



YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



AGENDA

Wednesday, May 27, 2015 MEETING TIME: 6:00 p.m.

1st Floor Large Conference Room, Miller Building
2825 3rd Avenue North, Billings, Montana 59101

1. **CALL TO ORDER - Planning Board President:** Welcome and Introduction of new and returning Board Members.
2. **APPROVAL OF AGENDA*** - including any additions or deletions to agenda. The agenda for a regular meeting will be closed at 5:00 p.m. three (3) working days prior to the date of the meeting.
3. **MEETING MINUTES:** April 8, 2015
4. **PUBLIC COMMENT PERIOD** – As required (3 minute maximum per person). *Any member of the public may be heard on any subject that is not on the agenda. The Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting's agenda for discussion.*
 - 4a) **Comments on items not on agenda and requests to add items to future agendas**
 - 4b) **Comments on items on the non-public hearing agenda items**
5. **DISCLOSURE OF CONFLICT OF INTEREST:**
6. **DISCLOSURE OF EX PARTE COMMUNICATION:** Ex Parte Communication Binder is available at the Sign-In and Agenda station.
7. **OLD BUSINESS** (Agenda items that were not discussed or not completed in a previous meeting or items requiring action).

8. **NEW BUSINESS:** (Agenda items new to this meeting).

a. **DISCUSSION: 2015-2019 TIP Amendment** I Federal regulations require that Metropolitan Planning Organizations (MPOs) review and update their Transportation Improvement Programs (TIP) periodically. Due to additional projects being added to the current Billings MPO 2015-2019 TIP and a variety of cost adjustments to existing projects, the Billings MPO requires a TIP amendment. This amendment will be called the 2015-2019 TIP Amendment I. The projects that have been amended include Bench Boulevard, Airport Road and Zimmerman Trail, and cost adjustments on a variety of other projects. These projects are programmed into MDT project funding and are not funded through local allocations. The Yellowstone County Board of Planning will review the TIP amendment at this meeting and conduct a public hearing on the TIP Amendment at its meeting on June 9.

b. **DISCUSSION. City and County Subdivision Regulation Amendments-**Planning staff was recently alerted to an inconsistency in the local subdivision regulations with state law in relation to subdivision of land within a 100-year floodplain. It is desirable to have local subdivision regulations that are consistent with all other applicable laws. This proposed amendment is designed to bring the local and state regulations related to the 100-year floodplain into alignment with each other.

9. **OTHER BUSINESS:**

a. **GROWTH POLICY UPDATE. CANDI MILLAR, DIRECTOR, PLANNING & COMMUNITY SERVICES DEPT:** How the city grows and where it grows have significant consequences for existing and future residents and business. If growth is restricted to our current city limits, is there enough land for housing and businesses to serve an increasing population? If growth was allowed to continue westward and northward, will we have enough resources to serve and maintain the outlying development? What about the needs of current and future residents? The average age of our population has increased; from 36.8 in 2000 to 37.5 in 2010, but more importantly the population in general is aging. The largest population cohorts in Billings are the millennials, age

20 – 35, and the late baby boomers, age 45 – 65. These two generations will drive what types of public services and facilities are needed in the future. (see attached population pyramid).

10. ADJOURNMENT

**FUTURE AGENDA ITEMS FOR TUESDAY, JUNE 9, 2015
Public Hearing. Motion and Recommendation to PCC: 2015-2019
Transportation Improvement Plan Amd I
Scott Walker, Transportation Planner**

**Plat Review: Lone Tree Industrial Park, A 7-lot County major subdivision generally located at 6875 King Avenue West Richard Cotter, Applicant
Dave Green, Planner I**

**Plat Review: Clear Creek Subdivision, 2nd Amd L5 B1, a 2-lot County Commercial Subsequent minor subdivision generally located at on Pine Ridge Lane. Blueline Engineering on behalf of Bob and Dorothy Lambert
Dave Green, Planner I**

**Plat Review: Aspen Ridge Subdivision, 2nd Filing, a County Residential major subdivision generally located in Lockwood near San Marino and Noblewood Drive. Blueline Engineering on behalf of Superior Builders, LLP
Wyeth Friday, Planning Division Manager**

Planning Board Public Hearing

Meeting Date: 05/27/2015

Information

Subject

MEETING MINUTES: April 8, 2015

Attachments

[PLNB Minutes_2015_04_28](#)

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

Board Attendance Roster: Please note: “E” stands for excused absence, “A” stands for un-excused absence, “1” stands for present.

BYLAWS, YELLOWSTONE COUNTY BOARD OF PLANNING, (Amended. May 25, 2004)

Section 4. Absences and Removal

- A. Each member shall inform the Planning Director at least one day before the meeting of his/her inability to attend a Board or Committee meeting. Such an absence shall be considered an excused absence.
- B. If any Board member accrues three (3) or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residence, or by announcement at a meeting attended by him/her, the President may call such absences to the attention of the Board which may then recommend to the appointing authority that such member be asked to resign and that another person be appointed to serve out the unexpired term. Schedule: (** denotes a Wednesday meeting)

	Position	01/13/2015	01/27/2015	02/11/2015	02/24/2015	03/10/2015	03/24/2015	04/14/2015	04/28/2015	05/12/2015	05/26/2015	06/09/2015	06/23/2015	07/14/2015	07/28/2015	08/11/2015	08/25/2015	09/08/2015	09/22/2015	10/13/2015	10/27/2015	11/10/2015
Dave Goodridge	Mayor/Billings Ward I	-	-	-	-	1	1	-	1													
Patrick Klugman	Mayor/Billings Ward II	1	1	1	-	1	1	-	1													
Donna Forbes	Mayor/Billings Ward III	1	1	E	-	1	1	-	1													
Darell Tunnicliff	Mayor/Billings Ward IV	1	1	1	-	-	1	-	1													
Dick Clark (President)	Mayor/Billings Ward V	1	E	1	-	1	1	-	1													
Vacant	YC District 1	-	-	-	-	-	-	-	-													
Dennis Cook	YC District 2	1	1	1	-	-	E	-	1													
Lisa Sukut	YC District 3	1	E	E	-	-	E	-	E													
Vacant	YC District 4	-	-	-	-	-	-	-	-													
Don Reed	YC District 5	E	E	1	-	-	1	-	1													
Dean Clark	YC District 6	E	E	1	-	1	1	-	1													
Al Littler	YC District 7	1	1	1	-	1	E	-	E													
Clint McFarland	Y County Cons. District	1	1	1		1	1	-	E													
Scott Reiter	Ex-Officio S.D. 2 Facilities Director	E	E			1	1	-	1													
Supt. Terry Bouck	Ex-Officio S.D. 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

April 28, 2015

To be approved by a motion on May 27, 2015

1. Call the Meeting to Order

President Dick Clark called the meeting to order at 6:00 p.m. on Tuesday, April 28, 2015, in the Miller Building 1st Floor conference room, 2825 3rd Avenue North, Billings, Montana.

Introduction of Planning Board Members and Planning Department Staff

President Clark called for introductions of the members of the Planning Board and staff.

Attending Planning staff members were: Candi Millar, Planning and Community Services Department Director; Juliet Spalding, Subdivision Coordinator; Wyeth Friday, Planning Division Manager; Scott Walker, Transportation Planning Coordinator

Others attending: Toby Liechti, Blueline Engineering; Marshall Phil, Blueline Engineering; Jason Hertz, Applicant; Travis West, Engineering West; Birgit Beierwates, resident; Chris Beierwaltes, resident; Kathy Karls, resident; Jim Karls, resident; Jim Routson, resident; Shari Endy, resident; Keith Phillips, resident; Duke Cherpeski, resident; Lanny Lucara, resident; Ted Schmitz, resident; Carol Phillips, resident; Rick McCann, resident; Mike Penfold, resident; Don Vanica, BPAC; Eva Hollenbeck, resident; Roger Williams, resident; Sara Hudson, BSEDA; Kristi Drake, BSEDA; Jason Hertz, resident

- 2. Approval of the Agenda-**President Clark called for approval of the April 28, 2015 meeting agenda. He made a request to move the New Business item 8a) Dover Park and the Bypass Discussion forward to be heard first.

Motion

Donna Forbes made a motion and it was seconded by Don Reed to approve the April 28, 2015 meeting agenda and move New Business Item 8a) Dover Park/Bypass Discussion forward to be heard first.

The motion carried with a unanimous voice vote.

- 3. Meeting Minutes for March 24, 2015. (The April 14, 2015 meeting was cancelled due to a lack of agenda items).** President Clark called for approval of the approval of the March 24, 2015 meeting minutes.

