,000

Miles

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Approximate Utility Locations In Montana

Kearl Module Transportation Project

Sheet 10 of 26

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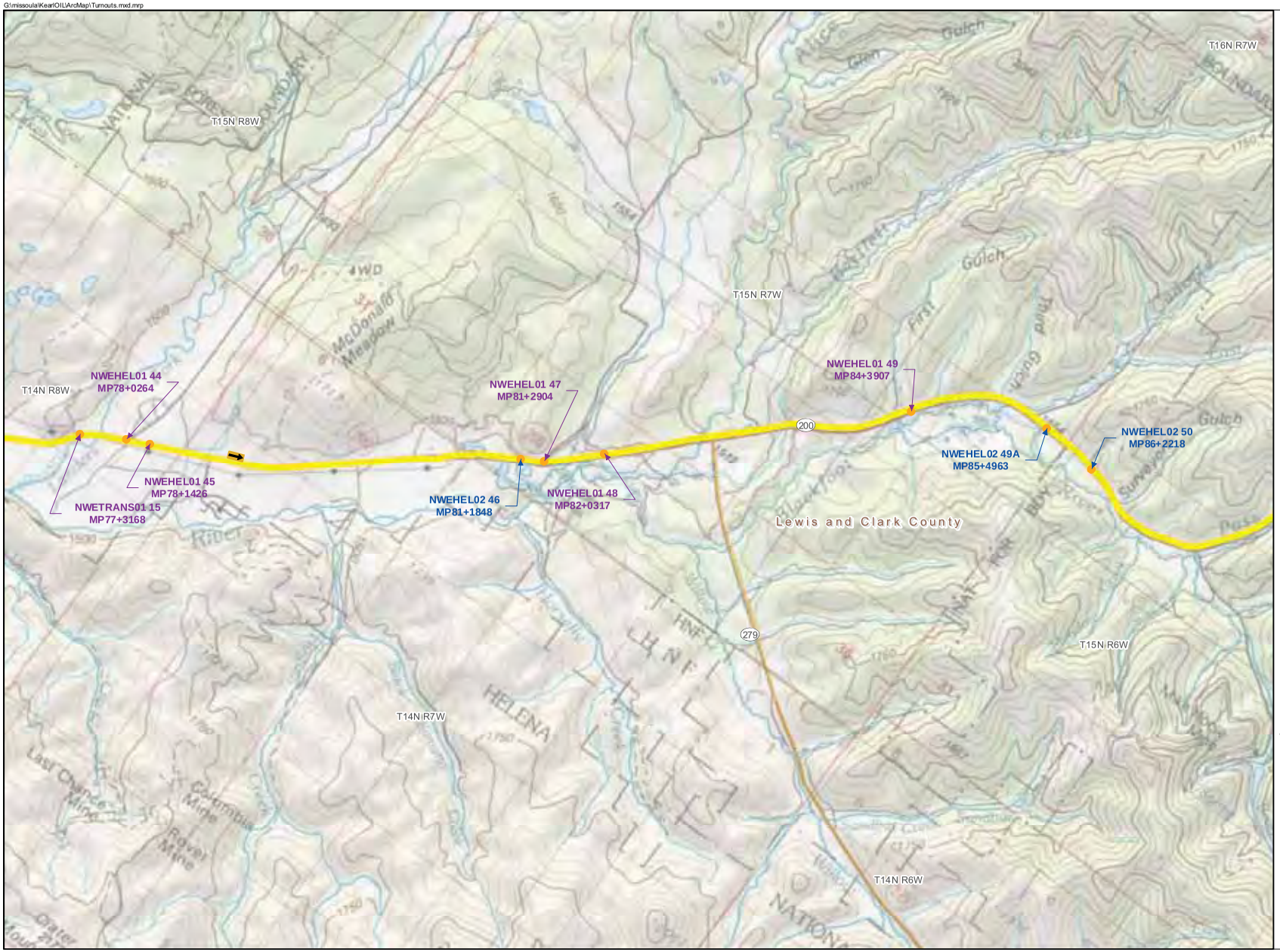
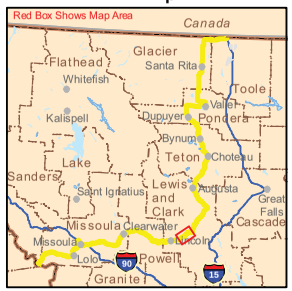


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 B — Packet Number Crossing Identification

MP9+3064/MM16.9 — Mile Post/Mile Marker

Above Ground **Under Ground**

Designates Priority Crossing

3RIV	- 3 Rivers (COM)
BLF	- Blackfoot Telephone (COM)
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SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line

NA - Not Available

1:50,000

Miles

0 0.5 1

Approximate Utility Locations In Montana

Kearl Module Transportation Project

Sheet 11 of 26

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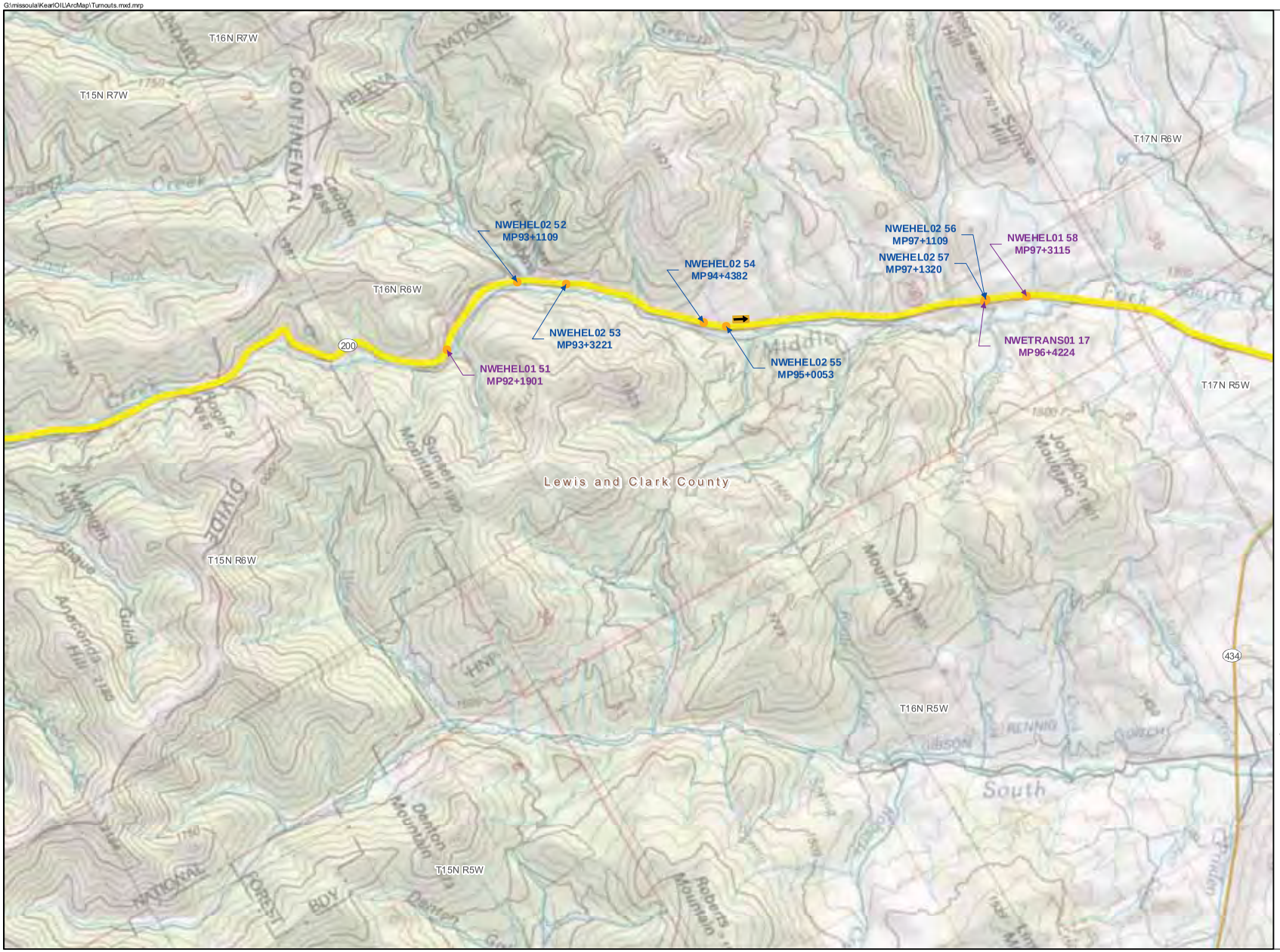
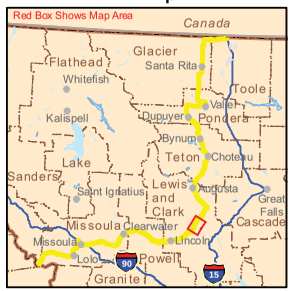


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 — Packet Number
B — Crossing Identification
MP9+3064/MM16.9 — Mile Post/Mile Marker
Above Ground / Under Ground

Designates Priority Crossing

3RIV	- 3 Rivers (COM)
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POW - Power Line COM - Communication Line
NA - Not Available

1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 12 of 26

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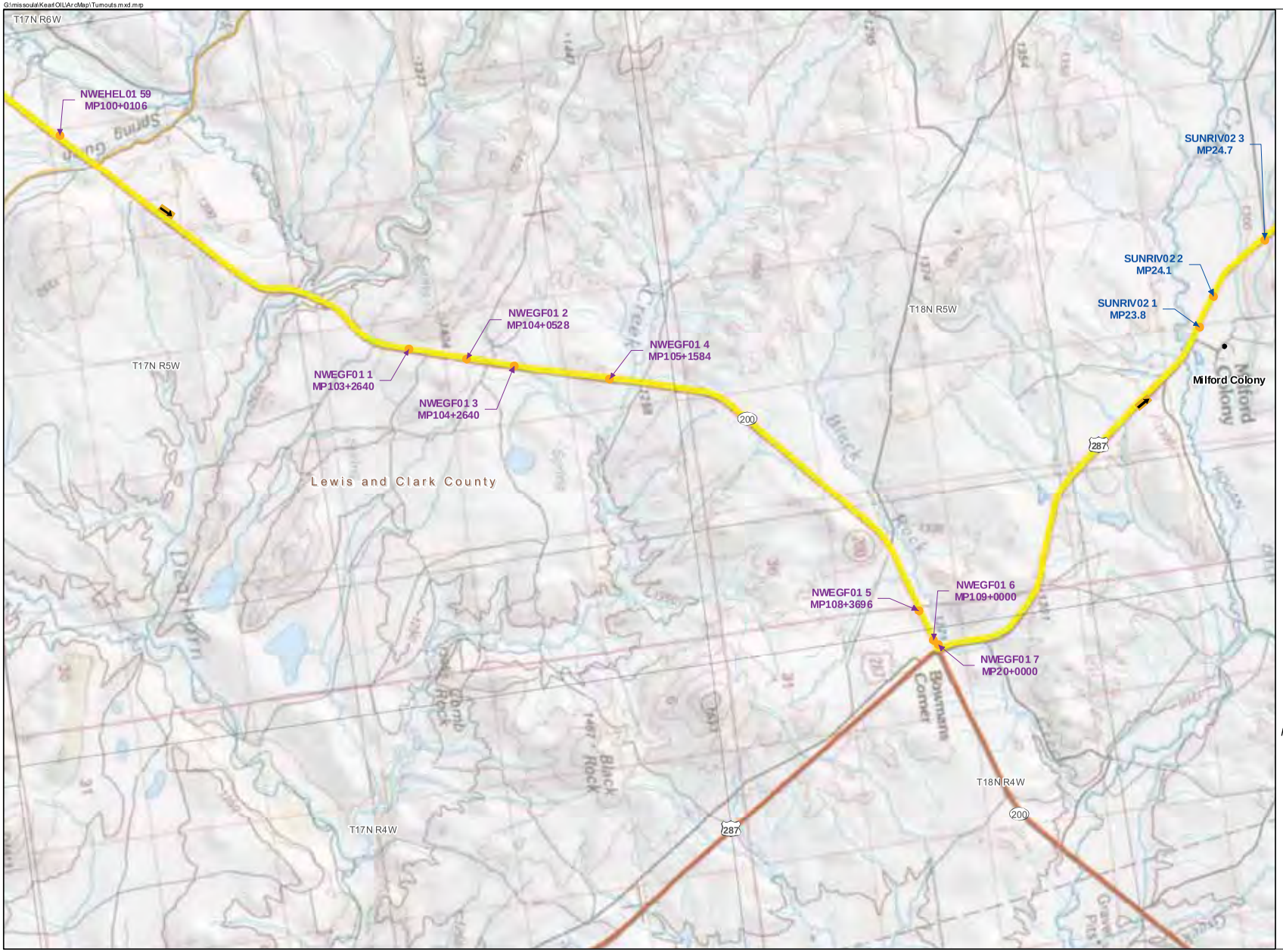
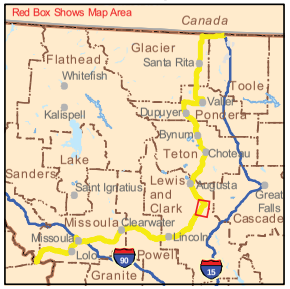


Route Map for Module Transportation



- Approximate Utility Locations (Within MDT ROW)
- Approximate Utility Locations (Outside MDT ROW)
- Route Direction
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
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MEC06 — Packet Number
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MP9+3064/MM16.9 — Mile Post/Mile Marker
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POW - Power Line COM - Communication Line
NA - Not Available

1:50,000
Miles
0 0.5 1

Approximate Utility Locations In Montana

Kearl Module Transportation Project

Sheet 13 of 26

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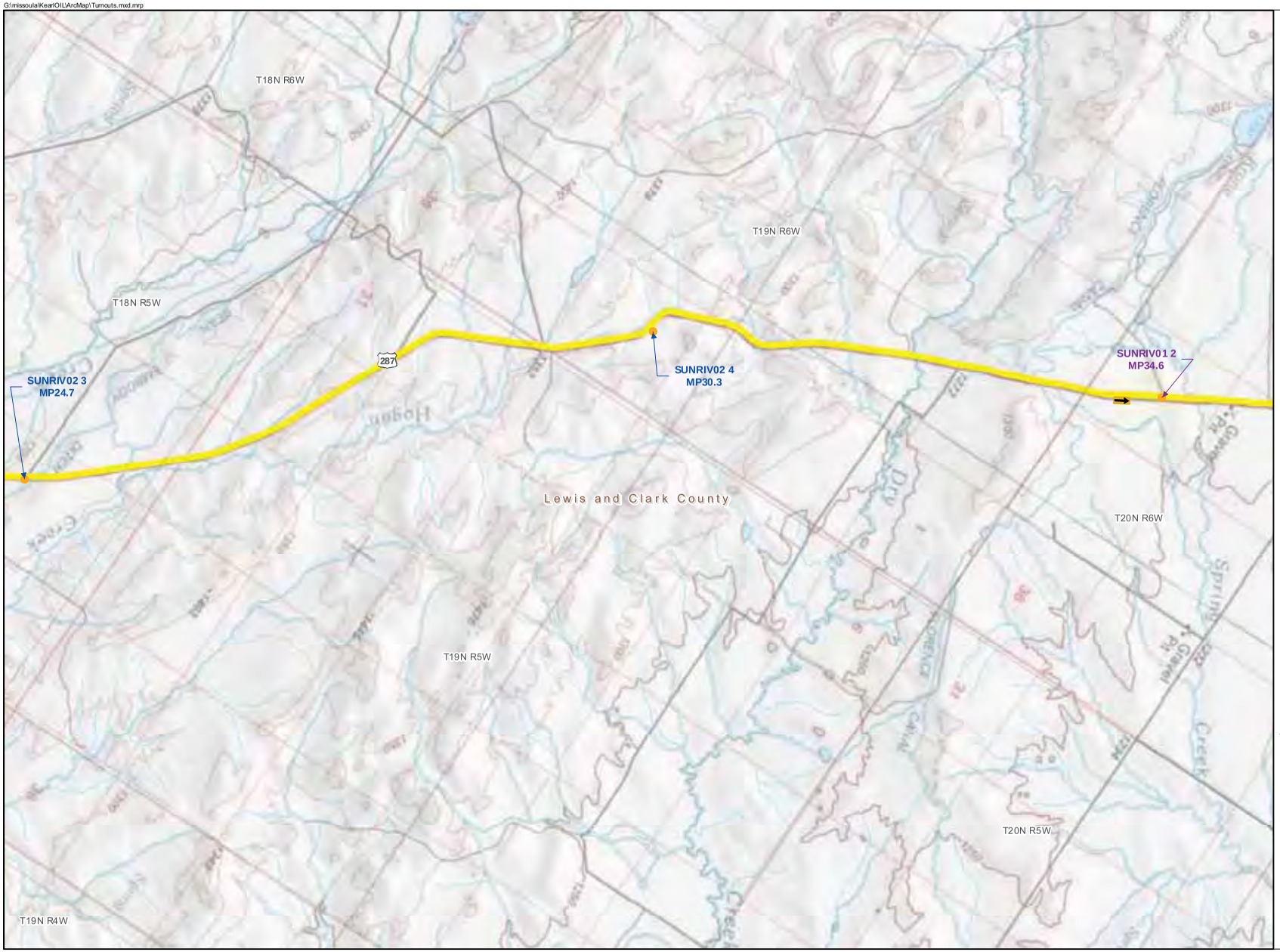
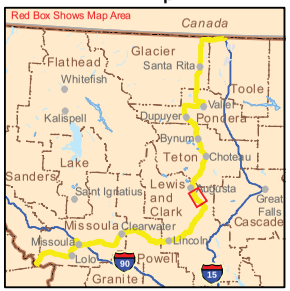


