



U.S. Department  
of Transportation

**Federal Highway  
Administration**

Western Federal Lands Highway Division  
610 E. Fifth Street  
Vancouver, WA 98661  
Phone 360-619-7700  
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May 4, 2015

In Reply Refer To: HFL-17

Dr. Mark Baumler  
State Historic Preservation Officer  
Montana State Historic Preservation Office  
1410 Eighth Avenue  
Helena, MT 59620

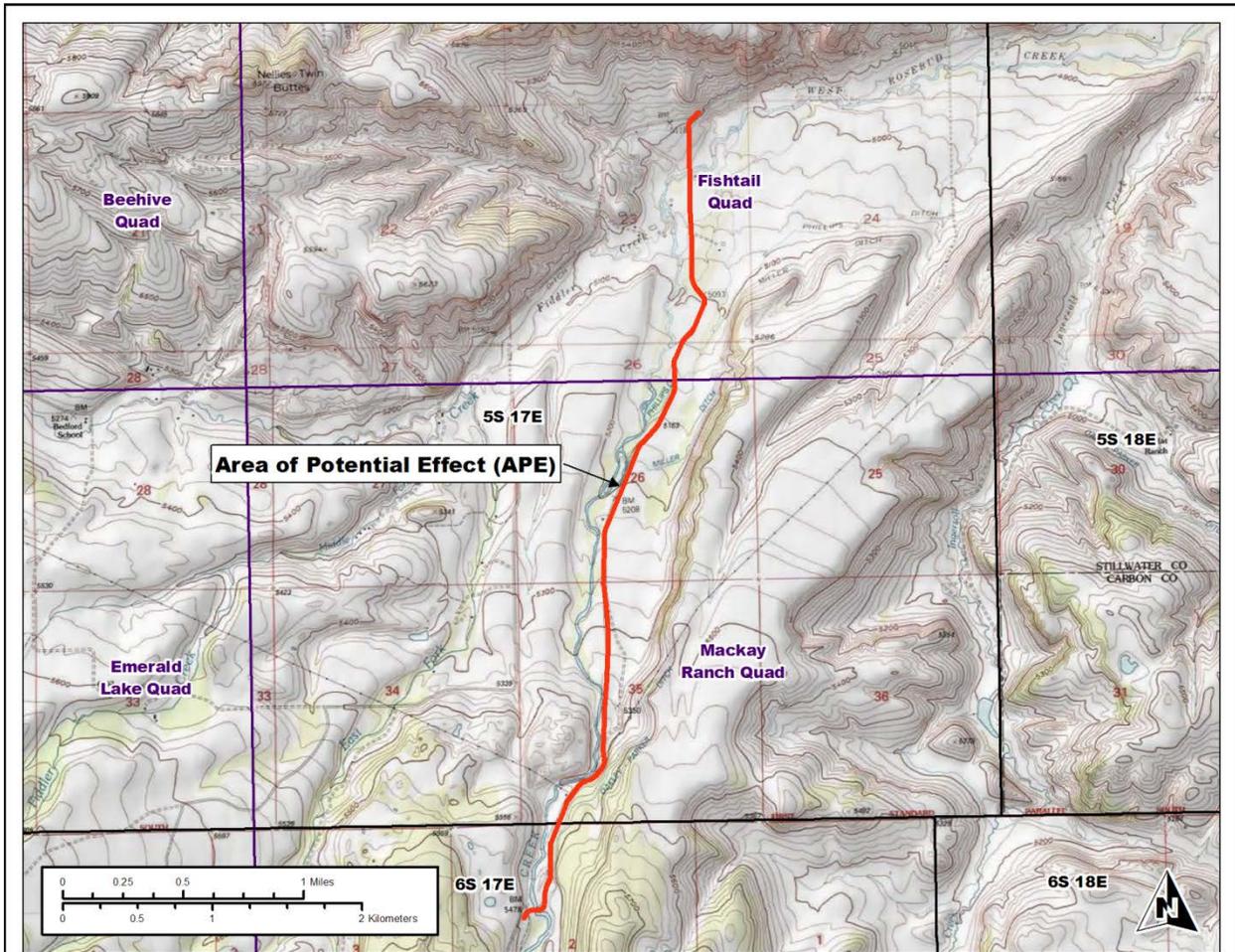
Re: West Rosebud Creek Road Reconstruction Project, MT STILLWATER 207(1)  
Section 106 No Historic Properties Affected Recommendation

Dear Dr. Baumler:

The Western Federal Lands Highway Division of the Federal Highway Administration (FHWA), in partnership with Stillwater County, Montana proposes to reconstruct 3.6 miles of West Rosebud Creek Road. The project begins at the junction of West Rosebud Creek Road and Fiddler Creek Road (located 6.4 miles southwest of Fishtail, Montana) and extends approximately 3.6 miles southward to just past the Allen Grade Bridge across West Rosebud Creek (Figure 1).