Motion

Donna Forbes made a motion and Patrick Klugman seconded the motion to approve the March 24, 2015, minutes.

The motion carried with a unanimous voice vote.

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- 4. Public Comment:** President Clark asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public may be heard on any subject that is not on the agenda; the Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion.

There were no Public Comments given during this time.

- 5. Disclosure of Conflict of Interest – Board members and Planning Staff.** There were no disclosures of conflict of interest.

- 6. Disclosure of Outside (Ex Parte) Communication– Board Members and Planning Staff.** The Ex Parte Communication Binder is available at the Sign-In and Agenda station. There was none.

8. NEW BUSINESS

8a. Discussion. Dover Park/North Bypass Project. Planning Board and Staff.

Planning Division Manager Wyeth Friday introduced Darrell Wilson, President, Yellowstone River Parks Association, (YRPA), who provided an overview of history of Sindelar family and Dover Park. He pointed out the posted master plan of the John H. Dover Park and stated YRPA has presently been gifted by the Sindelar family 172 acres with the intent of giving them another 552 acres. They have developed the lower creek bottom and built five bridges, and have approximately 1,200 feet of soft trail completed. He said a soft opening of the Dover Park project could be this fall. The proposal is that the large pond/lake could be used for storm water management as well as recreation uses. There is about 2.5 miles of Yellowstone River frontage for park that included a lot of trails and a bridge crossing of the water areas.

Discussion

Darrell Wilson asked the Board for questions. Donna Forbes asked about flooding potential for this area and Darrell Wilson said flooding would probably be more likely near the 5 Mile Creek Drainage through the creek bottom. He stated YRPA has been deeded 172 acres, with some owned by the nature conservancy and a conservation easement. In response to a question by Dick Clark, Mr. Wilson said it will be a public park with public access. He said ownership will be non-profit but in a partnership with City and County. Dick Clark asked about the location of the Bypass and Darrell Wilson explained the Bypass will enter and bisect the park at its lower end. He invited the Board to schedule and attend a tour of the park.

Lockwood TEDD/Bypass, Sara Hudson, BSEDA

Ms. Hudson provided the Board with an update on the Lockwood Targeted Economic Development District, (TEDD) along with the history of how the TEDD plan came to be with industrial park feasibility study. She explained the Trailhead Commerce Park effort had started so BSEDA also coordinated with that private effort as well. She said the projects

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are tied together as the Bypass bisects the TEDD and Dover Park. She said the Lockwood Pedestrian and Lighting District expressed concern about pedestrian safety and the need for facilities along the Bypass. BSEDA met with the MDT Director on April 27, 2015, and he expressed support and commitment to ensuring the bridge/bypass has safety facilities. Director Tooley is looking at identified alternatives and will follow up. Also, MDT is working to get a consultant under contract to complete the project design.

Discussion

Dave Goodridge asked whether the Record of Decision on the Bypass project would be opened. Ms. Hudson said the June 19, 2015 deadline is last opportunity to file a claim for judicial review. Darrell Tunncliff asked if there are reservations about having an industrial park next to the Yellowstone River or if any industrial accident mitigation is needed. Ms. Hudson replied Weave Management conducted a feasibility study. No other questions were asked and President Clark closed the item.

7. OLD BUSINESS- 7a. Subsequent Public Hearing/Motion, Diamond Falls Subdivision -- Juliet Spalding, Subdivision Coordinator. Diamond Falls Subdivision is a proposed 61-lot, County major subdivision of S16, T01 S, R25 E, S2NE (Less C/S 2452 & 2892). The 64.781-acre subject property is located on the north side of Austrian Pine Drive, between South 48th Street West and South 52nd Street West. The property is zoned Residential-15,000, and residential use is proposed. Diamond Falls, LLC, owner; Blueline Engineering, Agent.

Juliet Spalding opened this agenda item at 6:20 pm and gave a brief presentation on the staff report and recommendation. She said since the Planning Board's recommendation of denial on March 24, 2015 the applicant has taken consideration of the discussion and wish to provide additional information to support the application. She stated the Commissioners' agreed there is substantial information and recommended staff return this review to the Planning Board for a subsequent public hearing. She clarified that the hearing and discussion this evening is to focus on the new information provided and not repeat the information and hearing comments from the first Planning Board hearing. She completed an abbreviated presentation on the subdivision, timeline, and the new information on the septic systems. She said there were five new pieces of information on the SepticNet systems proposed to service the lots. She went into some detail on the new information on the systems to limit nitrate release into the soil. She also noted the operation and maintenance procedures.

RECOMMENDATION

Planning staff recommends that the Planning Board review the additional information provided by the applicant, hold a subsequent public hearing to take testimony on the new information, and make a recommendation to the Board of County Commissioners. Based on the original submittal information and the additional information provided by the applicant, staff recommends the Planning Board recommend conditional approval of the Diamond Falls Subdivision.

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Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To minimize effects on local services, the Homeowners’ Association shall be established concurrent with the final plat recording. Articles of Incorporation, Covenants, Conditions & Restrictions, and any other appropriate documents for its creation shall be provided with the final plat documents.
2. To minimize effects on local services, prior to final plat approval, the 30,000 gallon dry hydrant system shall be installed as approved by the Billings Fire Department and a Rural Special Improvement District – Maintenance (RSID-M) shall be created for its maintenance.
3. To minimize effects on the natural environment and public health and safety, a note shall be added to Section II. of the Subdivision Improvements Agreement (SIA) stating that future landowners are responsible for having a Montana Registered Professional Engineer inspect and provide as-built certification that the improvements for the SepticNet drain field are constructed as shown on the Drain field Plans as required by Montana Department of Environmental Quality (MDEQ) at the time of septic permitting. A separate note shall notify future lot owners that there is an operation and maintenance plan in place for the approved septic system that must be followed in order to ensure proper functioning of the system.
4. To minimize effects on the natural environment and public health and safety, a note shall be added to Section II. SIA stating that future landowners are prohibited from building structures on the areas identified as primary drain field and replacement drain field on the MDEQ Certificate of Subdivision Approval exhibit.
5. To minimize the effects on the natural environment, a weed management plan and property inspection shall be approved by the County Weed Department, prior to final plat approval.
6. To ensure compliance with zoning, a note shall be added to Section II of the final SIA indicating that Zoning Compliance Permits shall be submitted for review and approved by the City-County Planning Division prior to construction on the lots.
7. To minimize the effects on local services, prior to final plat approval an RSID-M will be created or expanded, as appropriate, to provide maintenance of the new interior roads of this subdivision and Austrian Pine Road.
8. To minimize the effects on agricultural water user facilities, evidence that the existing irrigation facility on and adjacent to the subject property does not serve downstream users shall be provided prior to final plat approval.
9. To minimize effects on local services, improvements to Austrian Pine Road shall be made in phases, to bring it up to current County paved road standards. Any necessary improvements from Bridle Creek Trail to S. 48th St. West shall be made during Phase I, while improvements from S. 52nd St. West to Bridle Creek Trail shall be made during Phase II. Updates shall be made to Section XI. of the final SIA to reflect these requirements.
10. To minimize effects on local services, prior to Phase II development, the developer shall apply for and receive the appropriate provisional permit for additional water rights from Montana Department of Natural Resources and Conservation (DNRC). A note shall be added to Section VI.A. of the final SIA stating this requirement.

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11. To minimize effects on local services, a note shall be added to the face of the final plat and Section VI.B. of the final SIA indicating which lots will retain sanitary restrictions until future approval is granted by MDEQ.
12. To minimize effects on local services, a Park Maintenance District shall be established prior to final plat approval for future maintenance of the dedicated parkland.
13. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
14. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

Planning Board Discussion

President Clark called for discussion and questions from the members of the Board. Donna Forbes asked if a septic tank is needed and then the SepticNet system, or just the Septic Net system? She also asked how a power loss would affect the systems.

Public Hearing

At 6:30 p.m., President Clark opened the public hearing and asked if there was anyone wanting to speak in favor or in opposition to Diamond Falls Subdivision.

Marshall Phil, Blueline Engineering, 2110 Overland Avenue, Billings, Montana

Mr. Phil is the agent for Diamond Falls, LLC, (Rod Lorenz and Jason Hertz). He focused on roads and irrigation in the area. He said the only irrigation user is to the east; and they are talking to that land owner about drilling him a well or finding another option for his irrigation needs. The developer has discussed widening Austrian Pine Road along with possible tree trimming to adjust it to make it feel safer and easier to travel. County Public Works is reviewing a proposal for 52nd Street West for a slightly narrower half-street cross section.