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
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- Highway
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MEC06 B — Packet Number Crossing Identification
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Above Ground / Under Ground

Designates Priority Crossing

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POW - Power Line COM - Communication Line
NA - Not Available

1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 14 of 26

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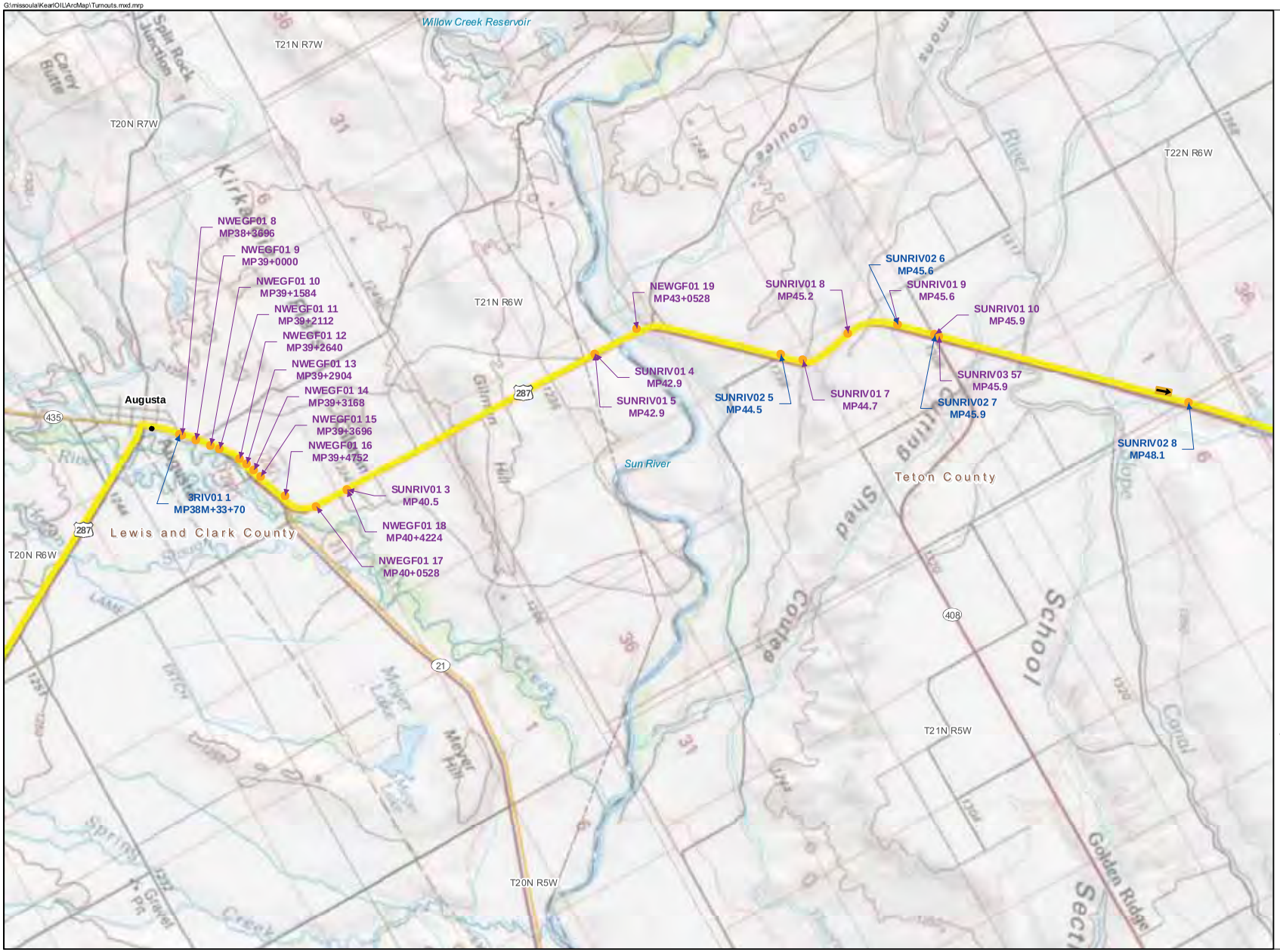
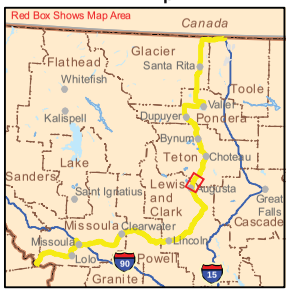


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
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QWEST	- Qwest (COM)
SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line
NA - Not Available

1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 15 of 26

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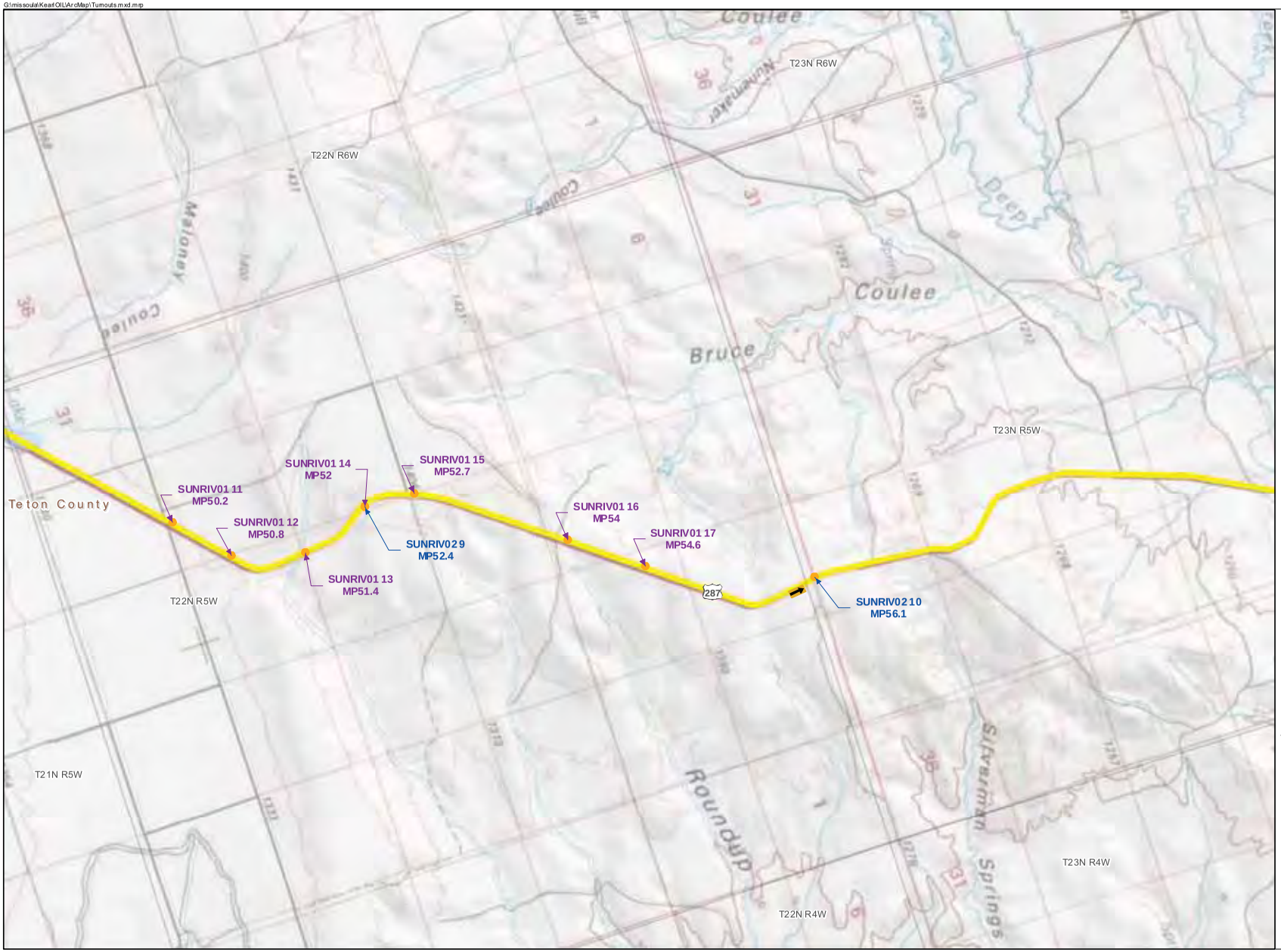
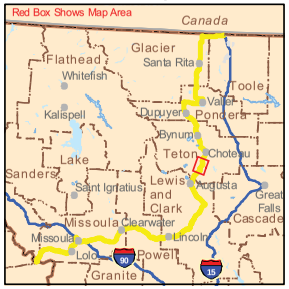


Route Map for Module Transportation



- Approximate Utility Locations (Within MDT ROW)
- Approximate Utility Locations (Outside MDT ROW)
- Route Direction
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
- Interstate
- Major Road
- Highway
- Local Road

MEC06 — Packet Number
B — Crossing Identification
MP9+3064/MM16.9 — Mile Post/Mile Marker
Above Ground / Under Ground

3RIV	- 3 Rivers (COM)
BLF	- Blackfoot Telephone (COM)
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BRESSO	- Bresnan South (COM)
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SUNRIV	- Sun River (POW)

POW - Power Line COM - Communication Line
NA - Not Available

1:50,000
Miles
0 0.5 1

Approximate Utility Locations In Montana

Kearl Module Transportation Project

Sheet 16 of 26

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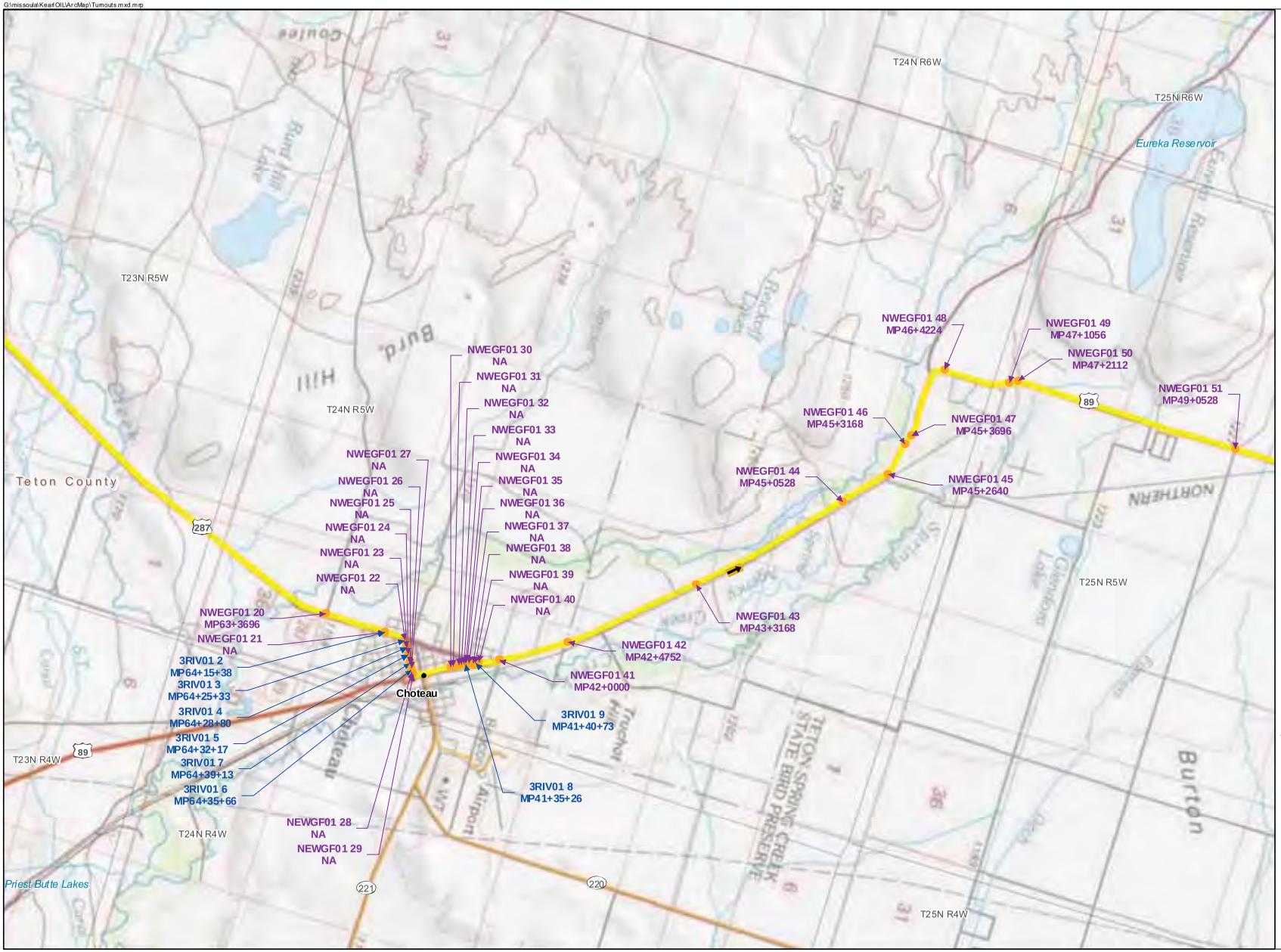

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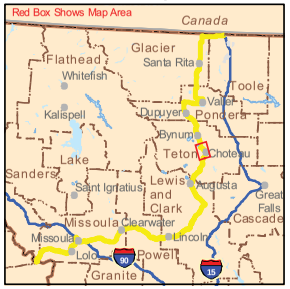

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Miles
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Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 17 of 26

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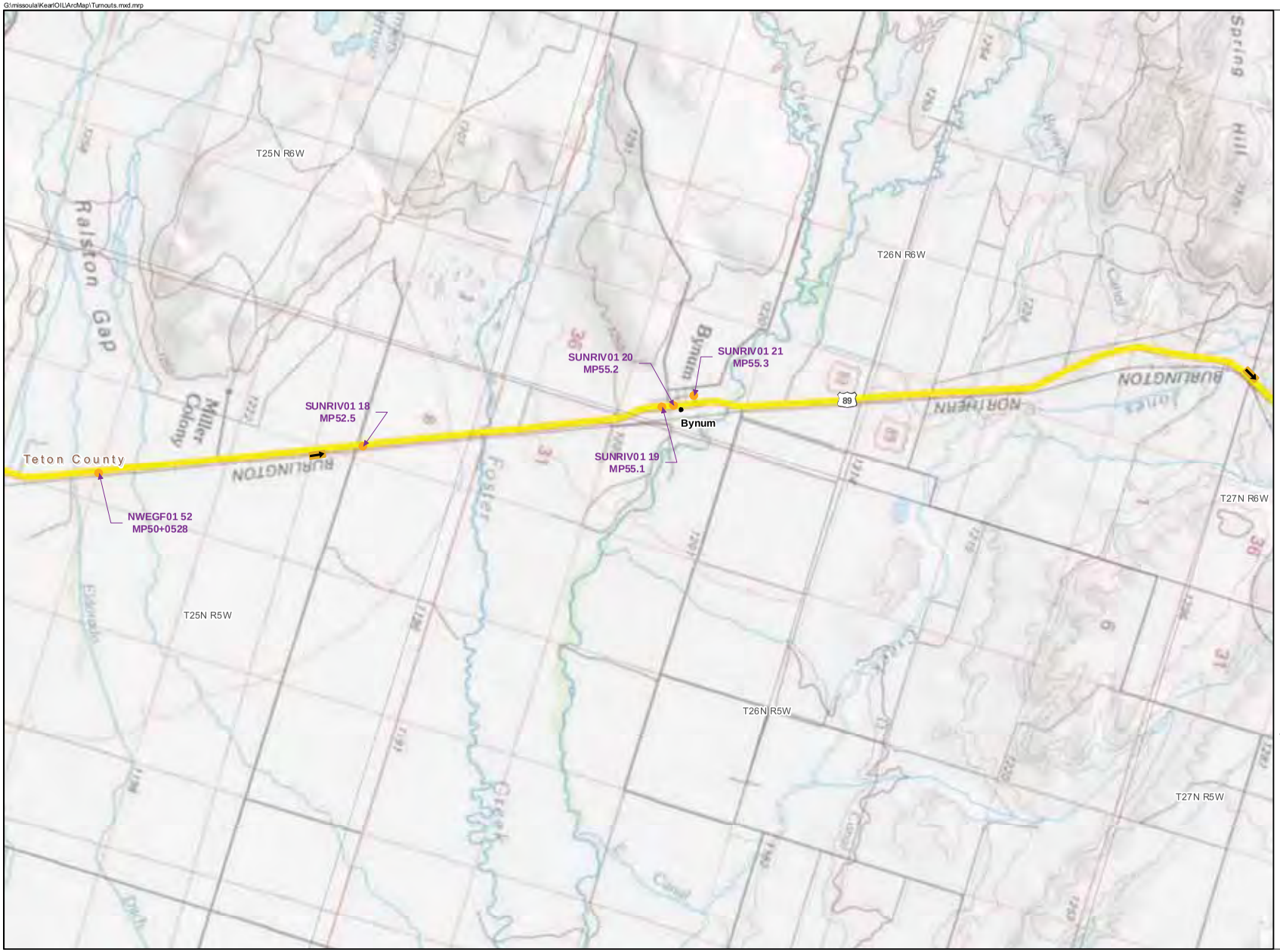

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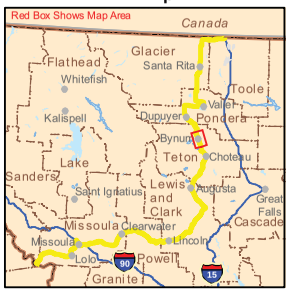

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Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 18 of 26