The proposed project scope includes:

- Replace the deficient Allen Grade Bridge (Structure Number L48207003+06001) with a new two-lane structure that matches the template width in and out of the bridge site. The existing bridge has a posted 25 ton load limit in place.
- Complete a Boundary Retracement Survey to establish the road easement location.
- Realign the reverse curves coming into and out of Allen Grade Bridge.
- Widen the roadway to a minimum of 20'. Applicant desires to center the road within the easement but this may not be possible for a reasonable cost.
- Resurface the road with a 4" aggregate surface course over 6" base.
- Reconstruct the junction of Fiddler Creek Road and West Rosebud Creek Road and convert the existing acute angle intersection to a 90 degree T intersection.
- Mitigate channel migration occurring between MP 6.8 and MP 6.9 that is threatening the road. Improvements to mitigate this area consist of raising the road by 36", adding riprap along the bank, and planting willow shoots to stabilize the bank.
- Curve flattening between MP 6.4 to MP 10.0 to bring the design speed up to 35 mph. Five locations are estimated that need realignment.
- Improve drainage by installing new culverts and replacing deficient culverts and rehab/construct ditches.
- Install a new cattle guard at M.P. 7.9 to replace substandard narrow width cattle guard.
- Move power poles that are located in the clear zone out of the clear zone.



**Legend**

— Area of Potential Effect (APE)

Figure 1 Project Location Map  
 FHWA West Rosebud Creek  
 Road Survey



HISTORICAL  
 RESEARCH  
 ASSOCIATES, INC.

Date: 10/24/2014

Coord./Project	Datum	Scale
NAD 1983 UTM Zone 12N Transverse Mercator	NAD83	1:50,000

Historical Research Associates, Inc., Missoula, MT  
 Service Layer Credits: Copyright:© 2013 National Geographic  
 Society, i-cubed

Figure 1. Project APE location.

- Review/Install/Replace traffic control devices as needed to meet MUTCD.
- Re-vegetate disturbed slopes with native materials.
- Conduct geotechnical investigations to support the project design.

The proposed work will need to comply with Section 106 of the National Historic Preservation Act (Section 106) and National Environmental Policy Act, thereby warranting a cultural resources identification survey within the area of potential effects (APE). The FHWA defines the direct APE for the project as all areas 50 feet on either side of centerline for potential project impacts associated with alternatives proposed for geotechnical testing, realignments, realignment at the intersection of Fiddler Creek Road and West Rosebud Creek Road, culvert replacements, road widening, alignment revisions, bridge replacements (Allen Grade Bridge), curve realignments, grade raises, and roadway surface improvements. The 43.97-acre APE occurs within Township 5 South, Range 17 East, Sections 23, 26, 35; Township 6 South, Range 17 East, Section 2 (Figure 1).

Through a task order between the FHWA and Robert Peccia & Associates, Inc., Historic Research Associates, Inc. (HRA) conducted background research and a cultural resources survey within the APE. An April 2015 HRA cultural resources report titled *Cultural Resources Field Inventory for the MT STILLWATER 207(1), West Rosebud Creek Road Reconstruction Project, Stillwater County, Montana* is enclosed for your review and reference. HRA identified the following five cultural resources within the APE: previously recorded West Rosebud Creek Road (24ST362) and West Rosebud Creek Bridge (24ST334); and newly recorded three historic irrigation ditches (24ST717, 24ST718, and 24ST719).