Travis West, Engineering West, Columbus, Montana

Mr. West stated his firm has worked on the storm water, septic, and well permitting and systems. He said there were a lot of questions at the last hearing and they did not have the data but they do now. He explained that each property will need a septic tank, SepticNet system and drain field. Nitrate levels on the property are around 10 mg/L. The new SepticNet systems can reduce the nitrate levels to 5.5 mg/L. The reduction of nitrate levels by the SepticNet will act as a filtering system for the existing nitrate levels in the ground and put less nitrate into ground than is there now. A power failure would mean no pumping for water well and so no wastewater discharge. Mr. West said he asked the inventor of SepticNet about failure of the bioreactors or pump failure. The system stops discharging and the property owner has 3 days to address failure while system has capacity to hold effluent during that time. Each system has a computer that sends out reports daily to the company and has some capability for remote operation. Mr. West said the system provides a lot of data and he asked that the decision be made by Board to let MDEQ complete its review and determine if it is acceptable per the MDEQ review and approval process.

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Discussion

Darrell Tunnickliff noted that the information presented noted three of the five systems that were presented failed. He said it seems the households with fewer residents had the trouble with the systems. Travis West said he could not comment on details of test system data but said this is the only system approved that can meet MDEQ’s requirements. Darrell Tunnickliff also asked about the system maintenance and operation, and who will ensure homeowners will take care of the system. Travis West replied that MDEQ has enforcement ability if the home owner fails to maintain the system.

David Goodridge asked if the system must meet certain levels of treatment and if there is a level of nitrates too high for SepticNet to manage. Travis West stated he is not aware of a situation that was too high for the system to manage.

Donna Forbes asked how many systems have been installed to date. Mr. West said a system is being installed in West Billings this week for a commercial application, (storage project for Todd Iccopini), and one was installed last year. He said others have been installed around Montana and the information provided was for MDEQ.

David Goodridge asked who will manage maintenance and operations. It was discussed that the property owner in conjunction with a SepticNet technician would be responsible for maintenance and operations.

Jason Hertz, 3472 Stone Mountain Circle, Billings, Montana

Mr. Hertz is the developer. He stated his purpose is to build a quality subdivision with homes matching and exceeding the surrounding area homes. He said SepticNet will provide a service tech in Billings to manage systems in this area given the demand for the systems. Mr. Hertz asked the Planning Board to forward a recommendation of approval so that MDEQ can proceed with its review process. He pointed out they need local approval of the subdivision before MDEQ will complete its review; they are unable to move forward if it is not approved. Mr. Hertz explained that a Home Owners Association cannot address issues with a septic system on private property. MDEQ has the regulatory authority to enforce proper operation.

Travis West explained the process of local subdivision and MDEQ review. He reiterated MDEQ approval must be obtained before the final plat may be approved.

Dick Clark asked whether the Board has ability to look into specific systems in regard to its recommendation. Candi Millar said that the Board is expected to review all of the information but not be an expert on any one issue. She said MDEQ does have experts on staff with the ability to make a final denial or approval.

David Goodridge asked if other residential subdivisions in Montana use these systems. Mr. West replied he does not know.

Darrell Tunnickliff asked if the test systems are still working and providing subsequent data. Travis West stated he does not know but MDEQ requires reporting on the systems. He said they are conducting sampling on an annual basis as required on any Level 2 system.

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Don Reed commented that this is a pretty complex system and there will be 61 complex systems in this development. He asked if consideration was made for an alternative system to service the entire subdivision. He pointed out each homeowner carries the responsibility of system treatment. Travis West said the computer on the system will report needs for repair and MDEQ will deal with instances of neglect.

Public Hearing Comments:

Shari Endy, 1215 Bayberry Circle, Billings, MT, 59106

Ms. Endy’s property is adjacent to the subdivision. She said she won’t repeat what she said at the last meeting but she has done more research. She said that while the SepticNet system is a great system it may not be the right system for Diamond Falls Subdivision.

Ms. Endy stated the SepticNet system won’t reduce the nitrate levels in the groundwater. She reported a conversation with Barb Kingery of MDEQ who explained they consider water quality, quantity and availability. Ms. Endy has spoken with the State Nitrate Manager, Scott Patterson. She explained what happens when 10 parts per million of nitrate in a drinking well system for a public system is exceeded. She said this must be monitored and often times, the systems are forced onto cisterns. Ms. Endy stated she doesn’t understand why individual residential systems are not held to same standards. She said she does not think that the Type 2 SepticNet system is the answer for this subdivision. She said SepticNet is not approved for commercial treatment and does not treat phosphorous. Ms. Endy stated said her primary concern is homeowners operating these complex systems, as the opportunity for failure is significant. She plans to bring this issue to MDEQ for consideration in subdivision review. Ms. Endy commented on the West Billings Hydrogeology Study that found that irrigation is the recharge for all wells in the area.

Darrell Tunnickliff asked how much nitrate agriculture puts into the ground compared to residential subdivision. Ms. Endy described the process of calculating nutrient levels and said she does not know the difference in nitrate levels between agricultural production properties and residential development. Darrell Tunnickliff also asked if she is opposed to new subdivisions. Ms. Endy stated she is not opposed to the subdivision; her primary concern is the groundwater quality and feels there are other treatment options for this development.

Carol Phillips, 5152 Bridle Creek Trail, Billings, Montana

Ms. Phillips is a systems engineer and the Tech Director at Elder Grove School. She said she knew this land would someday be developed, and assumed the developer would be interested in the value of the surrounding properties, health, and safety. She voiced concern with this subdivision as it has many points of failure that will affect area water quality. Her concerns are related to the SepticNet system has alarms and reporting systems including power failures; MDEQ’s response time to failures; SepticNet’s ability to respond to multiple calls for service; the lack of a land line for monitoring; and the viability of SepticNet as a business. She commented septic systems are only supposed to operate for five years and asked who will address the issues if the system fails. She said she feels the SepticNet system is too new for this large of a project and it is too great a

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risk. Ms. Phillips stated she doesn't have an issue with a subdivision next door but feels that these systems are not tried and true.

Shari Endy, 1215 Bayberry Circle, Billings, Montana

Ms. Endy asked how MDEQ can enforce a private system as the reporting is tied to the contract between the home owners and SepticNet.

Kathy Carls, Bridle Creek Trail, Billings, Montana

Ms. Carls considered purchasing the property at the southeast corner of subdivision. The water was tested and was at 11.3 mg/L in nitrate levels. She was advised by MDEQ that the water is unsafe to drink.

Eva Hollenbeck, 4950 Austrian Pine Drive, Billings Montana

Ms. Hollenbeck lives on Austrian Pine at south side of this property. She said MDEQ is understaffed and can't respond quickly due to limited resources and staffing.

Ted Schmitz, 5040 Bridle Creek Trail, Billings, Montana

Mr. Schmitz asked the Board for their serious consideration of this proposal, and to not “toss it down” to MDEQ. He said he read the SepticNet material and he is concerned about limited testing to it and its viability. He said the SepticNet maintenance and operation of the systems is very complex and asked what happens if something goes wrong or the ownership is transferred. In reference to the proposed upgrades to Austrian Pine Drive, he stated he thought the street improvement was going to be wider than 4 feet and expressed concern that it will have a lot more traffic when this is developed.

Chris Beierwaltes, 1228 Bayberry Circle, Billings, Montana

Mr. Beierwaltes thinks liability is a big issue for all of these systems. He stated he maintains his septic system and has had trouble even though it is simple. Recently his water quality was tested as 11 mg/L. He asked who is the expert when developers say, “Push it down the line”. He said the experts are working for the applicants so there is a conflict of interest. Mr. Beierwaltes asked if we are going to continue to piecemeal the development of the west end of Billings until something happens. He stated development of smaller lots with septic systems is creating a bad situation.

Keith Phillips - 5152 Bridle Creek Trail, Billings, Montana

Mr. Phillips is an electrical engineer. He stated the SepticNet system may be okay but it is going to fail and it impact the residents' water and safety. He said there are going to be 61 systems installed and failures will occur and asked the Board to weigh the issues.

Rebuttal of developer

Travis West, Engineering West, Columbus, Montana

Mr. West stated they have looked at many of the concerns brought forward and they are valid questions. A community system was considered but that kind of system impacts the soil more than individual systems. He stated SepticNet systems are approved for residential use and commercial uses with residential-level discharge. DNRC will review water rights for the 61 wells and it is unknown if they will approve of all of the applications. He pointed out the cumulative issue in West Billings is there whether this

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development is approved or not. This system will add less nitrogen to the ground but existing drain fields are putting high levels of nitrate into the ground anyway. He stressed the problem needs to be fixed either way. Mr. West commented his expertise is biased for the developer which is why MDEQ completes the review and checks the developer’s work. MDEQ will complete the technical review including review of all public comments.