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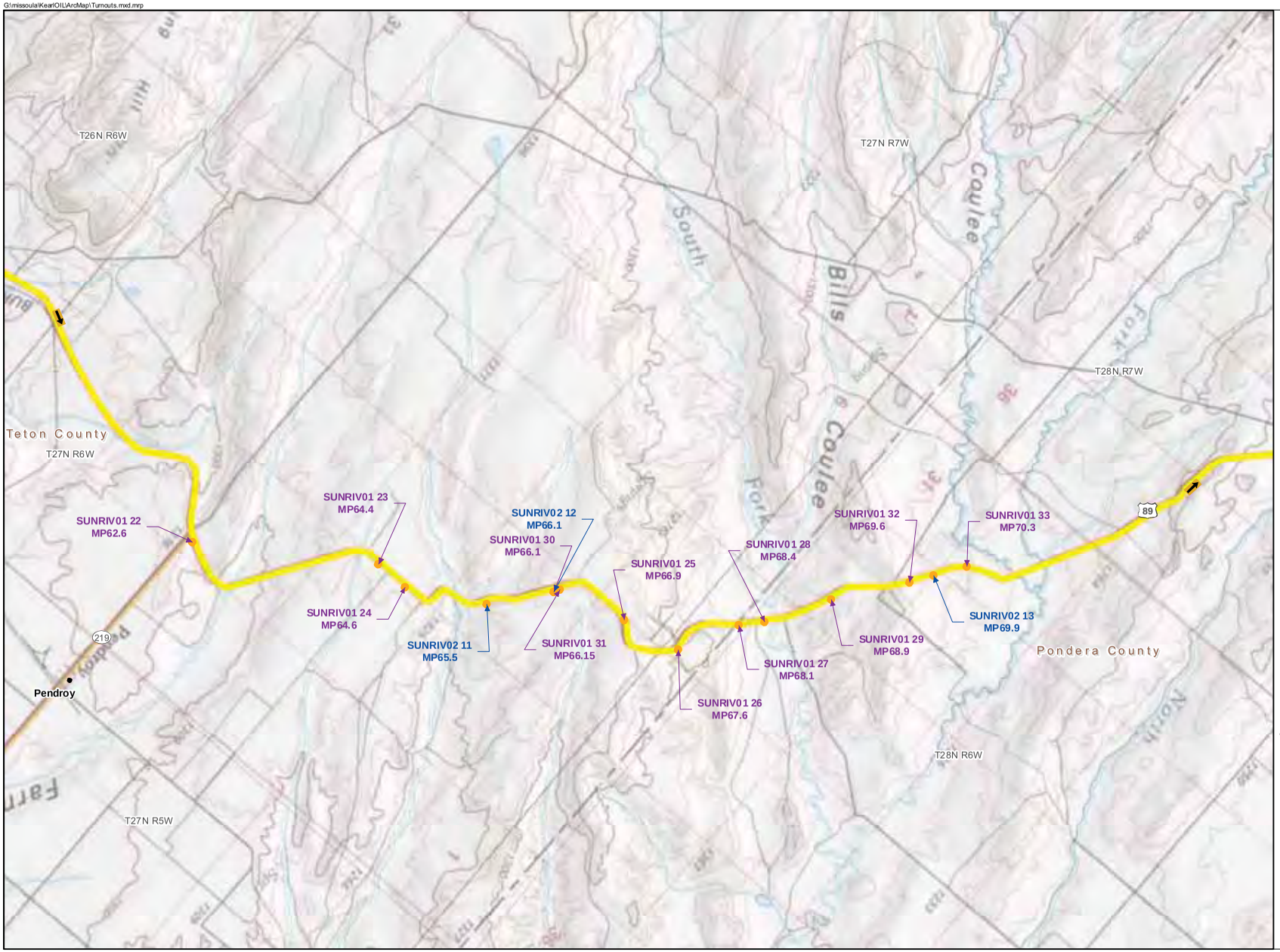
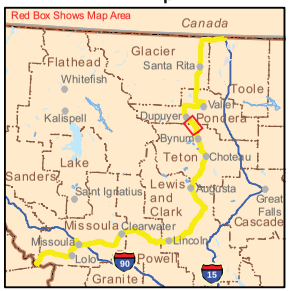


Route Map for Module Transportation



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1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 19 of 26

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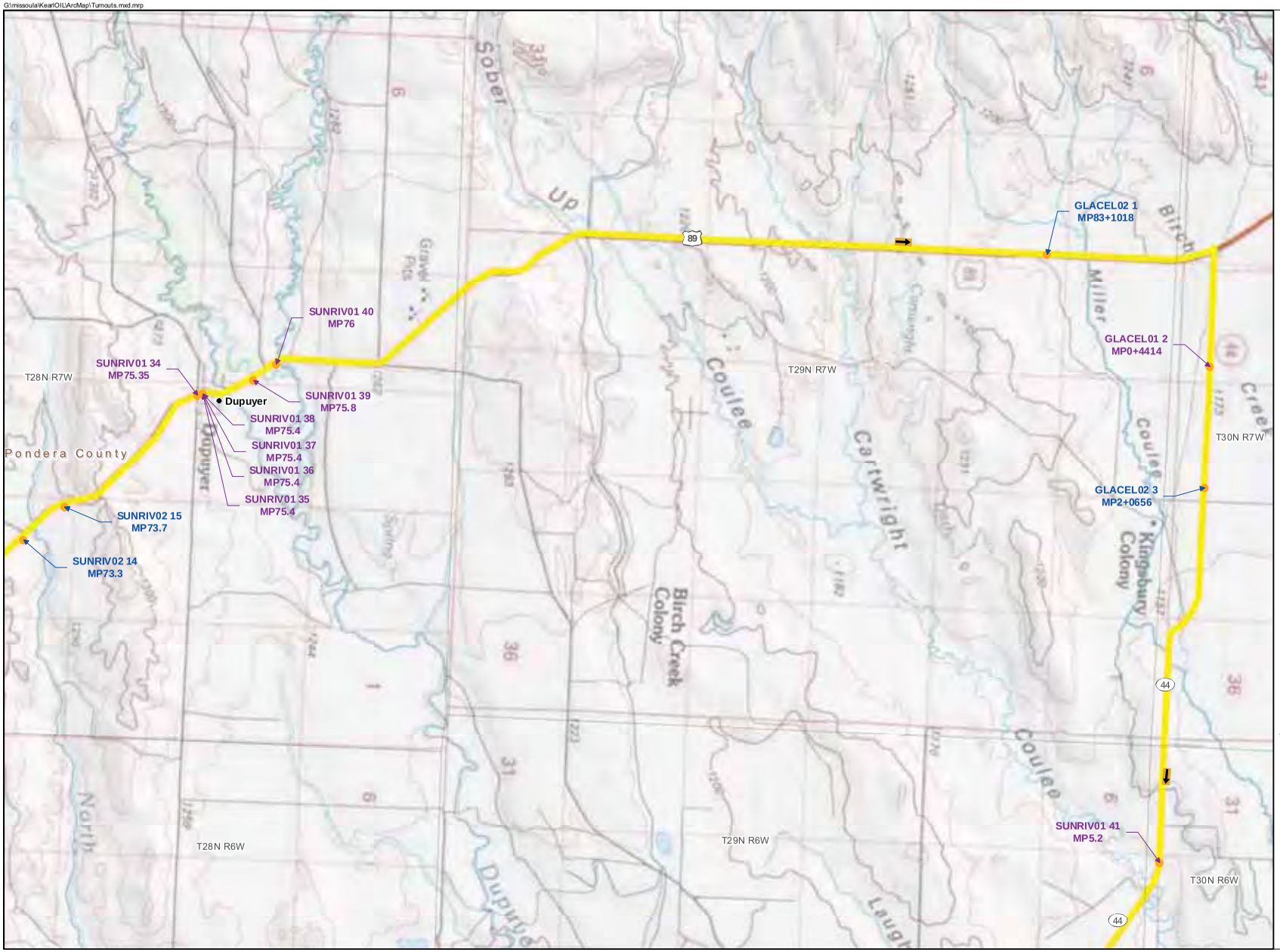
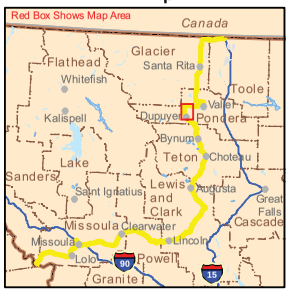


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
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POW - Power Line COM - Communication Line
NA - Not Available

1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 20 of 26

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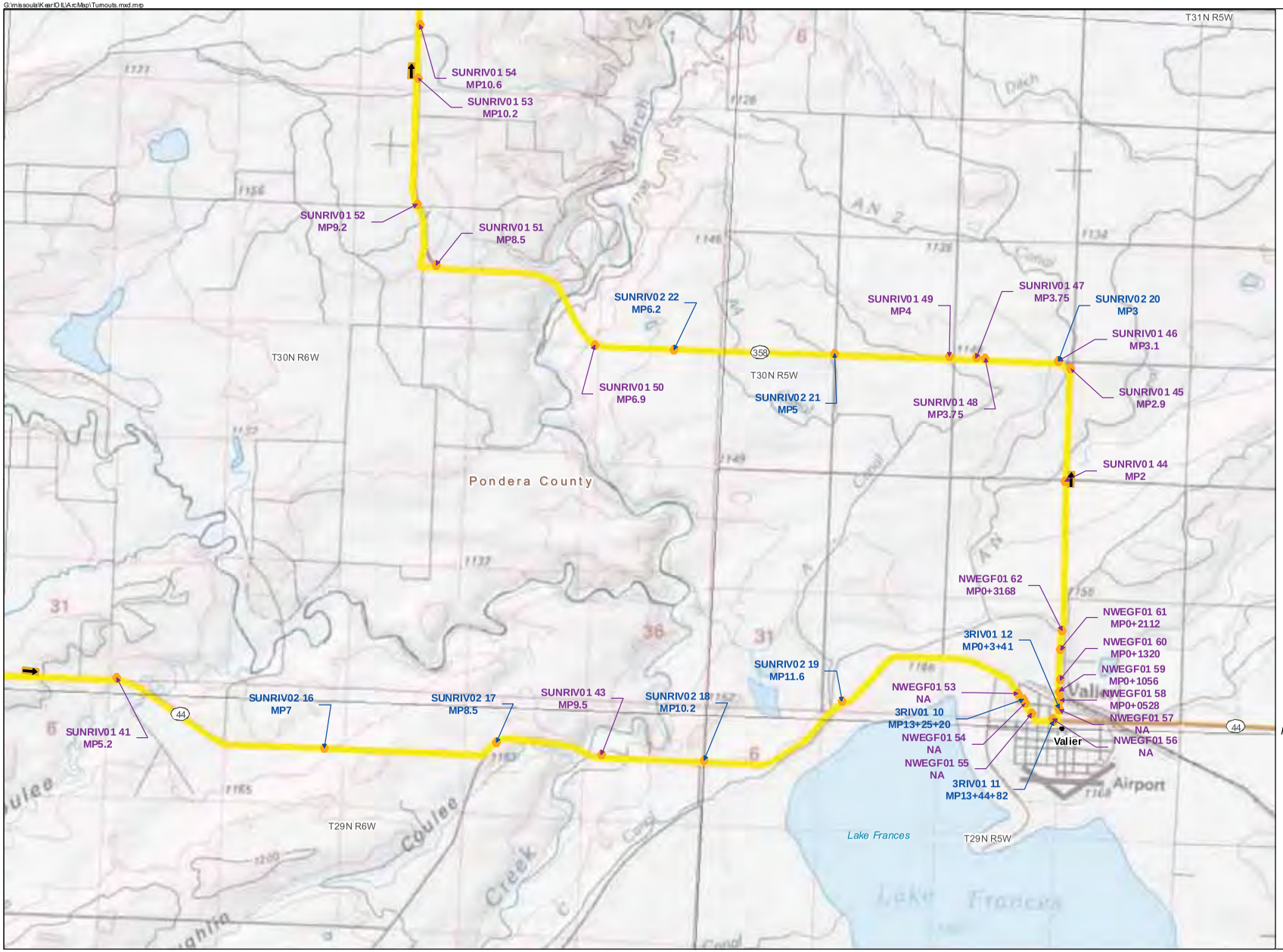
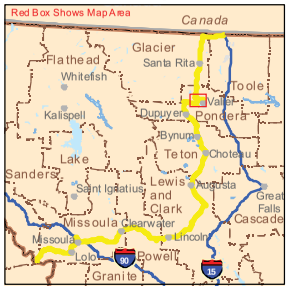


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
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1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 21 of 26

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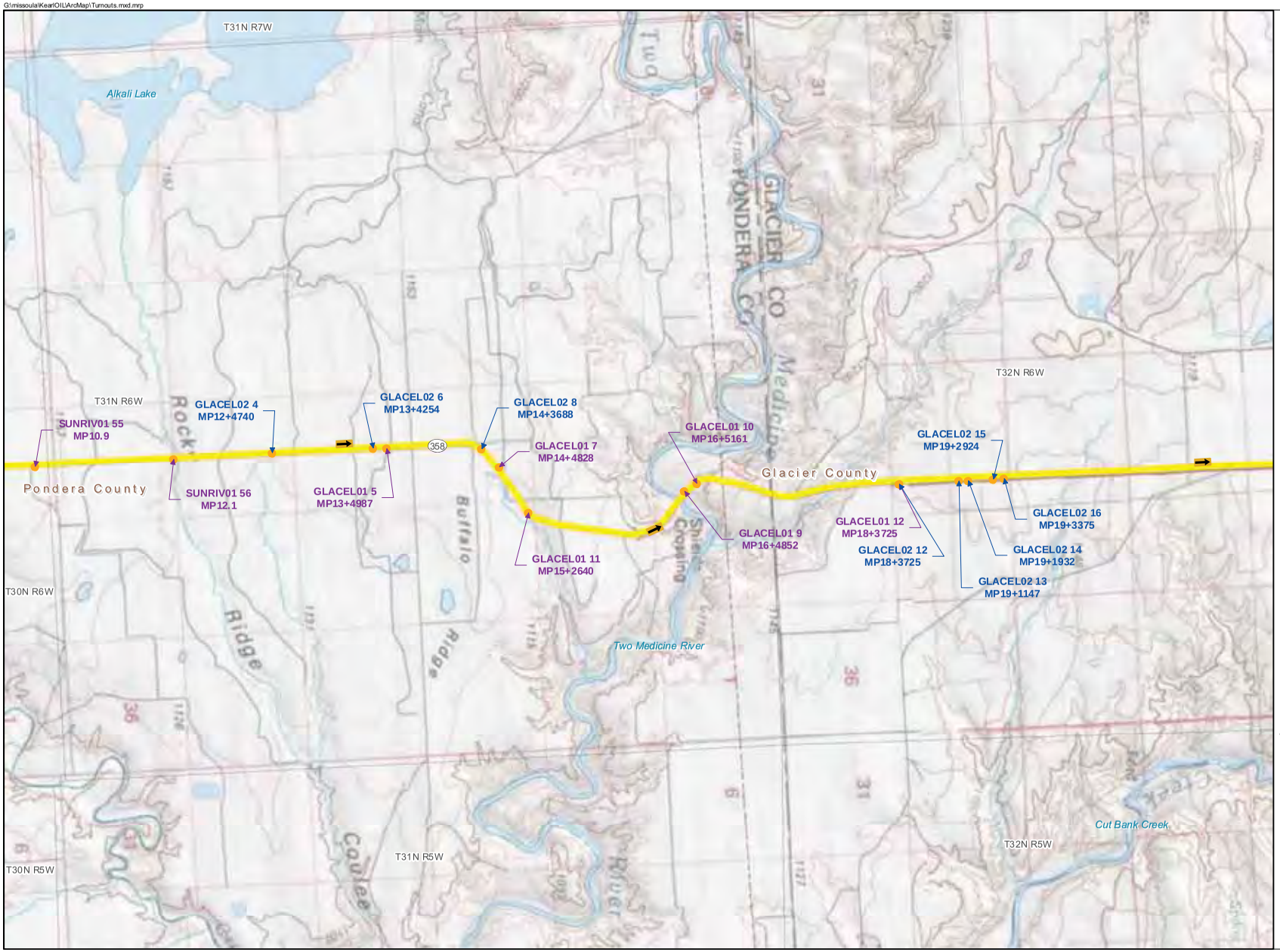
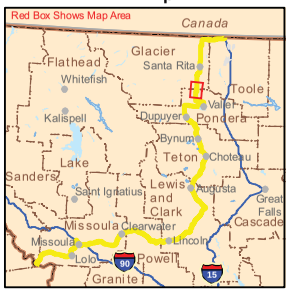


Route Map for Module Transportation



- Route Direction
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1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 22 of 26