The West Rosebud Creek Road (24ST362) was previously determined eligible for the National Register of Historic Places (NRHP) in 2009 with the Montana State Historic Preservation Office's (SHPO) consensus. HRA recommends that the road alignment is eligible for the NRHP under Criterion A, and appears to have retained integrity of location, setting, design, and feeling. The site also retains integrity of association with its original intended use as access to the hydroelectric facility at Mystic Lake. Integrity of workmanship and materials are questionable as the road surface has been regularly maintained using modern materials and methods. The only deviation proposed within this stretch of right-of-way is the crossing at Allen Grade Bridge where the alignment will shift slightly south to facilitate wide turns for larger trucks. The Allen Grade Bridge is modern and was erected in 1986. As such, this section of road should be considered a noncontributing element of the site's overall integrity. **The FHWA agrees with this NRHP eligibility recommendation and requests the SHPO's concurrence with this recommendation.**

HRA recommends the proposed undertaking will have no adverse effect on Site 24ST362 as the proposed undertaking will not directly or indirectly alter the defining characteristics of the site that qualify the resource for inclusion in the NRHP. The proposed undertaking will not diminish the sites integrity of location, setting, design, feeling, or association. While integrity of workmanship and material has been diminished by modern construction methods and materials, the undertaking will not further diminish these aspects of integrity. **The FHWA agrees with this Section 106 finding of no adverse effect and requests the SHPO's concurrence with this recommendation.**

The West Rosebud Creek Bridge (24ST334) was recorded in 2000 as a Warren steel truss bridge crossing West Rosebud Creek, built on the West Rosebud Creek Road. The bridge was constructed around 1950

and was reported to have been replaced by an earlier bridge at this location. The recorded bridge was 75 feet in length and 21 feet wide with a wooden deck that was 20 feet wide. HRA revisited the bridge location on October 8–9, 2014. Since the recordation of the bridge in 2000, the old bridge was razed and removed. A modern concrete T-beam bridge has replaced the recorded structure and this structure is not considered a cultural resource potentially eligible for the NRHP.

HRA identified the newly recorded unnamed ditch (24ST717) within the APE. HRA assumes that the recorded portion of the ditch retains its original alignment (integrity of location and setting), and the irrigation feature appears to retain some integrity of design, though diminished by erosion and then subsequent non-use of the ditch. Integrity of feeling, workmanship, and association has been lost due to the resource being allowed to be overgrown and no longer function in its original capacity. The unnamed ditch alignment was evaluated for consideration for the NRHP under Criterion A (though all criteria were considered) for its association with early agricultural use and development of the West Rosebud Creek area; specifically, for its association with the West Rosebud Ditch Company c 1903. While the ditch retains integrity of location and setting, integrity of association, design, feeling, workmanship and materials have been lost.

The ditch represents an unnamed irrigation resource, likely a field lateral. As the ditch was not part of an incorporated ditch company or irrigation district and the Water Resources Surveys (WRS) for Stillwater County provides no detailed information of the history of the ditch. HRA recommends the feature as not eligible for inclusion in the NRHP. No further work is recommended for the site. **The FHWA agrees with this NRHP eligibility recommendation and requests the SHPO's concurrence with this recommendation.**

As the unnamed ditch (24ST717) is not recommended eligible for the NRHP and assuming the SHPO concurs with this recommendation, any impacts to the ineligible unnamed ditch (24ST717) will result in no effect to cultural resources listed on or eligible for the NRHP. **The FHWA requests the SHPO's concurrence with this recommendation.**

HRA identified the newly recorded Phillips Ditch (24ST718) within the APE. The Phillips Ditch's origins date back to at least 1903 and it remains in use today. HRA believes that it retains its original alignment (integrity of location), and the irrigation feature appears to retain integrity of design, setting, feeling, and association. Disturbances of the landform within the APE, the alteration of the ditch banks at the road crossing, and the installation of modern culverts have compromised some integrity of design, materials, and workmanship. HRA recommends the alignment of Phillips Ditch as eligible for the NRHP under Criterion A for its association with early agricultural use and development of the West Rosebud Creek area. The ditch is not part of the incorporated West Rosebud Ditch Company which was established in 1903, but is shown on the GLO plat of the same year. **The FHWA agrees with this NRHP eligibility recommendation and requests the SHPO's concurrence with this recommendation.**

The proposed undertaking will not directly or indirectly alter the defining characteristics of site that qualify the resource for inclusion in the NRHP. The installation of a new culvert and road improvements will not compromise elements of the system that are contributing to the feature's overall significance (e.g., its original alignment and continued use resulting in integrity of location, design, setting, feeling, and association). HRA recommends the proposed undertaking will have no adverse effect on Site