Jim Carls, 5063 Bridle Creek, Billings, Montana

Mr. Carls asked if this project connect to the City system as it is a short distance away. He said this is his recommendation.

Candi Millar reminded all in attendance of the public hearing procedures. She said the City has an annexation policy and they are limited on the ability to provide police and fire services. This property is not within the current limits of annexation established by the City’s policy.

President Clark asked if there is anyone else wishing to speak in favor or against the Diamond Falls Subdivision. There was none. President Clark closed the Public Hearing at 8 p.m.

Darrell Tunnicliff asked if Planning staff looks at technical information. Candi Millar responded they do but must rely on MDEQ for technical review of septic systems. She continued and explained the role of the Planning Board to use criteria and look at mitigation through conditions. She said the Board can recommend denial but must make sure it cannot be mitigated as State law requires that a recommendation of denial must be reasonably related to the impact that cannot be mitigated.

Motion

David Goodridge made a motion and it was seconded by Dean Clark to forward a recommendation of conditional approval of Diamond Falls Subdivision with the conditions and Findings of Fact presented by Staff.

Discussion

President Clark called for discussion on the motion.

Dave Goodridge stated that in his opinion this is outside the Board’s review to determine if the SepticNet systems will work or not but MDEQ is qualified and will review the proposal. He stated the proposed density makes him nervous but there are checks and balances with the new system. He noted you don’t know a standard system is failing until snow turns brown and said the development will have some system in place one way or the other.

Darrell Tunnicliff commented a vault system may provide better containment of the sewage. Juliet Spalding stated a vault system requires monthly pumping and she is not aware that a community system would work.

Donna Forbes said initially there will be 13 systems and if the system doesn’t work they will know prior to installation in the rest of the development. Candi Millar stated the

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subdivision could be conditioned to have phasing of project. Juliet Spalding stated the subdivision is already phased and restricted so that wells and septic systems must be approved before additional lots could be approved. Donna Forbes reiterated the project will have a few houses to start with; the systems will be tested; and if they don't work a different system will be used.

Discussion

President Clark called for discussion on the motion. Board member Goodridge indicated he was not against getting this sorted out but he had unresolved concerns about the mechanical sustainability of the proposed septic systems.

President Clark called for vote on the motion for the recommendation of conditional approval.

The motion carried 6-2 with Board members Don Reed and Darrell Tunncliff voting against the motion. Board members in favor of the motion included David Goodridge, Darrell Tunncliff, Dean Clark, Dick Clark, Patrick Klugman, Donna Forbes, and Dennis Cook.

ADJOURNMENT:

ATTEST: DRAFT. To be approved on May 26, 2015

Richard Clark, President, Yellowstone County Board of Planning

Candi Millar, Planning Board Executive Secretary and Planning and Community Services Department Director



YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



Planning Board Public Hearing

Meeting Date: 05/27/2015

Information

PROBLEM/ISSUE STATEMENT

DISCUSSION: 2015-2019 TIP Amendment I Federal regulations require that Metropolitan Planning Organizations (MPOs) review and update their Transportation Improvement Programs (TIP) periodically. Due to additional projects being added to the current Billings MPO 2015- 2019 TIP and a variety of cost adjustments to existing projects, the Billings MPO requires a TIP amendment. This amendment will be called the 2015-2019 TIP Amendment I. The projects that have been amended include Bench Boulevard, Airport Road and Zimmerman Trail, and cost adjustments on a variety of other projects. These projects are programmed into MDT project funding and are not funded through local allocations. The Yellowstone County Board of Planning will review the TIP amendment at this meeting and conduct a public hearing on the TIP Amendment at its meeting on June 9.

BACKGROUND

The TIP is a short-range program of highway and transit projects in the Billings Metropolitan Planning Organization area, and is prepared by Planning Division staff in cooperation with state and local agencies. The basic purpose of the TIP is to provide the mechanism for scheduling federal funds for surface transportation projects, indicate regional priorities, and demonstrate a short range transportation vision for the area. A secondary purpose of the TIP is to provide information about other transportation projects in the urbanized area that are exempt from the TIP approval process such as projects that do not utilize federal funds. This TIP Amendment is being presented to the Planning Board for review due to a modification of federal funding.

FINANCIAL IMPACT

There is no local financial impact to the City or County. The projects being modified through this amendment are all funded through the Federal Highway Administration and Supplemental funding through the Montana Department of Transportation.

RECOMMENDATION

Staff recommends the Planning Board review the 2015-2019 TIP Amendment I at this meeting and plan to conduct a public hearing on June 9 and make a recommendation to the Policy Coordination Committee.

Attachments

2015_19 TIP Amd I DRAFT

BILLINGS URBAN AREA

TRANSPORTATION IMPROVEMENT PROGRAM (TIP)



FY 2015-2019 Amendment I - June 23, 2015

****This document is funded in part through grants from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation. The contents of this document do not necessarily reflect the official views or policy of the U.S. Department of Transportation.**

Prepared by:

Yellowstone County Board of Planning
Billings Metropolitan Planning Organization

In Cooperation With:

City of Billings
Yellowstone County
Yellowstone County Board of Planning
Montana Department of Transportation
Federal Highway Administration
Federal Transit Administration

Reviewed By:

Approval Amendment I

Technical Advisory Committee	11/25/14	05/21/15
Yellowstone County Board of Planning	12/09/14	06/09/15
Billings City Council	11/20/14	06/22/15
Yellowstone County Commissioners	12/09/14	06/16/15

Approved By:

Billings Policy Coordinating Committee	12/16/14	06/23/14
Montana Department of Transportation	01/29/15	
Federal Highway Administration	01/28/15	
Federal Transit Administration	01/28/15	

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**METROPOLITAN TRANSPORTATION PLANNING PROCESS
SELF-CERTIFICATION**

The Billings Metropolitan Planning Organization for the Billings, Montana, urbanized area hereby certifies that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- I. 49 U.S.C. Section 5303 and 23 U.S.C. 134 and CFR 450.334;
- II. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C 2000d-1) and 49 CFR, Part 21;
- III. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) regarding the involvement of disadvantaged business enterprises in the FHWA and the FTA funded projects (49 CFR part 26);
- IV. The provision of the Americans With Disabilities Act of 1990 (42U.S.C. 12101 *et seq.*) and the U. S. DOT implementing regulation (49 CFR Parts 27, 37 and 38);
- V. The provisions of 49 CFR part 20 regarding restrictions on influencing certain activities; and
- VI. Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506(c) and (d)), 40 CFR, part 93.
- VII. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity.
- VIII. 23 CFR, part 230, regarding the implementation of an equal employment opportunity on Federal & Federal-aid highway construction contracts.
- IX. The Older Americans Act as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in program or projects receiving Federal financial assistance.
- X. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender.
- XI. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR, part 27 regarding discrimination against individuals with disabilities.

Billings, Montana

Metropolitan Planning Organization

Signature/Date

Richard Clark

President-Yellowstone County Board of Planning

INTRODUCTION

PREFACE

The Yellowstone County Board of Planning (YCBP) is the metropolitan planning organization (MPO) for the Billings metropolitan planning area. The Transportation Improvement Program (TIP) is the funding mechanism for transportation projects requesting federal dollars in the Billings urbanized area. All MPO's are required by the current Federal Highway Bill SAFETEA LU to produce a TIP and update it at least every four years. SAFETEA LU was signed into law by President Bush in 2005, and extended by President Obama through June 2012. The act and extensions authorized highway, highway safety, transit, and other surface transportation programs.

On July 6, 2012 Moving Ahead for Progress in the 21st Century (MAP-21) was signed into law. The law provides federal program funding through the end of Federal Fiscal Year 2014 and brings program structure changes that will be fully addressed in future long range transportation plans and TIPs. This document contains a list of all surface transportation projects requesting the use of federal funds. Local jurisdictions working through the Billings MPO's Policy Coordinating Committee (PCC) determine how the area's transportation system is developed and expanded.

PURPOSE OF THE TIP

The TIP is a short-range program of highway and transit projects in the Billings metropolitan planning area and is prepared by YCBP staff in cooperation with state and local agencies. The basic purpose of the TIP is to provide the mechanism for scheduling federal funds for surface transportation projects, indicating regional priorities, and demonstrating a short range transportation vision for the area. A secondary purpose of the TIP is to provide information about other transportation projects in the planning area that are exempt from the TIP approval process such as projects that do not utilize federal funds.