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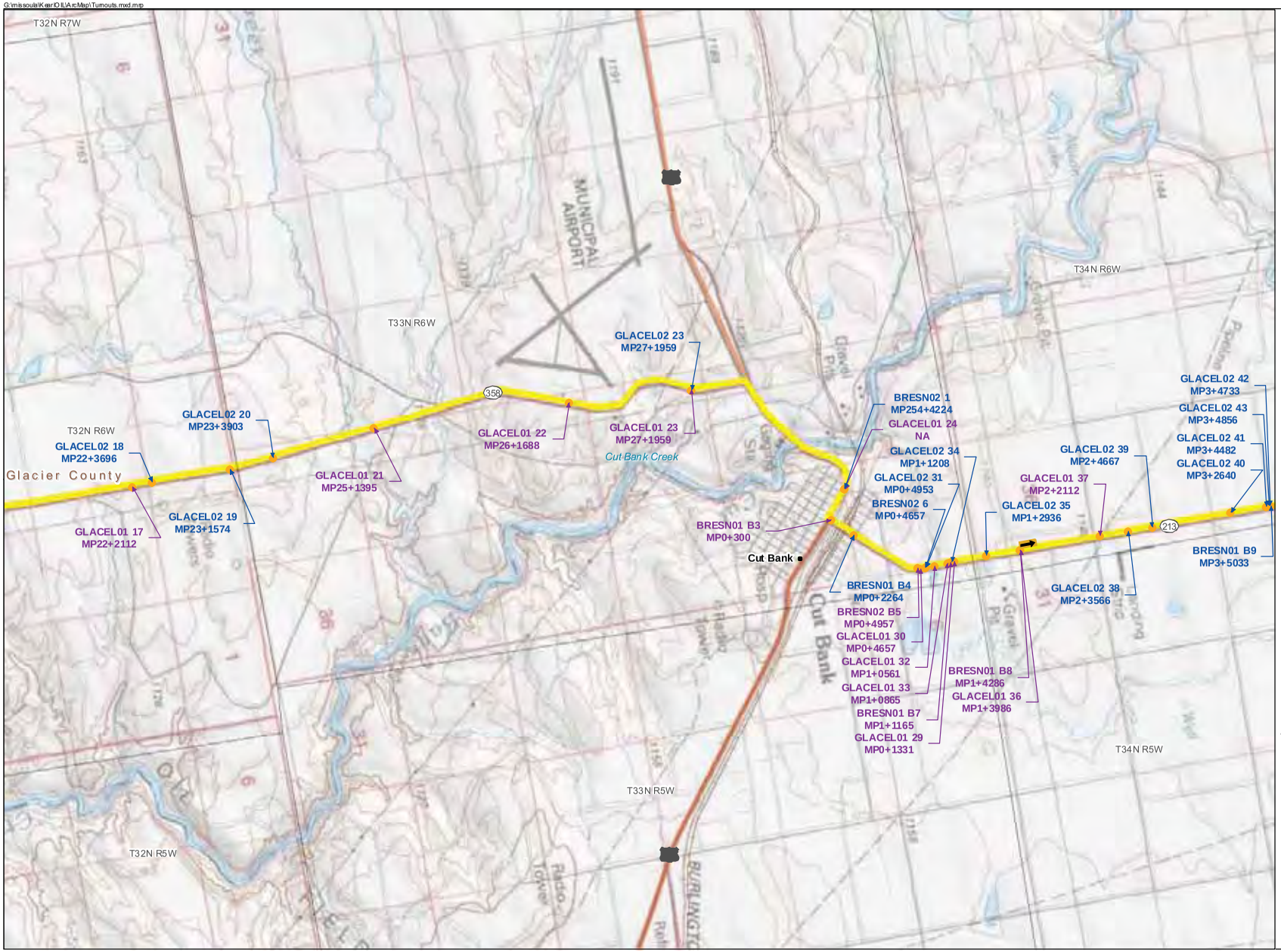
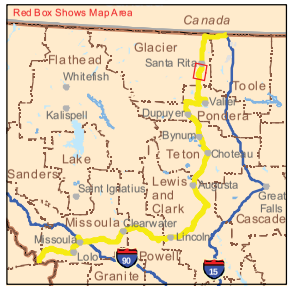


Route Map for Module Transportation



- Route Direction
- Approximate Utility Locations
- 10-Mile Plow
- Module Transportation Route
- County Boundary
- USA Land Survey System
- Streams
- Lake
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MEC06 B
MP9+3064/MM16.9
Above Ground / Under Ground

Packet Number Crossing Identification
Mile Post/Mile Marker

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1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 23 of 26

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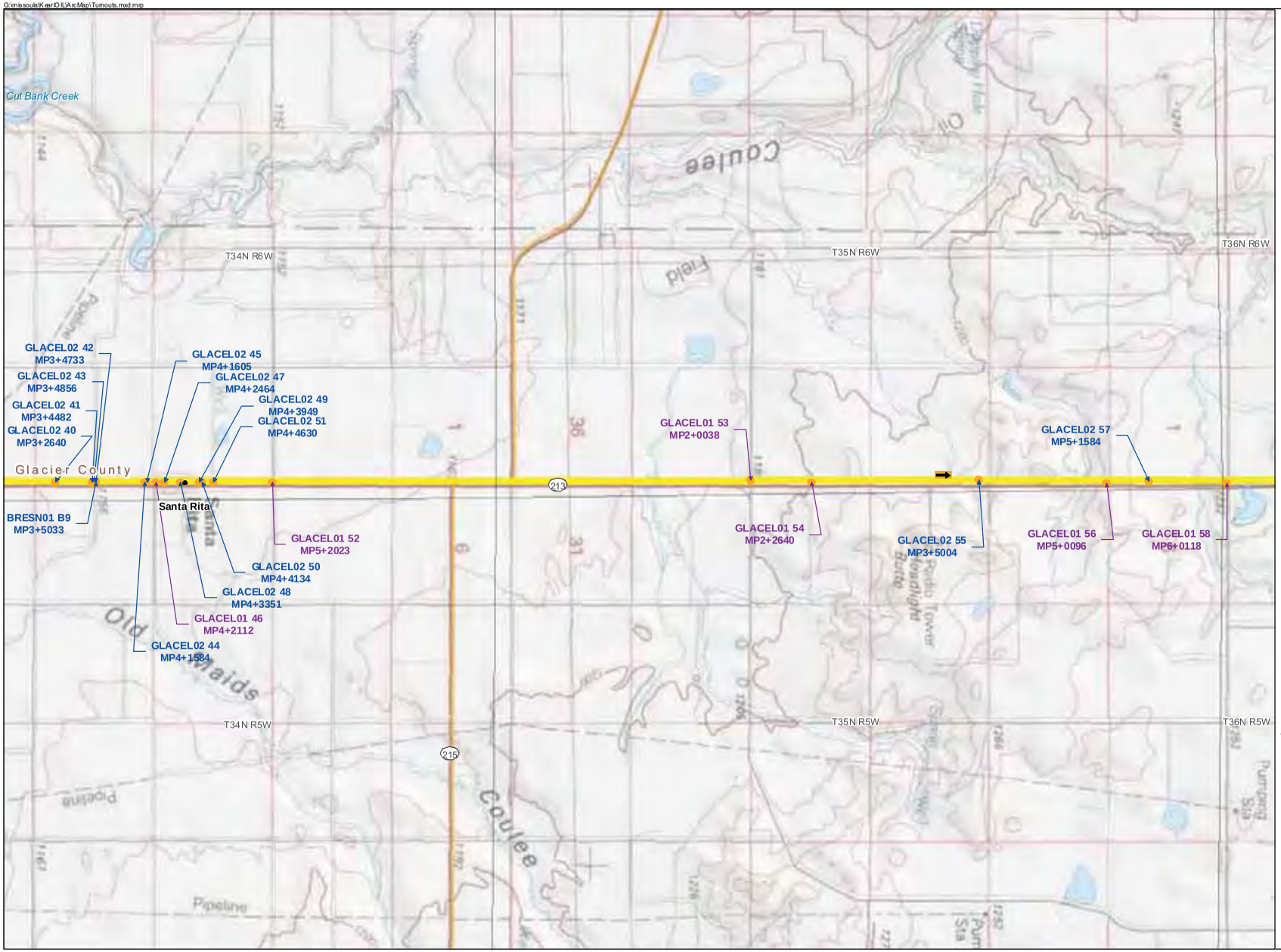

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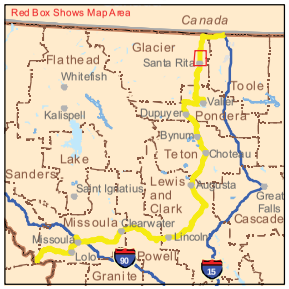

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1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 24 of 26

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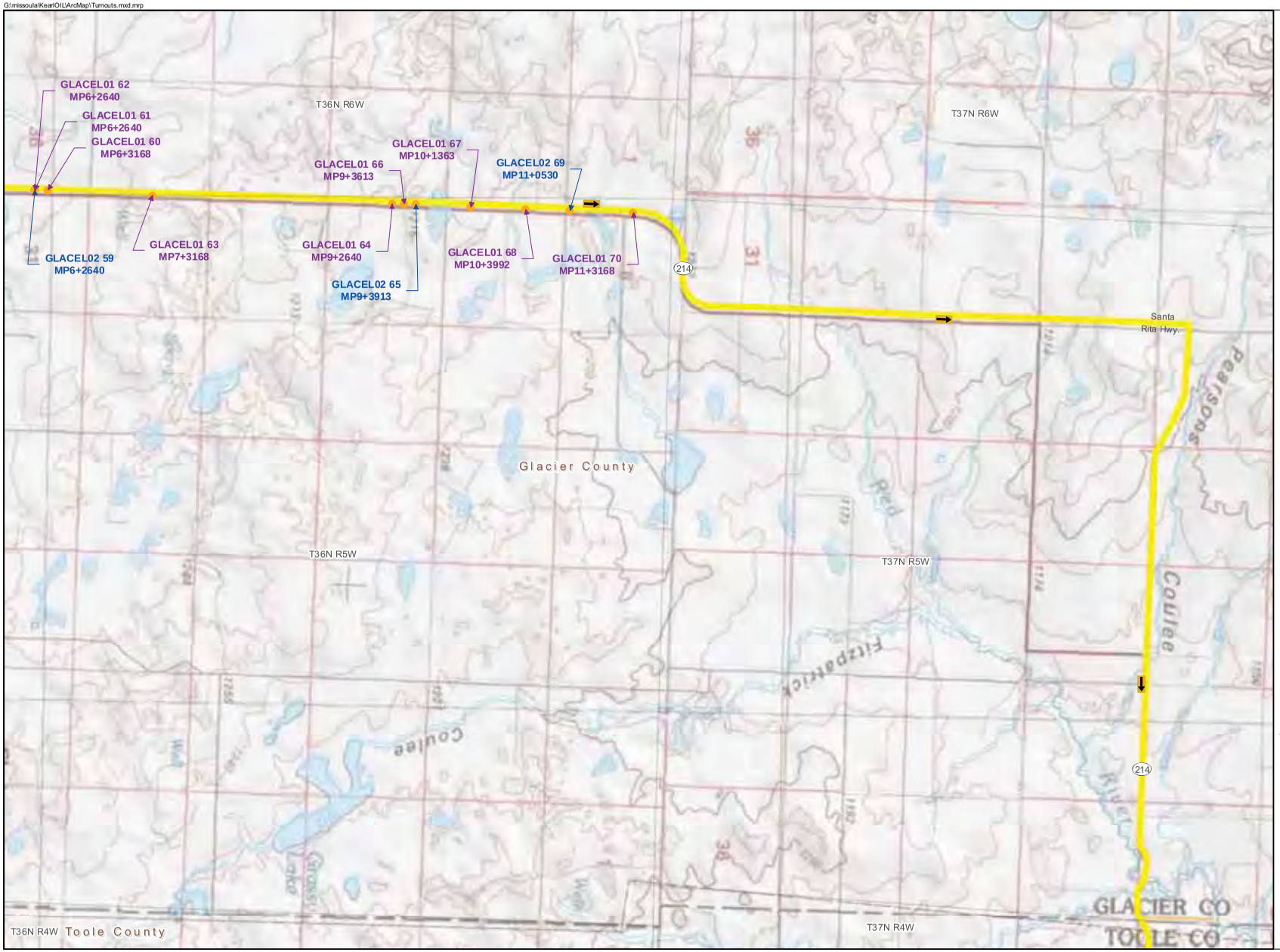
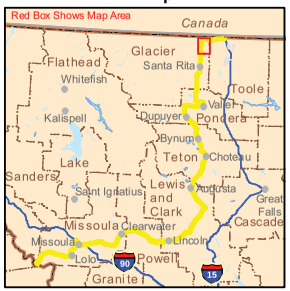


Route Map for Module Transportation



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1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 25 of 26

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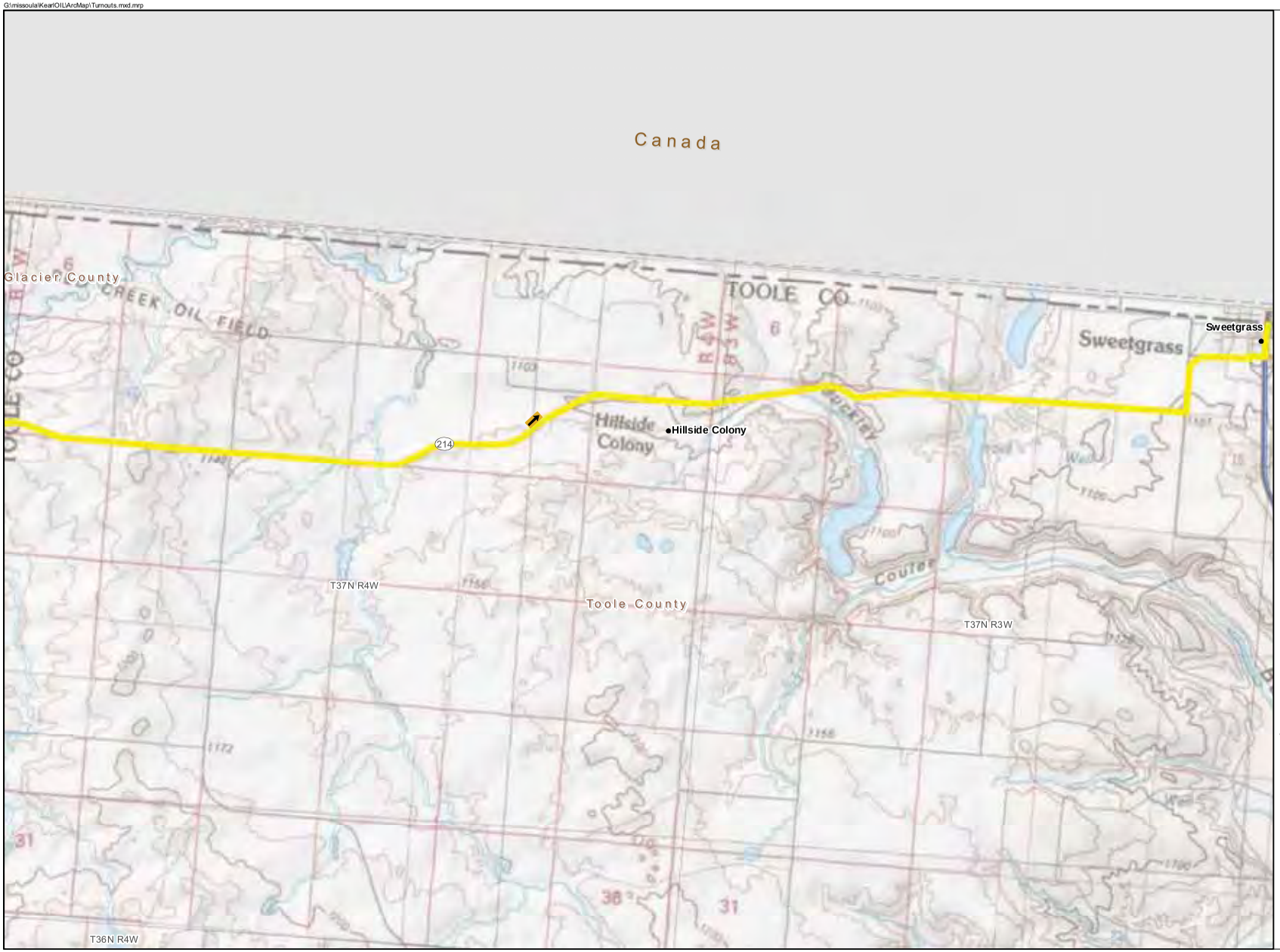
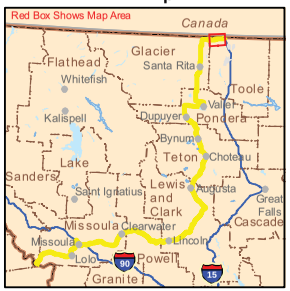


Route Map for Module Transportation



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NA - Not Available

N W E S

1:50,000

Miles
0 0.5 1

Approximate Utility Locations In Montana
Kearl Module Transportation Project
Sheet 26 of 26