**24ST718. The FHWA agrees with this Section 106 finding of no adverse effect and requests the SHPO's concurrence with this recommendation.**

HRA identified the newly recorded Miller Ditch (24ST719) within the APE. The Miller Ditch dates back to at least 1903 and continues to be used today. HRA believes that it retains its original alignment (integrity of location), and the irrigation feature appears to retain some integrity of design, setting, feeling, and association. Disturbances of the landform within the APE, the alteration of the ditch banks at the road crossing, and the installation of modern culverts have compromised some integrity of design, materials, and workmanship. HRA recommends the alignment of Miller Ditch as eligible for the NRHP under Criterion A for its association with early agricultural use and development of the West Rosebud Creek area. The ditch is not part of the incorporated West Rosebud Ditch Company which was established in 1903, but is shown on the GLO plat of the same year. **The FHWA agrees with this NRHP eligibility recommendation and requests the SHPO's concurrence with this recommendation.**

The proposed undertaking will not directly or indirectly alter the defining characteristics of site that qualify the resource for inclusion in the NRHP. The installation of a new culvert and road improvements will not compromise elements of the system that are contributing to the feature's overall significance (e.g., its original alignment and continued use resulting in integrity of location, design, setting, feeling, and association). HRA recommends the proposed undertaking will have no adverse effect on Site 24ST718. **The FHWA agrees with this Section 106 finding of no adverse effect and requests the SHPO's concurrence with this recommendation.**

Based on the information presented above, the FHWA recommends that the proposed West Rosebud Creek Road Reconstruction Project, MT STILLWATER 207(1), will result in a no adverse effect Section 106 finding of effect. **The FHWA requests the SHPO's concurrence with this Section 106 finding of effect.**

Section 4(f) of the Department of Transportation Act of 1966 affords protection to publicly-owned parks, recreation areas, and wildlife and waterfowl refuges, as well as publicly or privately-owned historic properties. The project will result in no adverse effect to cultural resources listed on or eligible for the NRHP (West Rosebud Creek Road [24ST362]; Phillips Ditch [24ST718]; and Miller Ditch [24ST719]). Therefore, the WFLHD intends to make a *de minimis* Section 4(f) impact determination according to 23 CFR § 774.17 based on the assumed SHPO's concurrence with the FHWA's aforementioned no adverse effect recommendations. This letter informs the SHPO of the WFLHD's intent to make a *de minimis* impact determination according to 23 CFR § 774.5(b)(1).

I appreciate your attention to this request. If you have any questions, or should you require any additional information, please contact me at the above address, by phone at (360) 619-7636, or by e-mail at michael.schurke@dot.gov.

Sincerely yours,



Michael Schurke, MA, RPA  
Archaeologist

May 4, 2015  
Montana State Historic Preservation Office  
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MCS

Enclosure(1)

cc: Seth English-Young, Environmental Protection Specialist, FHWA  
Keith Wong, Project Manager, FHWA  
Jon Axline, Historian, MDT

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**Montana**  
**Historical Society**

*Historic Preservation  
Museum  
Outreach & Interpretation  
Publications  
Research Center*

May 18, 2015

Mr. Michael Schurke  
Western Lands Highway Division  
610 E. Fifth Street  
Vancouver, WA 98661

Re: West Rosebud Creek Road Reconstruction Project  
MT STILLWATER 207(1)

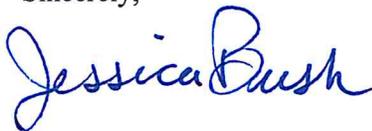
Dear Mr. Schurke:

Thank you for the letter and associated materials (received May 5, 2015) regarding the proposed West Rosebud Creek Road Reconstruction project in Stillwater County, Montana. We concur that cultural resources 24ST0718 and 24ST0719 are Eligible for the National Register of Historic Places (NRHP) under Criterion A, and that 24ST0717 is Not Eligible for the NRHP.

We also concur that this undertaking, as it was described in the provided documentation, will have No Adverse Effect on Historic Properties.

If you have any questions or concerns, do not hesitate to contact me at (406)444-0388 or [JBush2@mt.gov](mailto:JBush2@mt.gov). Thank you for consulting with us.

Sincerely,



Jessica Bush, M.A.  
Review and Compliance Officer  
Montana State Historic Preservation Office