THE TIP PROCESS

The development of the TIP document is the responsibility of the Billings MPO and provides an opportunity for local officials to determine priorities and spending for federal highway and transit funds. Any transportation project located in the Billings metropolitan planning area must be included in the TIP prior to receiving federal funds. TIP projects must be included in the area's 20 year Transportation Plan, and are proposed for the TIP by local elected officials, transit operating officials, or state highway agencies. The TIP is reviewed and endorsed annually by the Billings MPO's PCC and may be modified through the TIP amendment process. The PCC includes a Billings City Council representative, the Chair of the Yellowstone County Commission, the President of the Yellowstone County Board of Planning and the District Administrator of the Montana Department of Transportation. After PCC endorsement, the TIP is submitted to the Montana Department of Transportation (MDT) and to the Federal Highway Administration and Federal Transit Administration for federal review of the document and approval of conformity and fiscal constraint determination.

FEDERAL REGULATIONS

The Transportation Improvement Program (TIP) is a required planning program for federally assisted highway and transit improvements for the Billings metropolitan planning area and the Montana Department of Transportation (MDT) over a five-year period. The principal focus is given to the first two years of the program, the Biennial Element, which contains projects that could be implemented between July 1, 2015 and June 30, 2017.

The TIP is prepared annually and is in conformance with 23 CFR, Part 450 324-330.

FINANCIAL RESOURCES

A range of federal funding sources is available to the Billings planning area for the purposes of funding transportation system improvements. Following is a list of those sources which, when available to the Billings area, are shown in the Transportation Improvement Program. Project implementation is indicated as expected to occur during the pertinent program year. Billings has had a favorable history of receiving federal earmarks as reflected in the table below.

BILLINGS FEDERAL EARMARK HISTORY – 2003 through 2012

YEAR	EARMARKS
2003	\$ 3,000,000
2004	\$ 2,000,000
2005	\$ 4,960,000
2006	\$ 35,173,900
2007	\$ 0.0
2008	\$ 4,596,200
2009	\$ 4,750,000
2010	\$0.00
2011	\$0.0
2012	\$54,457
TOTAL	\$54,534,557
10 YEAR AVERAGE	\$5,453,455

FUNDING SOURCES

- Surface Transportation Program Urban (STPU)
- Surface Transportation Program Primary (STPP)
- National Highway System (NHS)
- Interstate Maintenance (IM)
- Highway-Railway Crossing Program (RRX)
- Transportation and Community and System Preservation (TCSP)
- Surface Transportation Enhancement (STPE)
- Highway Safety Improvement Program (HSIP)
- Bridge Replacement and Rehabilitation Program (HBRRP)

- Urban Pavement Preservation (UPP)
- Community Transportation Enhancement Program (CTEP)
- State Funded Construction (SFC)
- Congestion Mitigation Air Quality (CMAQ)
- Montana Air Congestion Initiative (MACI)
- FTA Section 5309 (Formerly Sec. 3)
- FTA Section 5307 (Formerly Sec. 9)
- FTA Section 5310 (Formerly Sec. 16)
- FTA Section 5316 Job Access and Reverse Commute (JARC)
- FTA Section 5317 New Freedom
- Congressionally Directed Funds (MT, NCPD, DEMO)
- Safe Routes to School (SRTS)

AIR QUALITY CONSISTENCY

Billings was designated as a non-attainment area for both Total Suspended Particulates (TSP) and Carbon Monoxide (CO) on March 3, 1978, (Federal Register, Vol. 44, No. 150, page 45421, August 2, 1979). As such, Billings was required to prepare a Transportation Control Plan (TCP). The TCP identified strategies to mitigate the TSP and CO problems. The TCP is the Billings element of Montana's State Implementation Plan (SIP). The TIP is required to be, and is, consistent with the TCP as discussed in the Billings conformity statement.

In 1987 the standard for TSP was dropped, and a new standard for particulate matter under 10 microns in size (PM - 10) was adopted (7/1/87 at 52 FR 24854). The Environmental Protection Agency (EPA), has also adopted the PM 2.5 standard and Billings is considered to be in compliance with both of these new standards.

CONFORMITY OF THE BILLINGS AREA TRANSPORTATION IMPROVEMENT PROGRAM WITH THE 1990 CLEAN AIR ACT

A portion of the Billings Urbanized Area, (Billings), was designated non-attainment for carbon monoxide (CO) on 3/3/78 (43 FR 8962) with a secondary classification of "unclassified". EPA approved the Billings CO Control Plan on 1/16/86 (51 FR 2397). Billings was then re-designated as "Not Classified" on 11/6/91 (56 FR 56697). The area meets the qualifications of the Clean Air Act (CAA) for classification as an attainment area for ozone.

The Billings "not classified" carbon monoxide (CO) nonattainment area was re-designated by the Environmental Protection Agency (EPA) to attainment for the CO National Ambient Air Quality Standards (NAAQS) with an approved limited maintenance plan effective April 22, 2002. Under a CO limited maintenance plan, the motor vehicle emissions budgeted may be treated as essentially non-constraining for the length of the maintenance period because growth would need to exceed reasonable expectations to create a violation of the NAAQS for transportation-related CO. Therefore conformity demonstration using regional emissions analysis is not required; however, individual projects may still be required to conduct "hot spot" analysis.

As demonstrated in the following sections, the Transportation Improvement Program (TIP) satisfactorily meets the requirements established by the 1990 amendments to the CAA regarding the conformity of TIP's.

- The most recent estimates of CO mobile source emissions have been developed by the Analytical Services Section, Montana Department of Environmental Quality and are based upon development and transportation data provided by the Yellowstone County Board of Planning.

TRANSPORTATION CONTROL MEASURES

Specific Transportation Control Measures have not been proposed for Billings recently, however, the SIP completed in 1986 included the widening of Exposition Drive (Main Street) and the signalization at Main Street and First Avenue North. Both of these projects were completed in 1983.

There are no Transportation Control Measures (TCM's) in the State Implementation Plan (SIP) and therefore there are no specific TCM's recommended for implementation in this TIP.

TIP CONFORMITY

As a prerequisite for receiving Federal-aid transportation funds through the TIP, a determination must be made that the proposed transportation projects do not cause or contribute to violations of the carbon monoxide ambient air quality standards. An analysis, which meets the EPA conformity determination regulations specified in 40 CFR Part 51 was performed in conjunction with the development of the Billings Urban Area 2014 Long Range Transportation Plan. The plan was found to conform at the federal level November 10, 2014. The analysis appears in Section 4, pages 4-24 through 4-27 of the Plan document and is titled "Air Quality/Conformity". As the transportation projects in the TIP are contained in the Transportation Plan's analysis, a separate analysis for the TIP is not necessary.

There are no new regionally significant projects in this 2015-2019 Billings Urban Area TIP.

NEW PROJECTS EXEMPT FROM REGIONAL ANALYSIS

Project	Scope	Comments
Exposition Dr & 1 st Ave N-concrete pavement rehab		
27 th St-1 st Ave S to Airport-mill/overlay (pavement preservation)		
2012 Scour Mitigation-Bridge Scour Mitigation (Dick Johnson Bridge)		
I-90 Yellowstone River Bridge-Bridge Replacement		

(Table 1): EXEMPT PROJECTS

REGIONALLY SIGNIFICANT PROJECTS

Project	Scope	Comments
6 th Avenue/Bench Connection	Reconstruction	In design
Billings Bypass (aka North Bypass)	Location/Environmental	Ongoing
Bench Boulevard-Billings Phases I and II	Reconstruction	Phase I letting in 2013 Phase II letting anticipated in 2015

(Table 2): REGIONALLY SIGNIFICANT PROJECTS

ENERGY CONSERVATION CONSIDERATIONS

Energy impact analyses have been conducted as a part of the urban transportation planning process. In addition, increased attention has been given to energy conservation and contingency planning on a project specific basis.

As part of the 2009 update of the Billings Urban Area Transportation Plan, energy conservation was considered in each of the proposed alternative transportation networks.

The City of Billings has a well-developed transit system, and ride-sharing opportunities have been examined. Transit facilities and highway system proposals will continue to be considered in a comprehensive method through the adopted Transportation Planning process.

The detailed energy conservation analysis of specific projects has been conducted for each of the major highway construction projects recommended in the 2009 update of the Billings Urban Area Transportation Plan.