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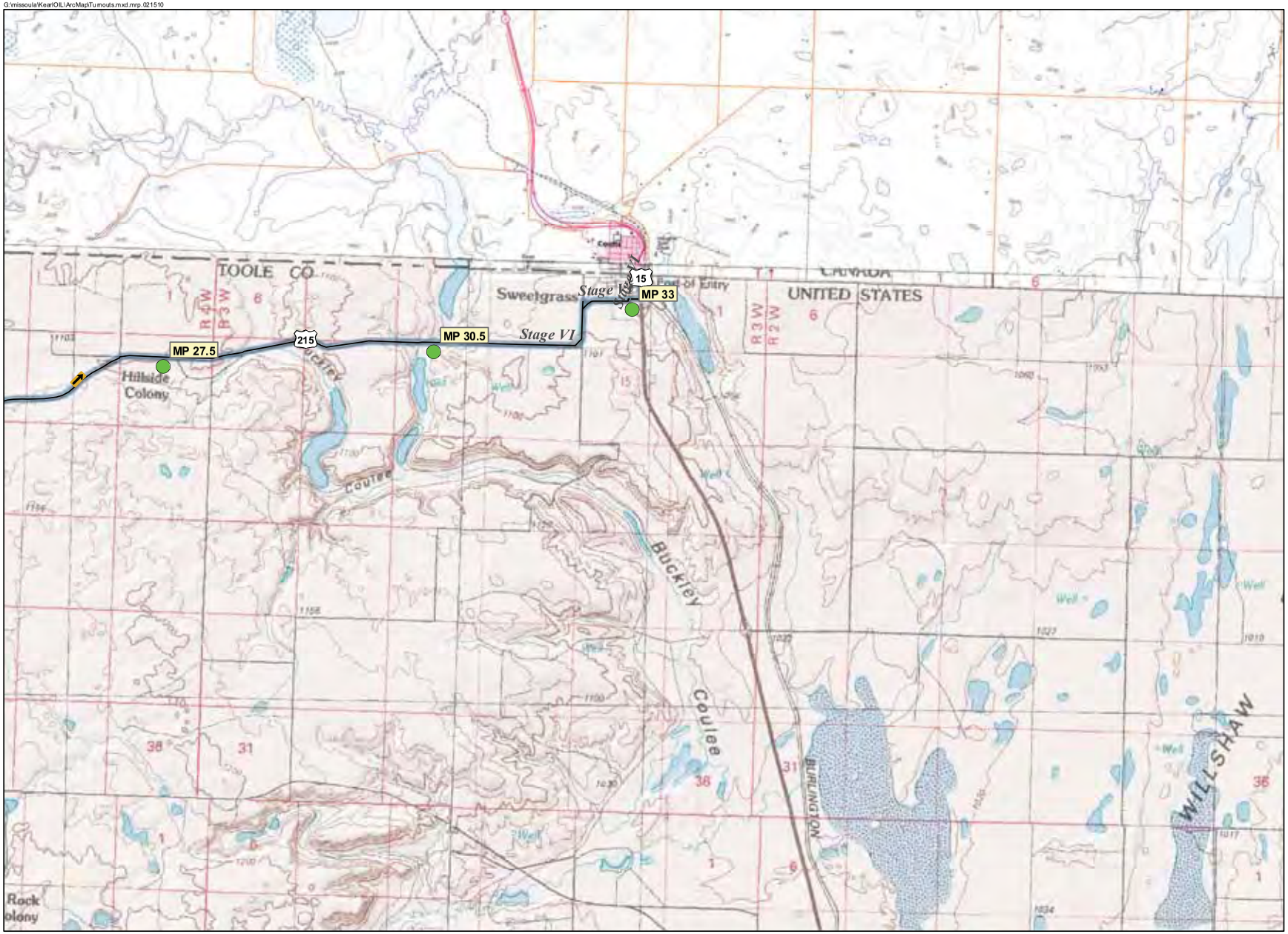

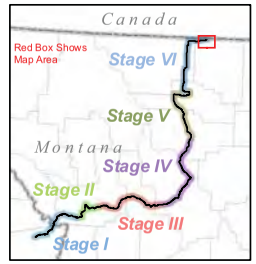

Legend

- Detour
- Clear
- Park
- Night Parking
- Miscellaneous Road Modifications
- Existing
- Requires Modification
- New
- MP 1.5 — Mile Marker
- Route Direction

N
W E
S

1:63,360

Miles

0 0.25 0.5 1

Traffic Clearing Locations and Miscellaneous Road Modifications In Montana

Kearl Module Transportation Project Stage VI

Sheet 29 of 29

Appendix C
Maps of Traffic Structure and Sign Modifications

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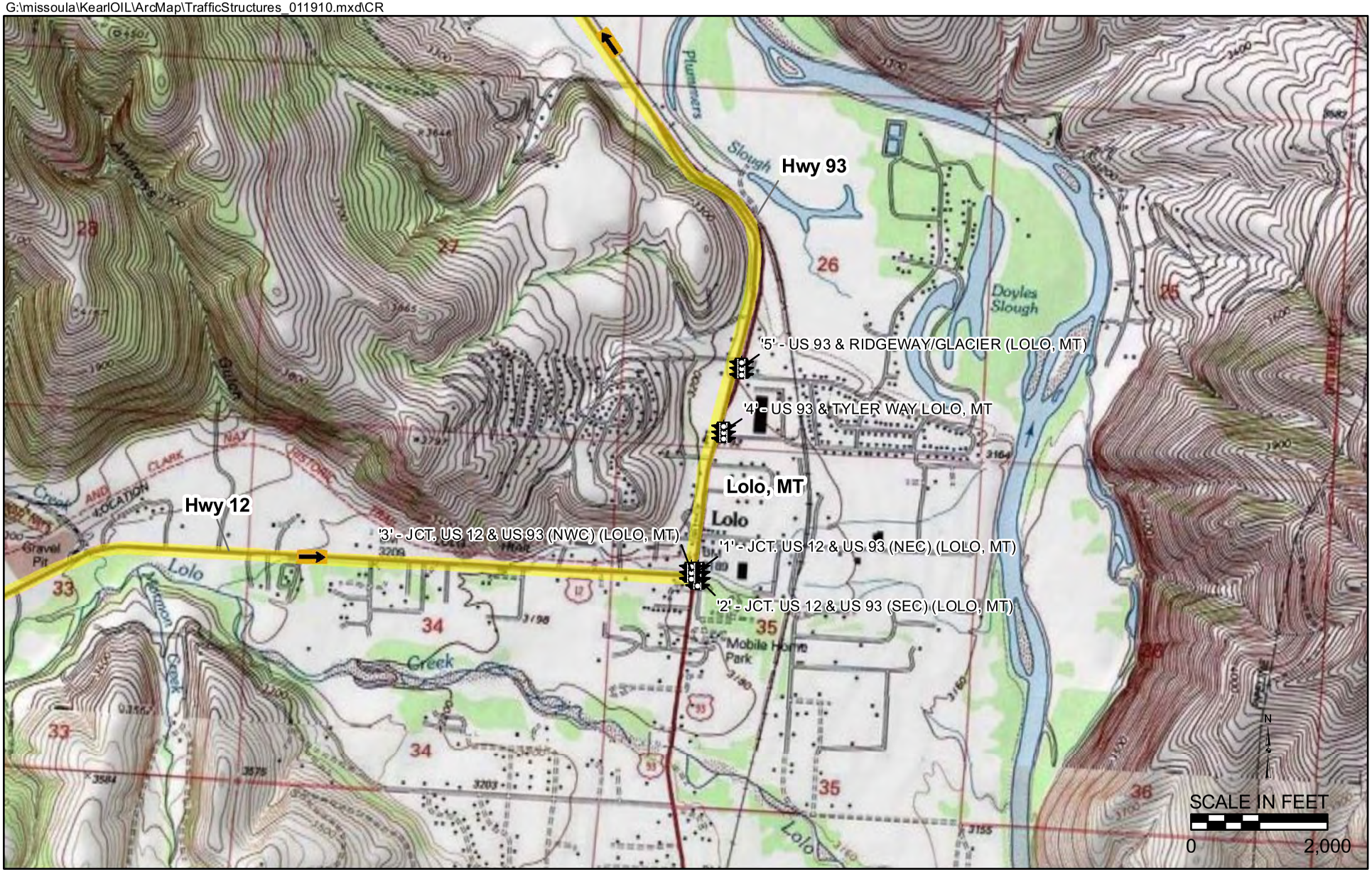

Traffic Signals and Signs ('Pole #' - Location)

Traffic Signal

Module Route

Route Direction

Figure 1

Traffic Structure Modifications

Pole Numbers 1 - 5

Kearl Project

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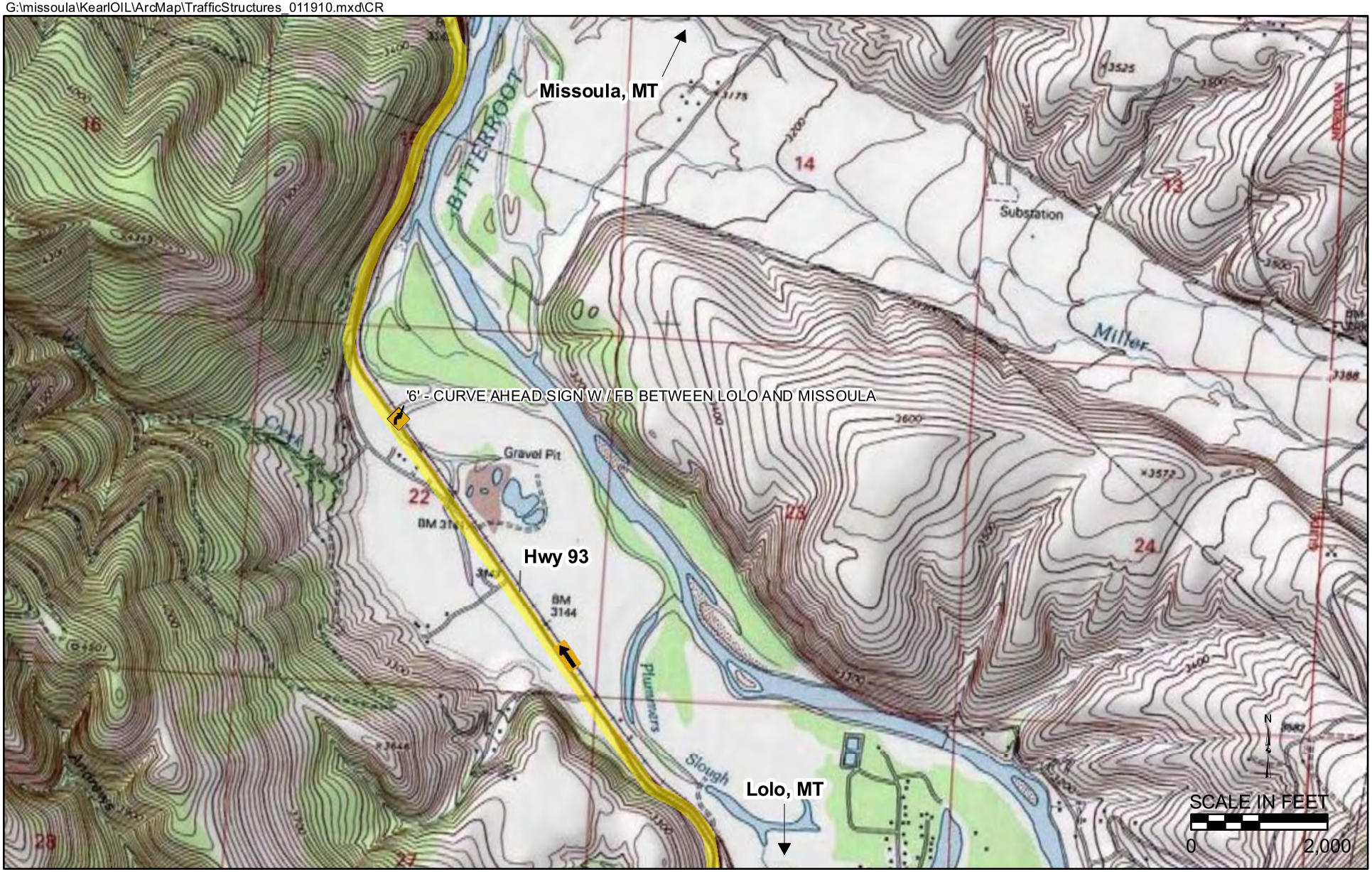

Traffic Signals and Signs ('Pole #' - Location)

- Curve Ahead Sign
- Module Route
- Route Direction

Figure 2
Traffic Structure Modifications
Pole Number 6
Kearl Project

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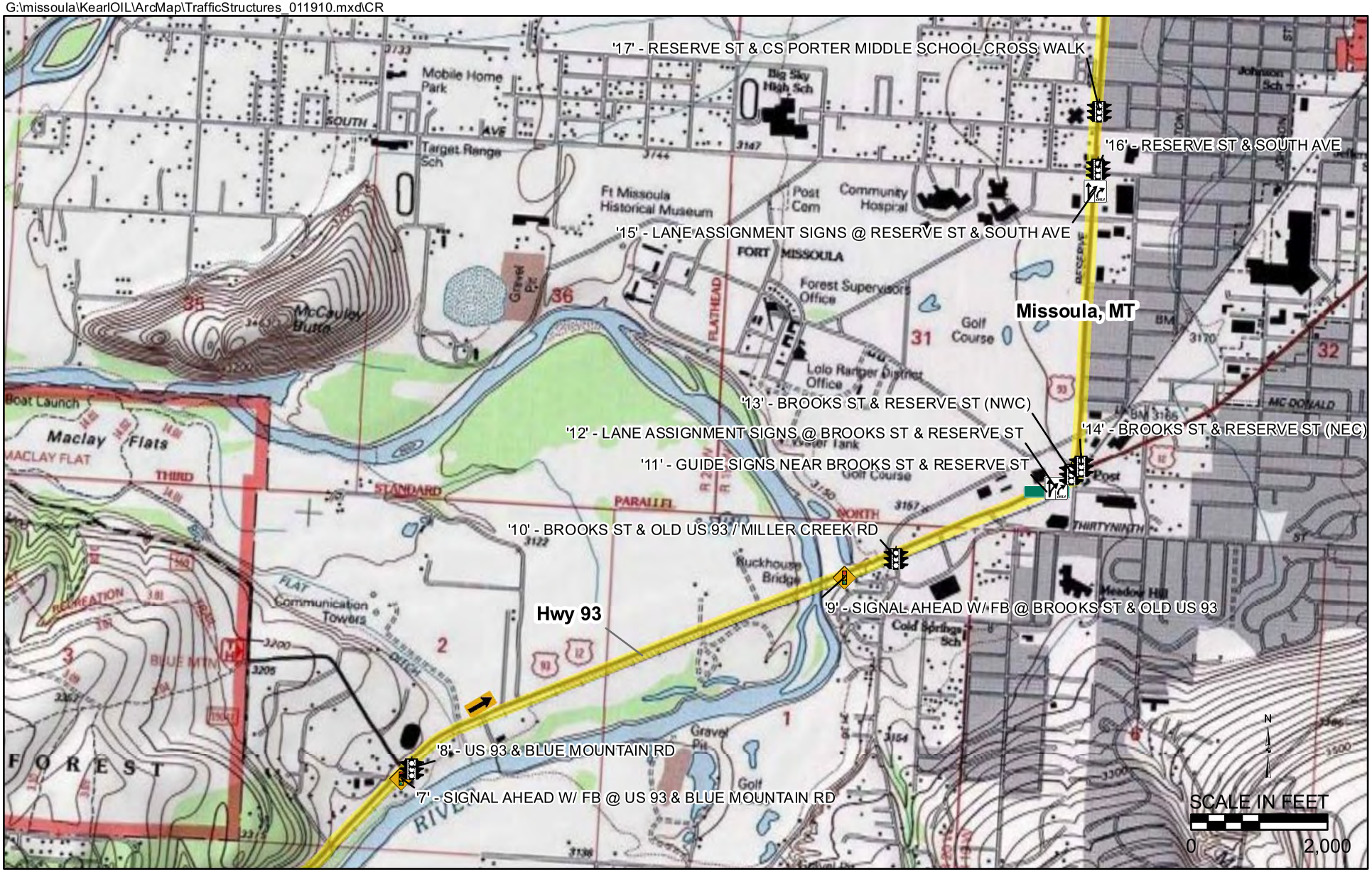

Traffic Signals and Signs ('Pole #' - Location)

- Traffic Signal
- Lane Assignment Sign
- Module Route
- Signal Ahead Sign
- Guide Signs
- Route Direction

Figure 3
Traffic Structure Modifications
Pole Number 7 - 17
Kearl Project

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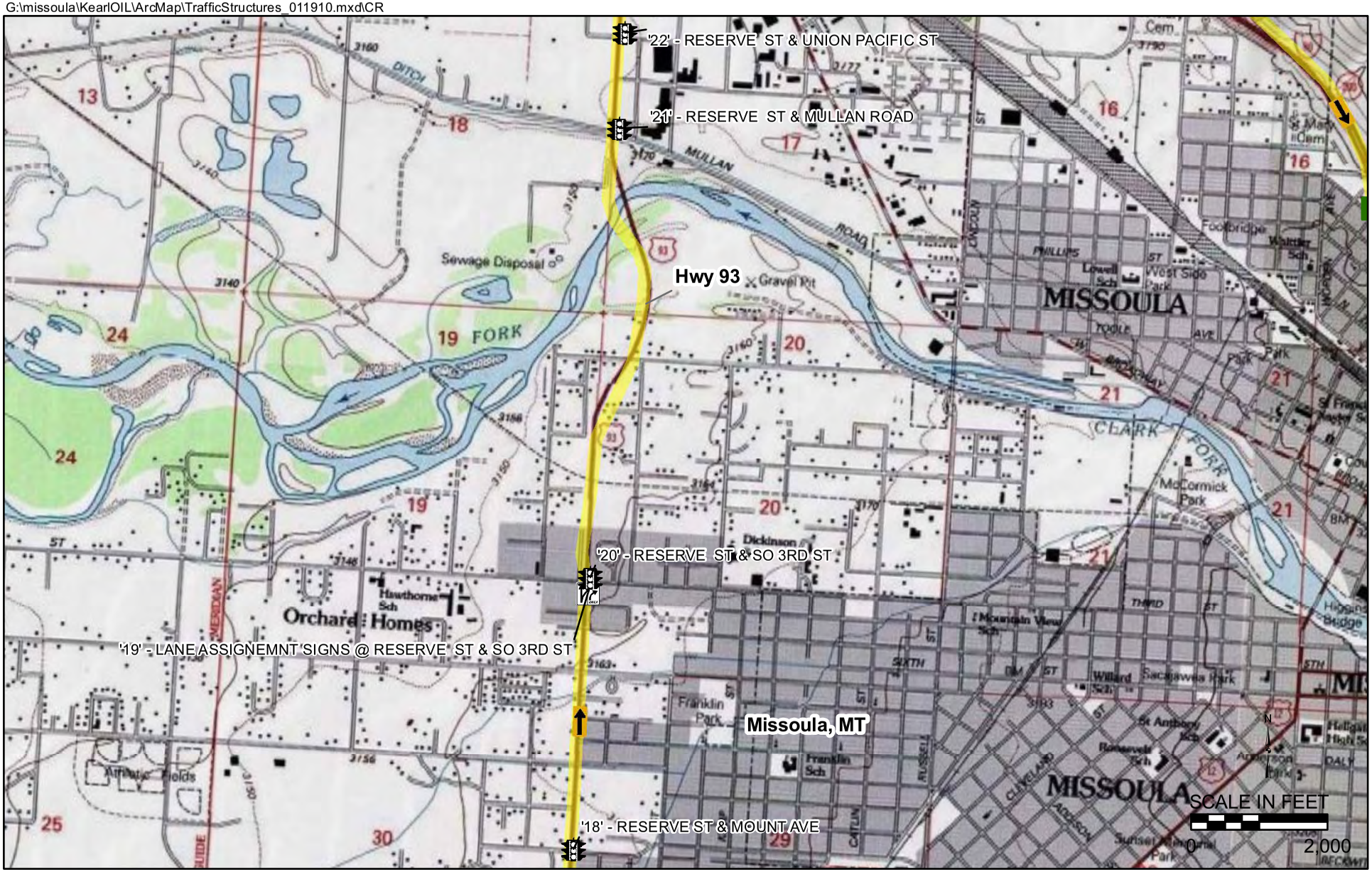

Traffic Signals and Signs ('Pole #' - Location)

- Traffic Signal
- Lane Assignment Sign
- Module Route
- Route Direction

Figure 4
Traffic Structure Modifications
Pole Numbers 18 - 22
Kearl Project

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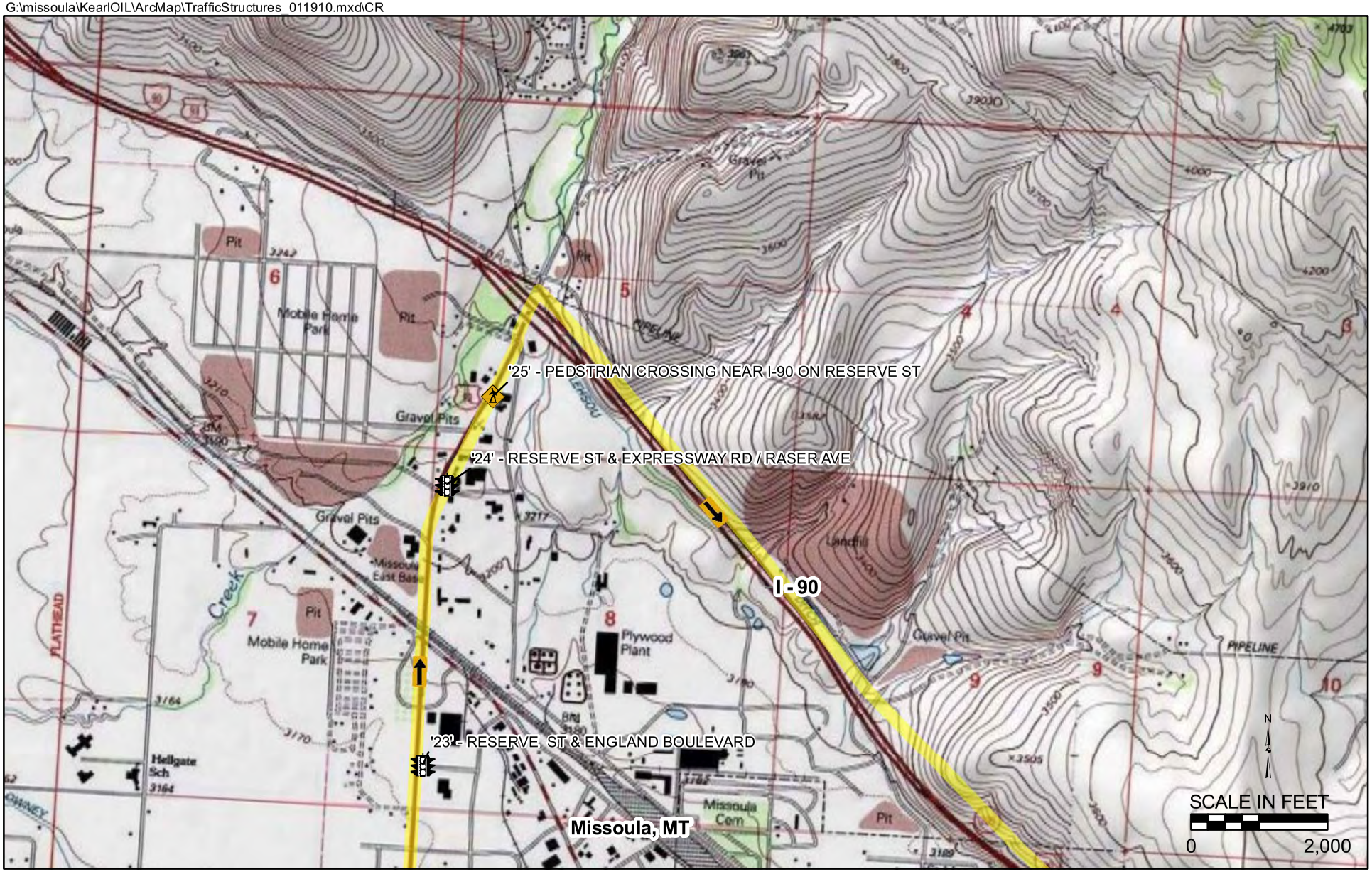

Traffic Signals and Signs ('Pole #' - Location)

- Traffic Signal
- Pedestrian Crossing Sign
- Module Route
- Route Direction

Figure 5
Traffic Structure Modifications
Pole Numbers 23 - 25
Kearl Project

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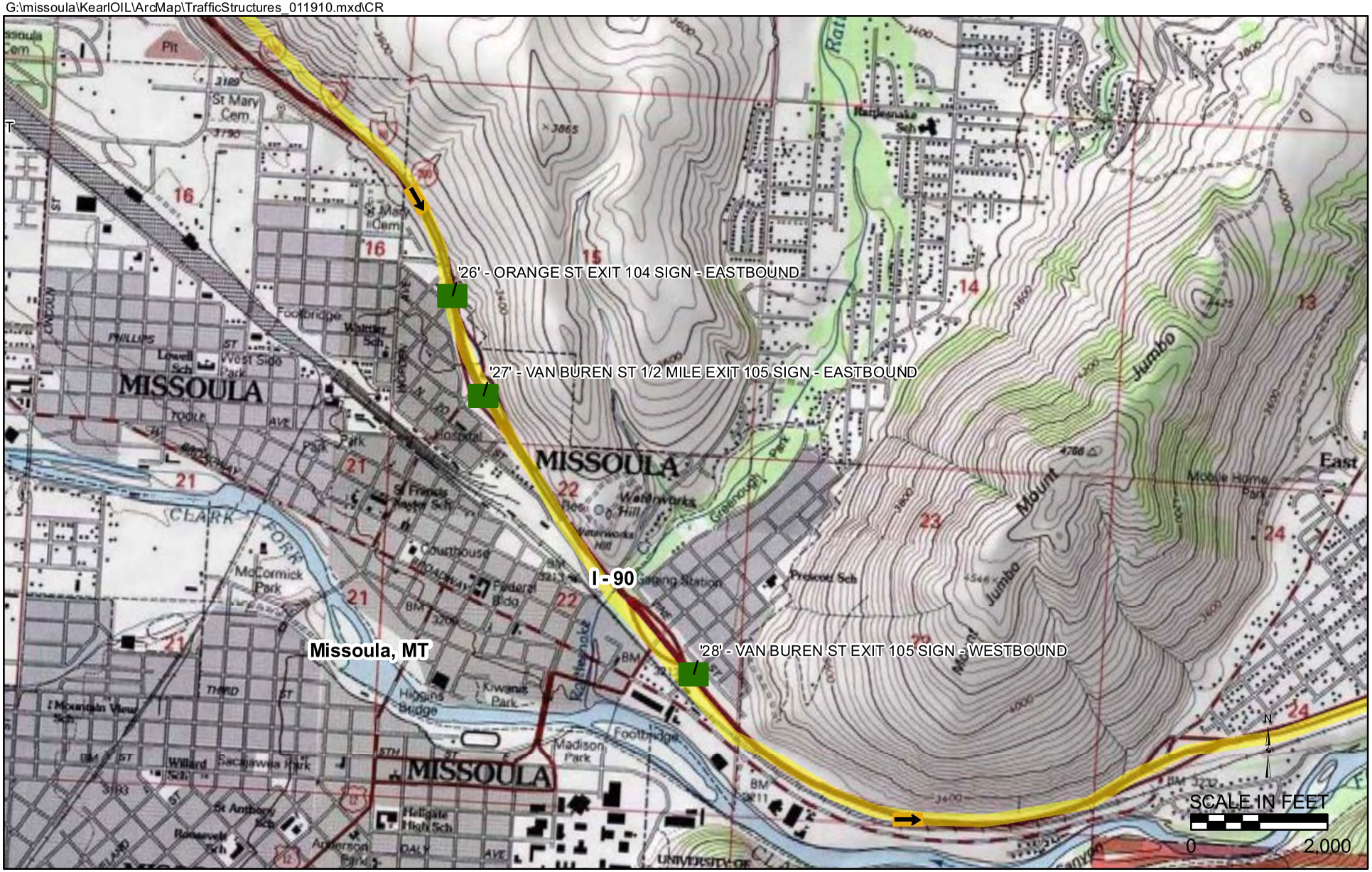

Traffic Signals and Signs ('Pole #' - Location)

I - 90 Exit Sign

Module Route

Route Direction

Figure 6

Traffic Structure Modifications

Pole Numbers 26 - 28

Kearl Project

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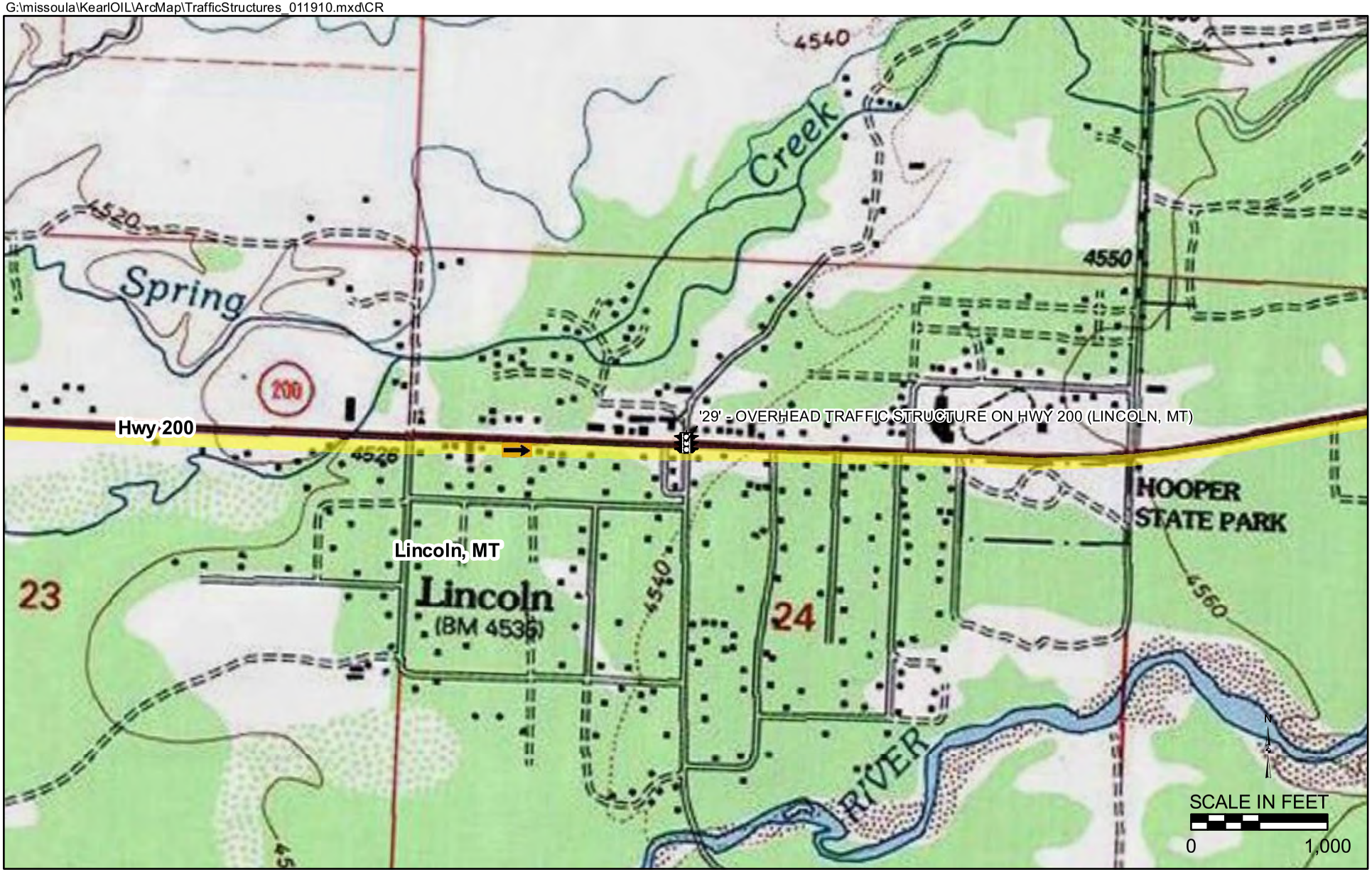

Traffic Signals and Signs ('Pole #' - Location)

Traffic Signal

Module Route

Route Direction

Figure 7
Traffic Structure Modifications
Pole Number 29
Kearl Project

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Traffic Signals and Signs ('Pole #' - Location)

Traffic Signal

Module Route

Route Direction

Figure 8
Traffic Structure Modifications
Pole Number 30
Kearl Project

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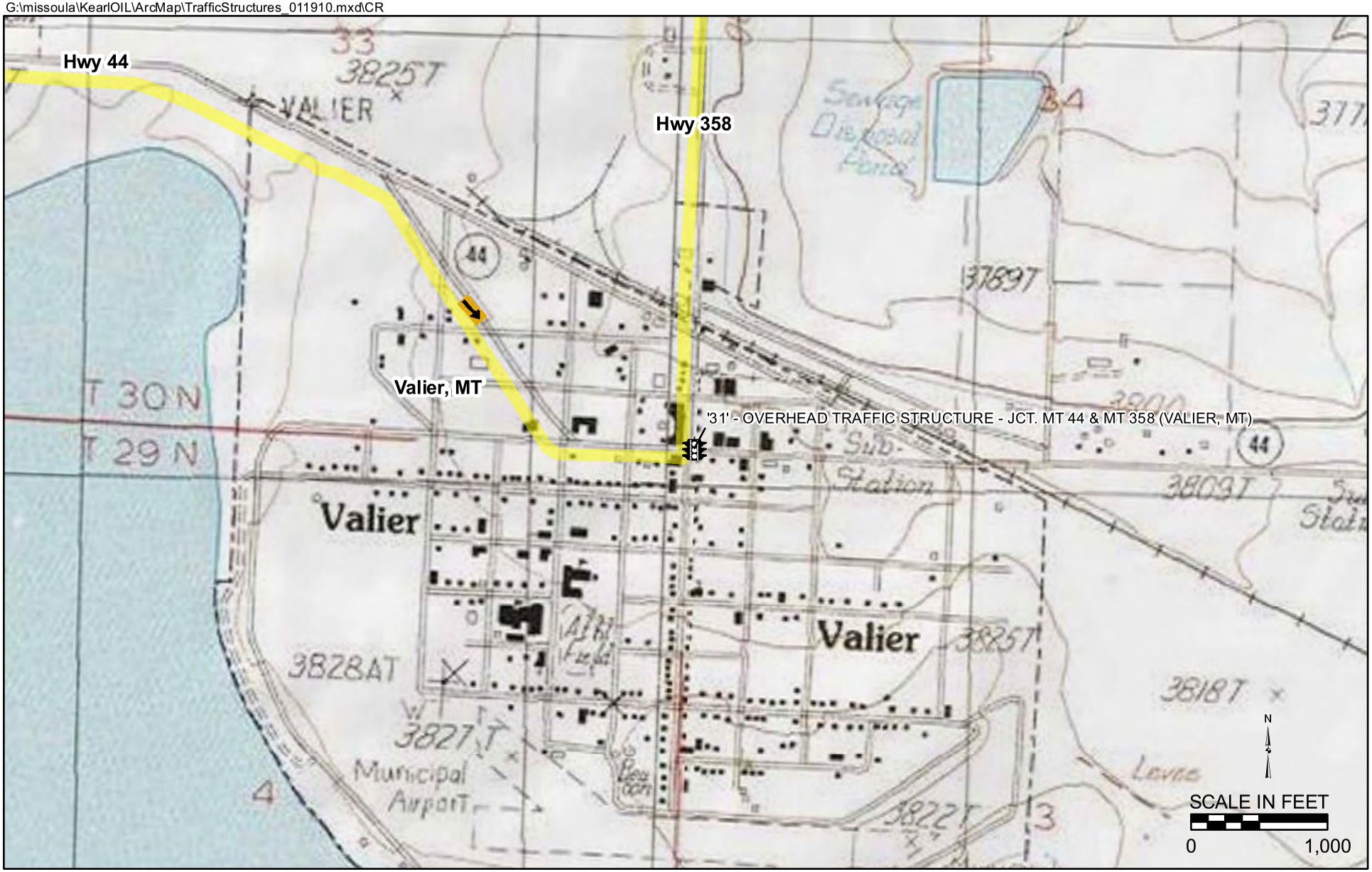


Traffic Signals and Signs ('Pole #' - Location)