**PROGRAMMING OF NON-URBAN SYSTEM,
FEDERAL AID AND STATE FUNDING**

Proposed projects involving federal-aid funding, other than urban system funding, that are proposed within existing rights-of-way and which are determined to not significantly change traffic patterns, may not be considered to be of appropriate scale to warrant a modification to a currently valid TIP.

When there is knowledge of such projects prior to the annual adoption of the TIP, each project will be included in the program. Generally, projects falling within this category are those which serve to preserve and maintain the integrity of the existing plant or facility such as: overlays to improve or maintain surface conditions; bridge expansion joints and deck repairs necessary to maintain structural and surface sufficiency; slope repair necessary to maintain drainage adequacy; etc. Projects of this nature will be identified by MDT with appropriate justification when requesting program approval of federal highway funds.

Local urban area officials will be advised by the Department through the local planning process of the Department's intent to expend federal funds (non-urban system) for such improvements in their area.

(Table 3) -TRANSPORTATION REVENUE ESTIMATES (2015-2019)

BILLINGS, MONTANA																			
YEAR	SURFACE TRANS PROGRAM (STP) (URBAN)*	CMAQ LOCAL	MONTANA AIR CONGESTION INITIATIVE (MACI)*	EARMARKS (MT/NCPD/ DEMO)	SURFACE TRANSPORTATION ENHANCEMENT**	TRANSPORTATION ALTERNATIVES (TA)	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	STATE UPP RRP MDT-MACI	HSIP BH BR	GAS TAX		TRANSIT SEC 5307	TRANSIT SEC 5310	TRANSIT SEC TRANSADE	TRANSIT SEC 5339	OTHER FUNDS (LOCAL)	TOTAL		
CARRYFORWARD	\$ 12,016,934	\$ 6,232,673	\$ -	\$ 25,141,588	\$ 2,030,301													\$ 45,421,496	
2015										CITY	\$ 1,771,687	OPER.	\$ 1,718,629		\$ 117,000	OPER.	\$ 2,421,696	\$ 6,029,012	
	\$ 2,489,770	\$ 1,432,171	\$ 589,817			\$ 195,400	\$ 3,285,555	\$ 3,013,215		COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 12,022,719
2016										CITY	\$ 1,771,687	OPER.	\$ 1,718,629				OPER.	\$ 2,421,696	\$ 5,912,012
	\$ 2,489,770	\$ 1,432,171	\$ 6,522,824			\$ 700,000	\$ 2,656,720	\$ 6,570,558		COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 21,388,834
2017										CITY	\$ 1,771,687	OPER.	\$ 1,718,629				OPER.	\$ 2,421,696	\$ 5,912,012
	\$ 2,489,770	\$ 1,432,171	\$ 4,753,600			\$ 700,000	\$ 21,310,839	\$ 4,663,108		COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 36,366,279
2018										CITY	\$ 1,771,687	OPER.	\$ 1,718,629				OPER.	\$ 2,421,696	\$ 5,912,012
	\$ 2,489,770	\$ 1,432,171	\$ 250,000			\$ 700,000	\$ 12,052,476	\$ 38,682,471		COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 56,623,679
2019										CITY	\$ 1,771,687	OPER.	\$ 1,718,629				OPER.	\$ 2,421,696	\$ 5,912,012
	\$ 2,489,770	\$ 1,432,171	\$ 250,000			\$ 700,000	\$ 2,500,000	\$ 1,000,000		COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 9,388,732
TOTAL	\$ 24,465,784	\$ 13,393,530	\$ 12,366,241	\$ 25,141,588	\$ 2,030,301	\$ 2,995,400	\$ 41,805,590	\$ 53,929,352			\$ 10,317,390		\$ 8,593,145	\$ 800,000	\$ 117,000	\$ 2,100,000		\$ 12,833,480	\$ 210,888,801

Given current funding uncertainties and unknwn impacts of future congressional or other Federal actions, Federal funding available may affect the programming of projects.

*Includes Non-Federal Match

**Surface Transportation Enhancement (CTEP) funding no longer available after 2015

***Funds to be transferred to 5307

TABLE 4(a) -TRANSPORTATION PRIORITY LIST BILLINGS, MONTANA					
PROJECT	TYPE OF WORK	PROJECT LENGTH	PHASE	ESTIMATED COST	FUNDING SOURCE
SURFACE TRANSPORTATION PROGRAM-URBAN (STPU)					
BENCH BLVD-US 87 INTERSECTION	Reconstruction		IC	\$195,095	STPU
			CN	\$264,950	STPU
			TOTAL	\$460,045	
BENCH BLVD	Reconstruction		RW	\$375,000	STPU
			IC	\$5,018	STPU
			TOTAL	\$380,018	
BENCH BLVD HILLTOP/PEMBERTON	Reconstruction		CN	\$3,660,751	STPU
			TOTAL	\$3,660,751	
BILLINGS BYPASS	New Construction	5	CN	\$8,300,575	STPU
			TOTAL	\$8,300,575	
CONGESTION MITIGATION AIR QUALITY (CMAQ) Local Match					
BENCH BLVD HILLTOP/PEMBERTON	Reconstruction		CN	\$7,150,649	CMAQ
			TOTAL	\$7,150,649	
MONTANA AIR CONGESTION INITIATIVE (MACI) State Match					
MDT PREVENTIVE MAINTENANCE 27th St-1ST AVE S to AIRPORT	Pavement preservation Signal Optimization		CN	\$4,503,600	MACI
			TOTAL	\$4,503,600	
UNDERPASS AVE IMPROVEMENTS	Study		OT	\$309,337	MACI
			PE	\$0	
			CN	\$0	
			TOTAL	\$309,337	
AIRPORT RD & MAIN ST - BLGS	Study		OT	\$152,503	MACI
			PE	\$0	
			CN	\$0	
			TOTAL	\$152,503	
BILLINGS SIGNAL UPGRADES	Signal Optimization		OT	\$320,869	MACI
			TOTAL	\$320,869	
LOCKWOOD SIGNALS - BILLINGS	Signal Optimization		OT	\$18,948	MACI
			TOTAL	\$18,948	
DOWNTOWN STATE SIGNALS BLGS	Signals		PE	\$250,000	MACI
			CN	\$6,272,824	MACI
			TOTAL	\$6,522,824	
MDT-MACI	Signal Optimization		PE/OTHER	\$1,000,000	MACI
			TOTAL	\$1,000,000	
EARMARKS/DISCRETIONARY GRANTS					
BENCH BLVD-US 87 INTERSECTION	Reconstruction	3	CN	\$2,114,314	MT
			TOTAL	\$2,114,314	
ZIMMERMAN TRAIL	Rockfall Mitigation	1	PE	\$571,014	MT
			CN	\$988,521	MT
			TOTAL	\$1,559,535	
ZIMMERMAN TRAIL	Roadway Improvements		PE	\$563,614	MT
			RW	\$100,000	MT
			CN	\$4,972,528	MT
			LOCAL	\$880,373	LOCAL
			TOTAL	\$6,516,515	
BILLINGS BYPASS	New Construction	5	PE/ENV	\$7,422,021	NCPD
			PE	\$8,419,640	MT/DEMO
			RW	\$7,847,000	MT
			TOTAL	\$23,688,661	
INTERSTATE MAINTENANCE (IM)					
VARIOUS PROJECTS	Pavement Preservation		PE/CN	Per Project	IM
D5 INTERSTATE FENCING (only portion in MPO area)	Fencing		CN	\$700,000	IM
			TOTAL	\$700,000	
PINEHILLS INTCH-PRYOR CR INTCH (only portion in MPO area)	Pavement Preservation		PE	\$30,307	IM
			CN	\$857,250	IM
			TOTAL	\$887,557	
I-90 Yellowstone River-Billings	Replace Bridges		CN	\$6,008,627	IM
			TOTAL	\$6,008,627	