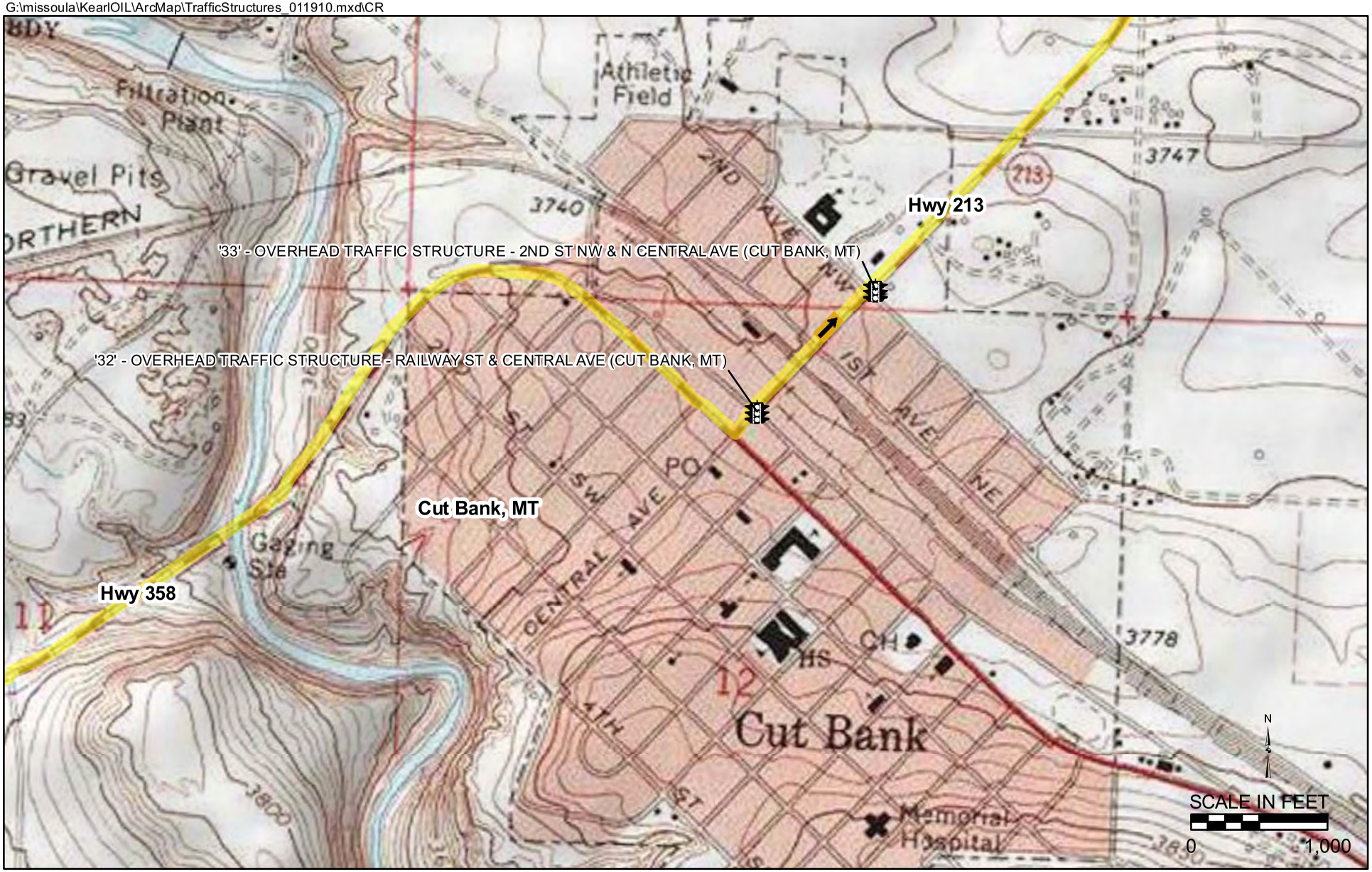
Traffic Signal

Module Route

Route Direction

Figure 9
Traffic Structure Modifications
Pole Number 31
Kearl Project

G:\missoula\KearlOIL\ArcMap\TrafficStructures_011910.mxd\CR



Traffic Signals and Signs ('Pole #' - Location)

Traffic Signal

Module Route

Route Direction

Figure 10
Traffic Structure Modifications
Pole Numbers 32 & 33
Kearl Project

Appendix D
Bear and Aquatic Resources Special Provisions

SPECIAL PROVISION: ENVIRONMENTAL MITIGATION AND COORDINATION MEASURES FOR BEARS

Portions of the Kearl Project area are located within bear habitat. Bears are known to occur within the region of the project area and transient bears may infrequently occur within the vicinity of the project area. To reduce the potential for grizzly bear-human conflicts and to minimize impacts to bears, all persons involved with the Kearl Project will adhere to the following provisions:

- Keep all areas in a neat condition; promptly clean up any project related spills, litter garbage, food, etc.
- Keep all food and food related items inside a closed, hard-sided vehicle or special bear resistant container,* except when preparing or eating food.
- Store petroleum products, antifreeze, and personal items such as deodorants, toothpaste, soap, and lotions in the same manner as food, as these products may attract bears.
- Deposit garbage and waste items in bear resistant containers. Remove the accumulated garbage and waste from the project site daily and dispose of it in accordance with all Tribal, Federal, State and local laws, regulations and ordinances.
- No overnight camping is allowed within the project vicinity, except designated campgrounds, by any crew member or other personnel associated with this project.
- Promptly notify the Project Manager of any road killed game animals found in the vicinity of the project. The Project Manager will arrange to have the animals picked-up and disposed of.
- Notify MDT and USFWS (Scott Jackson 406-444-5225) if a grizzly bear is observed along the route.

* A bear resistant container is a securable container constructed of solid material capable of withstanding 200 foot-pound of energy applied by direct impact. The container, when secured and under stress, will not have any openings greater than 6.35 mm (1/4 inch), that would allow a bear to gain entry by biting or pulling with it's claws.

Basis of Payment: Consider all costs associated with this provision incidental to performance of the work. Include the cost in the cost of other items.

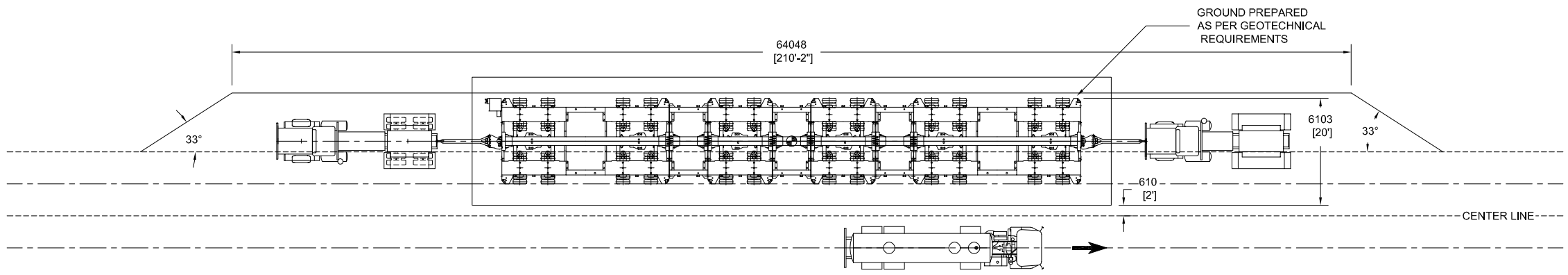
SPECIAL PROVISION: ENVIRONMENTAL MITIGATION AND COORDINATION MEASURES FOR AQUATIC RESOURCES

Impact to aquatic resources* are not expected for this project. Imperial Oil has not acquired any special authorizations or water quality permits (Clean Water Act Section 404 (COE), Stream Protection Act 124 Notification (MT FW&P), or 318 Authorization (DEQ)); therefore impacts to any and all aquatic resources are not permitted. In order to ensure that impacts would not occur, all agents associated with the Kearl project would administer the following provisions:

- Avoid all equipment traffic, fill material, staging activities and other disturbances to aquatic resources;
- Conduct utility operations in a manner to avoid placement of materials in any water body including streams or irrigation ditches crossing the highway and any wetland areas;
- Impacts to any aquatic resources and associated consequences, without proper permitting, are the responsibility of the Contractor; and
- If complete avoidance of impacts to aquatic resources is not possible, the contractor must secure the appropriate permits and/or authorizations prior to working in these areas..

* Aquatic resources for this project include but are not limited to streams (perennial, ephemeral, and intermittent), rivers, lakes and reservoirs, irrigation systems and impoundments, springs, wetlands, and associated riparian areas.

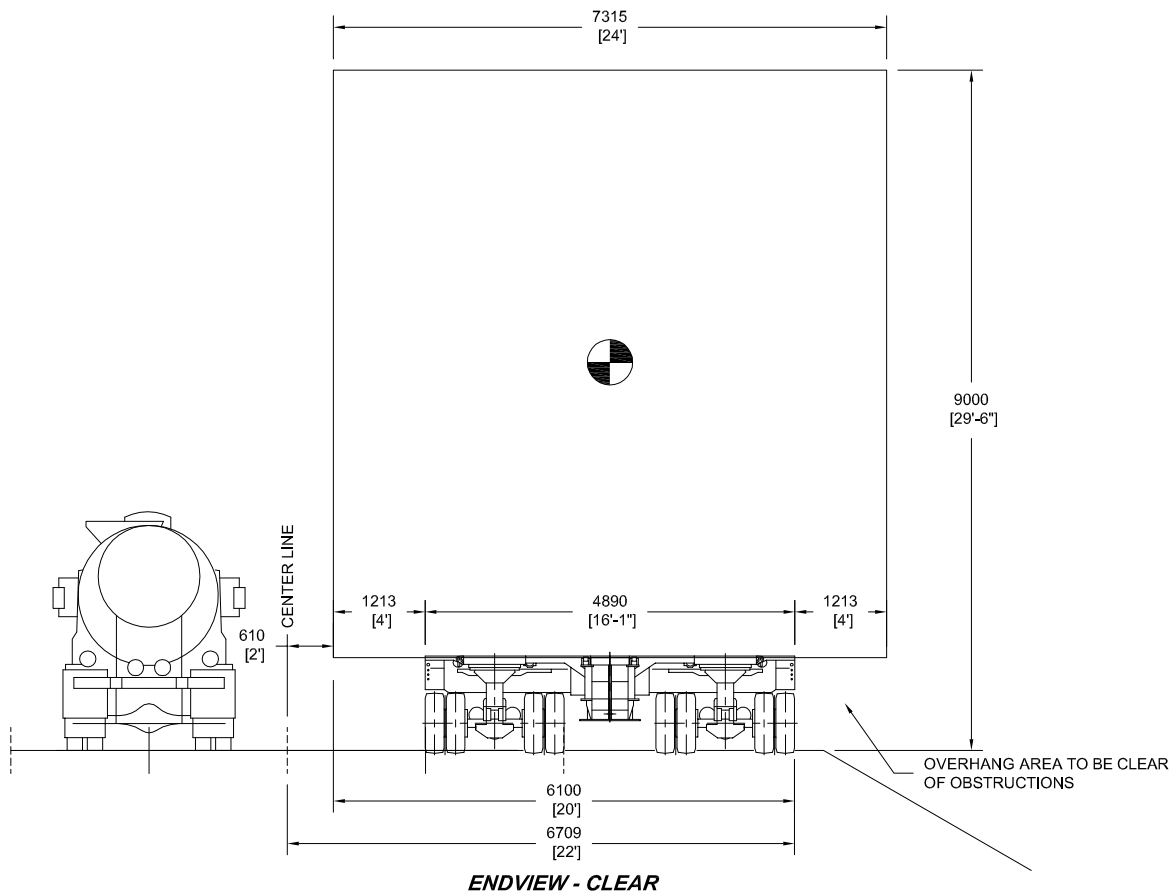
Appendix E
Plan Sheets of Turnouts



PLAN VIEW - CLEAR

PULLOUT CONDITION

1:300



ENDVIEW - CLEAR

REQUIRED PULLOUT SURFACE

1:100

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2. ENSURE TRANSPORT ROAD IS CLEAR OF OBSTACLES.
3. TRAILER SHALL BE MAINTAINED AND OPERATED IN ACCORDANCE WITH MANUFACTURERS' PROCEDURES AND ALL OTHER APPLICABLE CODES, STANDARDS, GUIDELINES, ETC.
4. ALL TONNES ARE METRIC (1Te = 2,205lbs).

REFERENCE DRAWING TITLE		DRAWING NUMBER		REV
02	UPDATED INFORMATION	NOV 4, 09	BAP	
01	UPDATED INFORMATION	NOV 4, 09	WLB	
00	PRELIMINARY RELEASE	NOV 4, 09	WLB	
REV	DESCRIPTION	DATE	DWN	CHKD

CLIENT: FLUOR - IOL

PROJECT: KEARL OIL SANDS PROJECT

TITLE: CLEAR - PULLOUT CONDITIONS OF A MODULE ON A 12 LINE 16' WIDE GOLDHOFFER TRAILER 2' FROM CENTERLINE

MAMMOET CANADA Western Ltd.
12920-33rd Street N.E., Edmonton, Alberta
CANADA, T6S 1H6
Tel. +1 (780) 449-0552 / Fax. +1 (780) 417-9623

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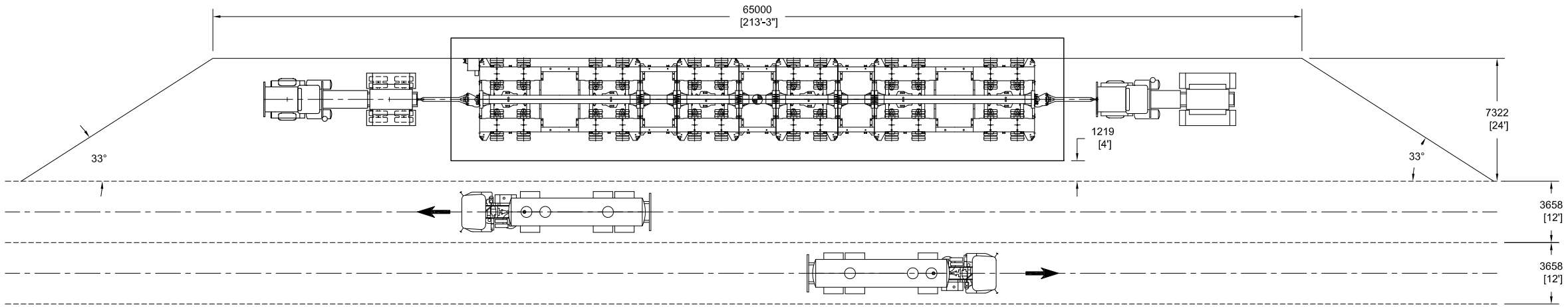
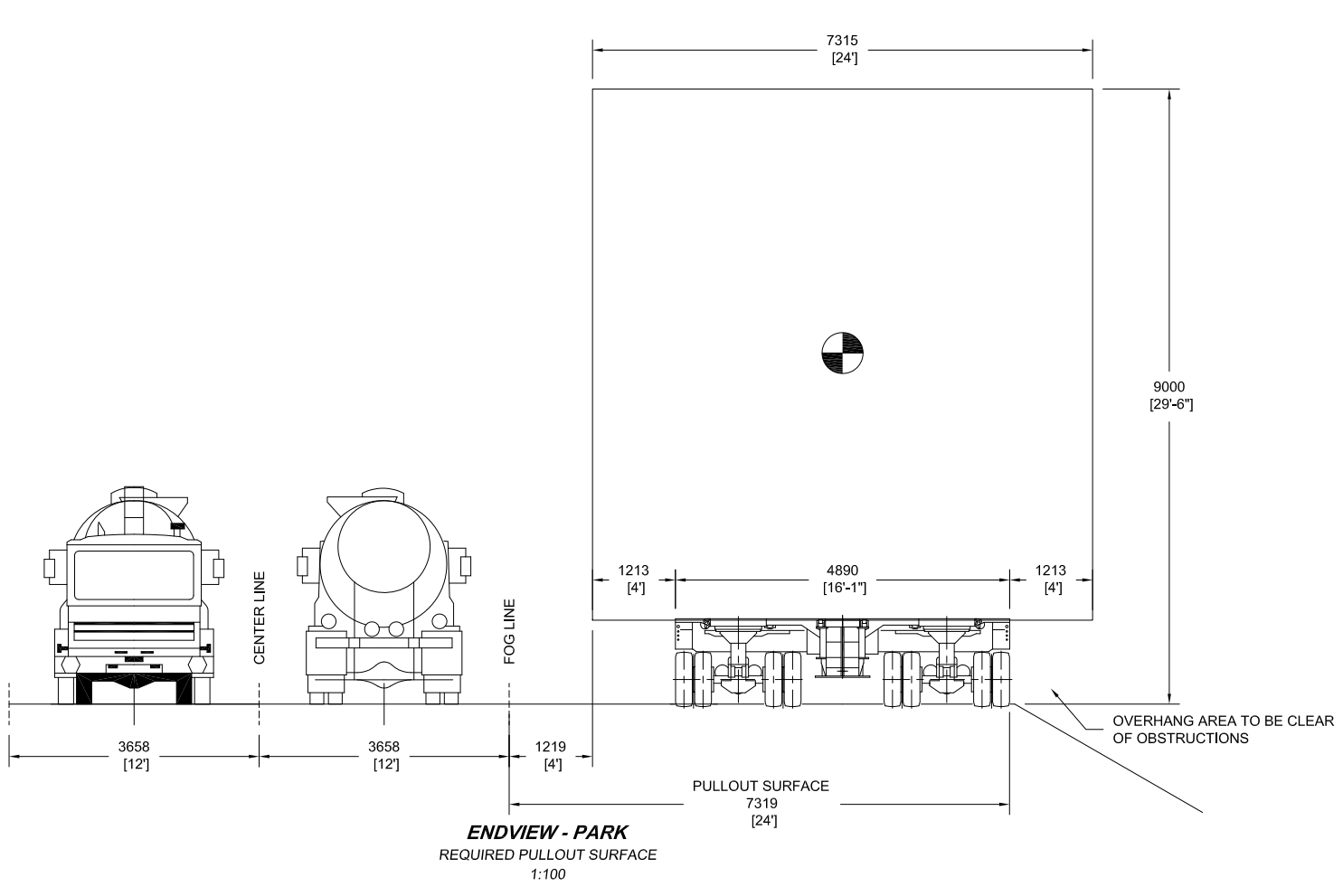


PLAN VIEW - PARK

PULLOUT CONDITIONS

1:300



ENDVIEW - PARK

REQUIRED PULLOUT SURFACE

1:100

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REFERENCE DRAWING TITLE	DRAWING NUMBER	REV

REV	DESCRIPTION	DATE	DWN	CHKD
MT	PRELIMINARY RELEASE	OCT 20, 09	WLB	MT

CLIENT: FLUOR - IOL

PROJECT: KEARL OIL SANDS PROJECT

TITLE: PARK - PULLOUT CONDITIONS OF A MODULE ON A 12 LINE 16' WIDE GOLDHOFFER TRAILER

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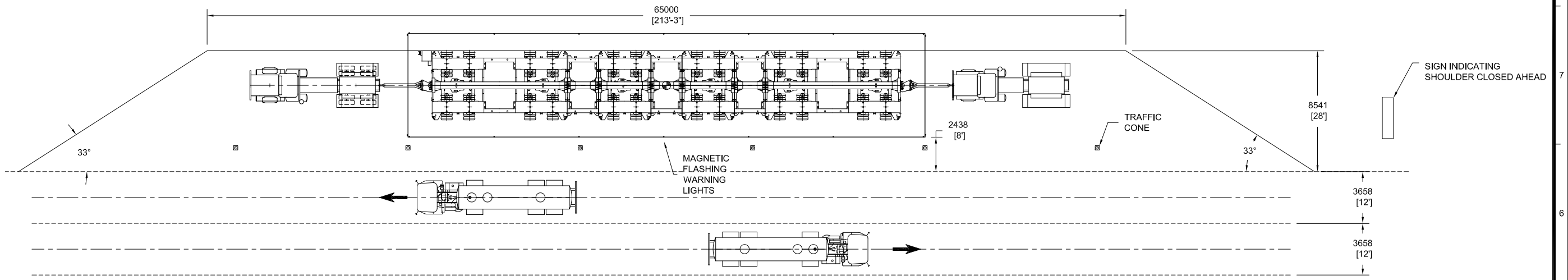
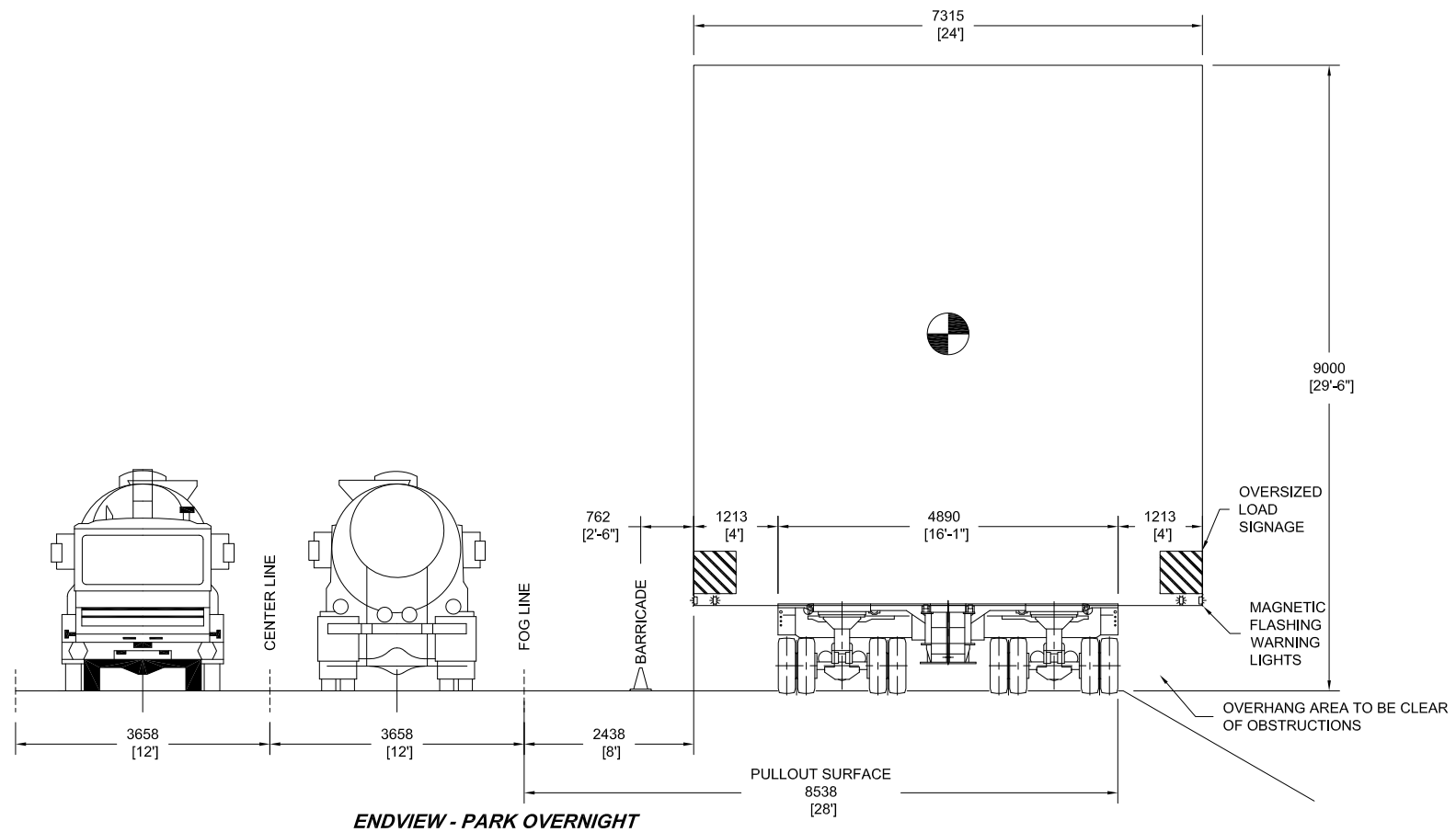


PLAN VIEW - PARK OVERNIGHT

PULLOUT CONDITIONS

1:300



ENDVIEW - PARK OVERNIGHT

REQUIRED PULLOUT SURFACE

1:100

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4. ALL TONNES ARE METRIC (1Te = 2,205lbs).

REFERENCE DRAWING TITLE		DRAWING NUMBER		REV
02	ADDED SHOULDER SIGN	MAR 15, 2010	SJG	
01	PRELIMINARY RELEASE - ADDED DETAIL	OCT 20, 09	WLB	
00	PRELIMINARY RELEASE	OCT 20, 09	WLB	MT
REV	DESCRIPTION	DATE	DWN	CHKD

CLIENT: FLUOR - IOL

PROJECT: KEARL OIL SANDS PROJECT

TITLE: PARK OVERNIGHT - PULLOUT CONDITIONS OF A MODULE ON A 12 LINE 16' WIDE GOLDHOFFER TRAILER

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7000045867	NOTED	B	10039355	- P042	- D - T043		- 02

Appendix F
Montana Species of Concern

Montana Species of Concern

Common Name	Scientific Name	Rank	County
Alpine Mountainsnail	*Oreohelix alpina*	S1	Missoula, Lewis and Clark
Boreal Whiteface	*Leucorrhinia borealis*	S1	Powell
Carinate Mountainsnail	*Oreohelix elrodi*	S1	Lewis and Clark
Keeled Mountainsnail	*Oreohelix carinifera*	S1	Missoula, Powell
Lyre Mantleslug	*Udosarx lyrata*	S1	Missoula
Meltwater Lednian Stonefly	*Lednia tumana*	S1	Glacier
Rhyacophilan Caddisfly	*Rhyacophila glaciera*	S1	Glacier
Rocky Mountain Capshell	*Acroloxus coloradensis*	S1	Glacier
Rocky Mountain Duskysnail	*Colligyrus greggi*	S1	Powell
Western Glacier Stonefly	*Zapada glacier*	S1	Glacier
Northern Leopard Frog	*Rana pipiens*	S1, S4	Glacier
Sharp-tailed Grouse	*Tympanuchus phasianellus*	S1, S4	Toole, Lewis and Clark, Powell, Glacier, Teton
A Subterranean Amphipod	*Stygobromus tritus*	S1S2	Missoula
Bitterroot Mountainsnail	*Oreohelix amariradix*	S1S2	Missoula
Glacier Amphipod	*Stygobromus glacialis*	S1S2	Glacier
Pale Jumping-slug	*Hemphillia camelus*	S1S2	Missoula
A Freshwater Sponge	*Ephydatia cooperensis*	S1S3	Missoula, Powell
A Millipede	*Adrityla cucullata*	S1S3	Missoula
A Millipede	*Austrotyla montani*	S1S3	Missoula
A Millipede	*Corypus cochlearis*	S1S3	Missoula
A Millipede	*Lophomus laxus*	S1S3	Missoula
A Stonefly	*Isoperla petersoni*	S2	Glacier
A Stonefly	*Zapada cordillera*	S2	Missoula
Black Rosy-Finch	*Leucosticte atrata*	S2	Missoula, Powell
Bull Trout	*Salvelinus confluentus*	S2	Missoula, Lewis and Clark, Powell, Glacier
Coeur d'Alene Salamander	*Plethodon idahoensis*	S2	Missoula
Gillette's Checkerspot	*Euphydryas gillettii*	S2	Missoula, Powell, Glacier, Pondera
Great Plains Toad	*Bufo cognatus*	S2	Toole, Lewis and Clark
Lake Trout	*Salvelinus namaycush*	S2	Glacier
Lolo Mayfly	*Caurinella idahoensis*	S2	Missoula
Northern Bog Lemming	*Synaptomys borealis*	S2	Missoula
Northern Bog Lemming	*Synaptomys borealis*	S2	Lewis and Clark
Northern Rocky Mountains Refugium Caddisfly	*Goereilla baumanni*	S2	Missoula
Northern Rocky Mountains Refugium Caddisfly	*Rossiana montana*	S2	Missoula
Northern Rocky Mountains Refugium Stonefly	*Soyedina potteri*	S2	Missoula
Sauger	*Sander canadensis*	S2	Teton
Spotted Bat	*Euderma maculatum*	S2	Lewis and Clark

Montana Species of Concern

Common Name	Scientific Name	Rank	County
Townsend's Big-eared Bat	*Corynorhinus townsendii*	S2	Missoula, Lewis and Clark, Glacier
Trout-perch	*Percopsis omiscomaycus*	S2	Glacier
Western Hog-nosed Snake	*Heterodon nasicus*	S2	Toole
Western Pearlshell	*Margaritifera falcata*	S2	Missoula, Powell
Western Toad	*Bufo boreas*	S2	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
Westslope Cutthroat Trout	*Oncorhynchus clarkii lewisi*	S2	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
Chestnut-collared Longspur	*Calcarius ornatus*	S2B	Toole, Lewis and Clark, Teton
Harlequin Duck	*Histrionicus histrionicus*	S2B	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
Lewis's Woodpecker	*Melanerpes lewis*	S2B	Missoula, Lewis and Clark, Powell
Mountain Plover	*Charadrius montanus*	S2B	Toole, Teton
Piping Plover	*Charadrius melodus*	S2B	Pondera
Gray-crowned Rosy-Finch	*Leucosticte tephrocotis*	S2B, S5N	Lewis and Clark, Glacier, Teton
Blue Sucker	*Cycleptus elongatus*	S2S3	Teton
Dwarf Shrew	*Sorex nanus*	S2S3	Toole, Pondera
Grizzly Bear	*Ursus arctos*	S2S3	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
Magnum Mantleslug	*Magnipelta mycophaga*	S2S3	Missoula
Sheathed Slug	*Zacoleus idahoensis*	S2S3	Missoula
Smoky Taildropper	*Prophysaon humile*	S2S3	Missoula
Sturgeon Chub	*Macrhybopsis gelida*	S2S3	Teton
Bald Eagle	*Haliaeetus leucocephalus*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton
Black-backed Woodpecker	*Picoides arcticus*	S3	Missoula, Lewis and Clark, Powell
Black-tailed Prairie Dog	*Cynomys ludovicianus*	S3	Toole, Lewis and Clark
Brown Creeper	*Certhia americana*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton
Canada Lynx	*Lynx canadensis*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
Cassin's Finch	*Carpodacus cassinii*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton
Clark's Nutcracker	*Nucifraga columbiana*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
Fisher	*Martes pennanti*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
Fringed Myotis	*Myotis thysanodes*	S3	Missoula, Lewis and Clark, Powell, Teton
Golden Eagle	*Aquila chrysaetos*	S3	Missoula, Toole, Lewis and Clark, Powell, Glacier, Teton, Pondera
Gray Wolf	*Canis lupus*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
Great Blue Heron	*Ardea herodias*	S3	Missoula, Toole, Lewis and Clark, Powell, Glacier, Teton, Pondera
Great Gray Owl	*Strix nebulosa*	S3	Missoula, Powell, Teton

Montana Species of Concern

Common Name	Scientific Name	Rank	County
Greater Short-horned Lizard	*Phrynosoma hernandesi*	S3	Toole, Glacier, Teton
Merriam's Shrew	*Sorex merriami*	S3	Teton
Northern Alligator Lizard	*Elgaria coerulea*	S3	Missoula
Northern Goshawk	*Accipiter gentilis*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton
Peregrine Falcon	*Falco peregrinus*	S3	Missoula, Toole, Lewis and Clark, Powell, Glacier, Teton, Pondera
Pileated Woodpecker	*Dryocopus pileatus*	S3	Missoula, Lewis and Clark, Powell, Glacier
Pinyon Jay	*Gymnorhinus cyanocephalus*	S3	Missoula, Lewis and Clark
Plains Spadefoot	*Spea bombifrons*	S3	Toole, Lewis and Clark
Preble's Shrew	*Sorex preblei*	S3	Missoula, Powell, Teton
Spiny Softshell	*Apalone spinifera*	S3	Teton
Spoonhead Sculpin	*Cottus ricei*	S3	Glacier
Swift Fox	*Vulpes velox*	S3	Glacier
Trumpeter Swan	*Cygnus buccinator*	S3	Lewis and Clark
Western Skink	*Eumeces skiltonianus*	S3	Missoula
White-tailed Ptarmigan	*Lagopus leucura*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
Winter Wren	*Troglodytes troglodytes*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton
Wolverine	*Gulo gulo*	S3	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
Alder Flycatcher	*Empidonax alnorum*	S3B	Teton
American Bittern	*Botaurus lentiginosus*	S3B	Missoula, Glacier, Teton
American White Pelican	*Pelecanus erythrorhynchos*	S3B	Teton, Pondera
Baird's Sparrow	*Ammodramus bairdii*	S3B	Toole, Lewis and Clark, Glacier, Teton
Black Tern	*Chlidonias niger*	S3B	Powell, Glacier, Teton, Pondera
Black-crowned Night-Heron	*Nycticorax nycticorax*	S3B	Teton
Black-necked Stilt	*Himantopus mexicanus*	S3B	Lewis and Clark, Teton
Bobolink	*Dolichonyx oryzivorus*	S3B	Missoula, Lewis and Clark, Powell, Teton
Brewer's Sparrow	*Spizella breweri*	S3B	Toole, Lewis and Clark, Powell, Glacier, Teton
Burrowing Owl	*Athene cunicularia*	S3B	Toole, Teton, Pondera
Clark's Grebe	*Aechmophorus clarkii*	S3B	Lewis and Clark, Powell, Teton
Common Loon	*Gavia immer*	S3B	Missoula, Lewis and Clark, Powell, Glacier, Teton
Common Tern	*Sterna hirundo*	S3B	Teton
Ferruginous Hawk	*Buteo regalis*	S3B	Missoula, Toole, Lewis and Clark, Powell, Glacier, Teton, Pondera
Flammulated Owl	*Otus flammeolus*	S3B	Missoula, Lewis and Clark, Powell
Forster's Tern	*Sterna forsteri*	S3B	Teton
Franklin's Gull	*Leucophaeus pipixcan*	S3B	Teton
Grasshopper Sparrow	*Ammodramus savannarum*	S3B	Missoula, Lewis and Clark, Powell
Horned Grebe	*Podiceps auritus*	S3B	Lewis and Clark, Powell, Teton

Montana Species of Concern

Common Name	Scientific Name	Rank	County
Loggerhead Shrike	*Lanius ludovicianus*	S3B	Toole, Teton
Long-billed Curlew	*Numenius americanus*	S3B	Toole, Lewis and Clark, Powell, Glacier, Teton
McCown's Longspur	*Calcarius mccownii*	S3B	Toole, Lewis and Clark, Teton
Sage Thrasher	*Oreoscoptes montanus*	S3B	Lewis and Clark
Sprague's Pipit	*Anthus spragueii*	S3B	Toole, Lewis and Clark, Teton
Veery	*Catharus fuscescens*	S3B	Missoula, Lewis and Clark, Powell, Glacier, Teton, Pondera
White-faced Ibis	*Plegadis chihi*	S3B	Teton
Yellow-billed Cuckoo	*Coccyzus americanus*	S3B	Missoula

NRIS 2010

1/ S1 - At high risk because of extremely limited and/or rapidly declining population numbers, range and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.

S2 - At risk because of very limited and/or potentially declining population numbers, range and/or habitat, making it vulnerable to global extinction or extirpation in the state.

S3 - Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.

S4 - Apparently secure, though it may be quite rare in parts of its range, and/or suspected to be declining.

S5 - Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

B – Breeding, N – Non-Breeding

2 rankings for same species indicates a range of uncertainty about the status of the species.

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Kearl OIL SANDS



TETRA TECH