TABLE 4(b)-TRANSPORTATION PRIORITY LIST BILLINGS, MONTANA					
NATIONAL HIGHWAY SYSTEM - (NH)					
MDT PREVENTIVE MAINTENANCE	Pavement Preservation		ALL	Per Project	NH
BILLINGS - NW	Pavement Preservation		CN	\$4,439,700	NH
			TOTAL	\$4,439,700	
MAIN ST - BILLINGS	Pavement Preservation		CN	\$1,514,700	NH
			TOTAL	\$1,514,700	
AIRPORT RD - ZIMMERMAN TRAIL	Pavement Preservation		PE	\$75,690	NH
			CN	\$2,227,383	NH
			TOTAL	\$2,303,073	
27th St-1ST AVE S to A	Pavement Preservation		CN	\$7,554,000	NH
			TOTAL	\$7,554,000	
BILLINGS BYPASS	New Construction	5	IC	\$3,188,004	NH
			TOTAL	\$3,188,004	
EXPOSITION DR & 1ST AVE N BLGS	Pavement Preservation		PE	\$126,989	NH
			CN	\$1,257,185	NH
			TOTAL	\$1,384,174	
MT3-ZIMMERMAN TR INTRSCCT IMPRV	Intersection Improvement		PE	\$376,134	NH
			RW	\$94,032	NH
			IC	\$62,688	NH
			CN	\$1,316,466	NH
			TOTAL	\$1,849,320	
BRIDGE (BH, BR)					
2012 Scour Mitigation (Yellowstone River (Dick Johnson Bridge))	Mitigation		PE	\$79,000	BH
			CN	\$520,000	STPB
			TOTAL	\$599,000	
I-90 Yellowstone River-Billings	Replace Bridges		PE	\$3,809,700	BR
			CN	\$35,551,049	BR
			TOTAL	\$39,360,749	
SURFACE TRANSPORTATION PROGRAM-URBAN PAVEMENT PRESERVATION (UPP)					
1ST AVE S-MINN AVE-13 ST-BLGS	Pavement Preservation		CN	\$964,700	UPP
			TOTAL	\$964,700	
4TH AVE N-13TH ST TO MAIN-BLG	Pavement Preservation		CN	\$452,300	UPP
			TOTAL	\$452,300	
6TH AVE N- 27TH TO 32ND (BLGS)	Pavement Preservation		PE	\$63,076	UPP
			CN	\$347,783	UPP
			TOTAL	\$410,859	
DIVISION STREET - BILLINGS	Pavement Preservation		PE	\$63,076	UPP
			CN	\$526,951	UPP
			TOTAL	\$590,027	
VARIOUS PROJECTS 2015-2019	Pavement Preservation		PE/CN	Per Project	UPP
HIGHWAY SAFETY (HSIP)					
SF 129-RNDABOUT KING 56TH	Roundabout		PE	\$705,817	HSIP
			RW	\$82,387	HSIP
			IC	\$54,925	HSIP
			CN	\$3,044,800	HSIP
			TOTAL	\$3,887,929	
SF 139-RNDABOUT CENTRAL/56TH	Roundabout		PE	\$349,219	HSIP
			RW	\$253,976	HSIP
			IC	\$126,988	HSIP
			CN	\$2,778,099	HSIP
			TOTAL	\$3,508,282	
SF 139 13TH/PARKHILL SIGNAL	Signal		PE	\$65,780	HSIP
			CN	\$432,119	HSIP
			TOTAL	\$497,899	
MT3-ZIMMERMAN TR INTRSCCT IMPRV	Intersection Improvement		CN	\$2,131,422	HSIP
			TOTAL	\$2,131,422	
SF-149 HILLCREST RIGHT TURN LN.	Intersection Improvement		PE	\$30,098	HSIP
			CN	\$300,975	HSIP
			TOTAL	\$331,073	
SF 129 BILLINGS HORIZONTAL CURVE SIGNAGE	Signage		CN	\$1,126,611	HSIP
			TOTAL	\$1,126,611	

TABLE 4(c)-TRANSPORTATION PRIORITY LIST BILLINGS, MONTANA				
SF-149 CLRS BILLINGS NORTH(only portion in MPO)	Centerline Rumble Strips	PE	\$27,851	HSIP
		CN	\$285,000	HSIP
		Total	\$312,851	
SF 149 - KING INTCH SFTY IMPRV	Safety	PE	\$4,114	HSIP
		CN	\$10,275	HSIP
		TOTAL	\$14,389	
VARIOUS SAFETY PROJECTS	Safety	ALL	\$2,250,000	HSIP
			\$2,250,000	
OTHER FUNDING				
STP ENHANCEMENTS	Various Projects	OTHER	\$2,030,301	CTEP
ANNUAL OPERATION AND MAINTENANCE	Various Projects	OTHER	\$225,000	LOCAL
ANNUAL OPERATION AND MAINTENANCE	Various Projects	OTHER	\$446,000	STATE
MDT-MACI	Equipment Purchase	OTHER	\$220,562	CMAQ/LOCAL
TRANSPORTATION ALTERNATIVES PROGRAM	Various Projects	OTHER	Per Project	TA
STATE FUNDED MAINTENANCE	Various Projects	OTHER	\$1,300,000	STATE
			TOTAL	\$4,221,863
CN Estimates Include CE Costs				

Bench Blvd

Project Sponsor	Description Current TIP Est. Cost	Phase	Program Schedule					Funding	State	Federal
			Pre 2013	2014	2015	2016	2017	Source	13.42%	86.58%
Bench Blvd UPN6041001	Preliminary Engineering	PE	\$87,892		\$20,298			STPU	\$14,519	\$93,671
		PE	\$2,990,428		\$67,932			MT-Earmark	\$410,432	\$2,647,928
		IC**	\$1,269,416		\$136,668			MT-Earmark	\$188,696	\$1,217,388
		IC			\$5,018			STPU	\$673	\$4,345
		RW	\$1,585,000					MT-Earmark	\$212,707	\$1,372,293
		RW			\$375,000			STPU	\$50,325	\$324,675
		CN	\$3,479,201		-\$136,666			MT-Earmark	\$448,568	\$2,893,967
		CN	\$1,629,618		-\$52,153			STPU	\$211,696	\$1,365,769
	\$11,457,652	Total	\$11,041,555	\$0	\$416,097	\$0	\$0	\$1,537,617	\$9,920,035	
Bench Blvd UPN6041002 BENCH BLVD-US 87 INTERSECTION	Reconstruction of roadway.	IC			\$195,095			STPU	\$26,182	\$168,913
		CN			\$2,114,314			MT-Earmark	\$283,741	\$1,830,573
		CN			\$264,950			STPU	\$35,556	\$229,394
		Total	\$0	\$0	\$2,574,359	\$0	\$0	\$345,479	\$2,228,880	
Bench Blvd UPN6041003 BENCH BLVD-HILLTOP/PEMBERTON	Reconstruction of roadway and bridge.				\$5,036,394	\$2,114,255		CMAQ/MT*	\$0	\$0
		CN				\$3,660,751		STPU	\$959,617	\$6,191,032
		Total	\$0	\$0	\$5,036,394	\$5,775,006	\$0	\$1,450,890	\$9,360,510	
Totals	\$24,843,411		\$11,041,555	\$0	\$8,026,850	\$5,775,006	\$0	\$3,333,986	\$21,509,425	

Funding projections are based on best available information and are subject to change given current funding uncertainties and unknown impacts of future congressional or other federal actions.

*Excess apportionment being spent from CMAQ authority.

** Includes non par funds of \$29,830

ADVANCEMENT OF PROJECTS

It is mutually agreed that the first two years of this program is the best estimate of the project phase that will be undertaken during the Biennial timeframe. Occasionally, projects advance through the design process faster than anticipated. An approved project may accelerate into the next logical phase providing that the funding source does not change from that, which was initially identified in the TIP. Federal, State, and local governments have agreed that a TIP revision is not required in order to accelerate a specific project phase, so long as other planned work is not unduly delayed. The priorities with regard to the FTA Section 5307 projects in the Biennial Element are: 1) Operating Assistance.

- The priorities with regard to the FTA Section 5310 projects in the Biennial Element are: 1) Replacement vehicles for MET Special Transit, 2) Replacement vehicles for MET Special Transit.
- The priorities with regard to the FTA Section 5309 projects are: 1) Livability Grant for ITS.

PRIVATE ENTERPRISE PARTICIPATION

Both the City of Billings and Yellowstone County have locally developed policies and procedures to examine opportunities for private sector participation in the provision of transit services and related support services. The City of Billings adopted resolution 86-15346 which states said policy and provides a process for implementation. The Council approved that resolution on July 7, 1986. Further, a Private Transportation Enterprise Participation Policy (PEP) and implementing procedures were adopted by the MPO's Technical Advisory Committee on April 24, 1986; by the Policy Coordinating Committee on May 8, 1986; and by the Yellowstone County Planning Board on May 13, 1986.

The City's MET Transit Department has examined various opportunities for private sector provision of services. The Department utilizes private tire firms to handle parts of servicing of the tire inventory. The Department also contracts with various private firms for radiator repair, air compressor rebuilds, as well as glass, bodywork on the vehicles, and occasional component rebuilds.

The required TIP documentation related to the PEP process is as follows:

- a) The City of Billings MET Transit System solicited the possible interest or involvement of the private sector in providing leased tires for the MET Transit fleet of coaches. In the spring of 1993, 1996, 2001, 2006 and 2011, a Request for Bids was sent to potentially interested private vendors and was also advertised in a local newspaper and a national transit journal. Bids are evaluated based on cost and ability to perform. Three firms requested bid packages. The current contract for the tire lease is in effect through August 31, 2012 with four additional one-year renewal options.
- b) No other proposals were received from the private sector.
- c) There are no known impediments to holding service out for competition.
- d) There are no known private sector complaints.

The Yellowstone County-City of Billings Planning Division has and will continue to follow its adopted policy and procedures regarding private sector participation. The mailing list of private providers has been updated and used to provide notice about TAC and PCC meetings, including those that deal with the Unified Planning Work Program, (UPWP), projects and process as well as the TIP process. Through these mailings the private providers are aware of the development of the proposed transit capital and operating projects as well as the proposed paratransit capital projects for the five years covered in the TIP.

FEDERAL TRANSIT ADMINISTRATION PROJECTS

The Federal Transit Act funded projects, including FTA Section 5309 grant projects, (Biennial Element) are intended to insure the continued efficient operation, maintenance and administration of the MET Transit system fleet and facilities, including meeting federal regulations such as the Americans with Disabilities Act (ADA). The operating grants are for the fiscal years of July 2015 to June 2016 and July 2015 to June 2016 and the Section 5309 grant projects will permit Bus and Bus Facilities projects in Fiscal Years 2015-2016 through 2015-2016.

The vehicle purchases for MET Special Transit are projects to enable the City to continue providing the required specialized demand-responsive paratransit service for citizens who are unable to use the MET Transit System due to their disabling conditions. The projects to purchase vehicles for other entities will address some of the transportation needs of developmentally impaired or disabled residents.

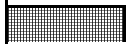


**(Table 5) -TRANSPORTATION PROJECT PRIORITY LIST
BILLINGS, MONTANA**

SECTION/PROJECT		PROJECT ESTIMATE
FTA SECTION 5307 (INCLUDES LOCAL FUNDS)		
	OPERATING PROJECT (7-1-2014 TO 6-30-2015)	4,140,325
	OPERATING PROJECT (7-1-2015 TO 6-30-2016)	4,140,325
	OPERATING PROJECT (7-1-2016 TO 6-30-2017)	4,140,325
	OPERATING PROJECT (7-1-2017 TO 6-30-2018)	4,140,325
	OPERATING PROJECT (7-1-2018 TO 6-30-2019)	4,140,325
	TOTAL	\$20,701,625
FTA SECTION 5310(INCLUDES LOCAL FUNDS)		
	REPLACEMENT VEHICLES-TRANSIT (FY2015)	192,000
	REPLACEMENT VEHICLES-TRANSIT (FY2016)	192,000
	REPLACEMENT VEHICLES-TRANSIT (FY2017)	192,000
	REPLACEMENT VEHICLES-TRANSIT (FY2018)	192,000
	REPLACEMENT VEHICLES-TRANSIT (FY2019)	192,000
* DEPENDENT ON FUNDING AND APPLICATION APPROVALS BY MDT		
	*TOTAL	\$960,000
FTA SECTION 5311* #Funds transferred to 5307		
	OPERATING PROJECT (2015)	0
	OPERATING PROJECT (2016)	0
	OPERATING PROJECT (2017)	0
FTA SECTION 5339 (INCLUDES LOCAL FUNDS)		
	CAPITAL PROJECTS 2015	525,000
	CAPITAL PROJECTS 2016	525,000
	CAPITAL PROJECTS 2017	525,000
	CAPITAL PROJECTS 2018	525,000
	CAPITAL PROJECTS 2019	525,000
	TOTAL	\$2,625,000
TRANSADE (STATE FUNDED)		
	OPERATING PROJECT (2015)	\$117,000
	TOTAL	\$117,000
	TOTAL	\$24,403,625

**(Table 6) - MULTI-YEAR STAGING PROGRAM
CALENDAR YEARS 2015-2019
BILLINGS, MONTANA**

PROJECTS	2015	2016	2017	2018	2019	>2019
BENCH BLVD-BILLINGS						
BENCH BLVD-US 87 INTERSECTION						
BENCH BLVD-HILLTOP/PEMBERTON						
BILLINGS BYPASS						
BILLINGS BYPASS						
TRANSPORTATION ALTERNATIVES PROJECTS (VARIOUS)	Per Project-----					
ZIMMERMAN TRAIL						
MT3-ZIMMERMAN TR. INTERSECT. IMPROVE.						
D5 IM FENCING CHAINLINK						
MDT PREVENTIVE MAINTENANCE (NH)	Per Project-----					
MDT PREVENTIVE MAINTENANCE (IM)	Per Project-----					
STP URBAN PAVEMENT PRESERVATION(UPP)	Per Project-----					
2012 SCOUR MITIGATION						
I-90 YELLOWSTONE RIVER-BILLINGS						
SF 129-RNDABOUT KING 56TH						
SF 129 BILLINGS HORIZONTAL CURVE SIGNAGE						
SF 139-RNDABOUT CENTRAL/56TH						
SF 139-13TH/PARKHILL SIGNAL						
27TH ST. - 1ST AVE S TO AIRPORT						
4TH AVE N - 13TH ST TO MAIN BLG						
BILLINGS SIGNAL UPGRADES						
LOCKWOOD SIGNALS - BILLINGS						
PINEHILLS INTCH-PRYOR CR INTCH						
AIRPORT RD-ZIMMERMAN TRAIL						
6TH AVE N-27TH TO 32ND (BLGS)						
DIVISION STREET - BILLINGS						
SF-149 HILLCREST RIGHT TURN LN						
SF-149 CLRS BILLINGS NORTH						
SF-149 KING INTCH SFTY IMPRV						
CTEP - VARIOUS PROJECTS						
DOWNTOWN STATE SIGNALS BLGS						
BILLINGS-NW						
MAIN ST BILLINGS						
EXPOSITION DR & 1ST AVE						
1ST AVE S - MINN AVE 13TH ST BLGS						

***ALL TIME FRAMES ARE APPROXIMATE

	PRELIMINARY ENGINEERING
	RIGHT OF WAY/UTILITIES
	CONSTRUCTION

(Table 7) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2015 BILLINGS, MONTANA																
PROJECT DESCRIPTION	UPN	PHASING	STP URBAN (STPU)	CMAQ LOCAL	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	SURFACE TRANSPORTATION PROJECTS STPE	TRANSPORTATION ALTERNATIVES PROGRAM (TA)**	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5310**	TRANSADA	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 12,016,934	\$ 6,232,673	\$ -	\$ 25,141,588	\$ 2,030,301	\$ -				\$ 27,000				
Estimated allocation			\$ 2,489,770	\$ 1,432,171	\$ -		\$ -	\$ 195,400	\$ 3,285,555		\$ 1,718,629	\$ 160,000	\$ 117,000	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 14,506,704	\$ 7,664,844	\$ -	\$ 25,141,588	\$ 2,030,301	\$ 195,400				\$ 187,000				
MT3-ZIMMERMAN TR INTRSC T IMPRV	8888	PE							\$ 376,134							\$ 376,134
BENCH BOULEVARD-BILLINGS	6041	RW	\$ 325,000													\$ 325,000
BENCH BLVD-US 87 INTERSECTION	6041	IC/CN	\$ 460,045			\$ 2,114,314										\$ 2,574,359
BENCH BLVD-HILLTOP/PEMBERTON	6041	CN		\$ 5,036,394												\$ 5,036,394
BILLINGS BYPASS	4199	PE/RW				\$ 14,408,611										\$ 14,408,611
ZIMMERMAN TRAIL	6040	PE				\$ 563,614										\$ 563,614
BILLINGS SIGNAL UPGRADES	9007	OT			\$ 320,869											\$ 320,869
LOCKWOOD SIGNALS - BILLINGS	9012	OT			\$ 18,948											\$ 18,948
TRAFFIC MITIGATION		ALL			\$ 250,000											\$ 250,000
MDT-PREVENTATIVE MAINTENANCE - IM		ALL							\$ 1,500,000							\$ 1,500,000
D5 IM FENCING - CHAIN LINK (only portion in MPO)	8131	CN							\$ 700,000							\$ 700,000
PINEHILLS INTCH-PRYOR CR INTCH (only portion in MPO)	8986	PE							\$ 30,307							\$ 30,307
MDT-PREVENTATIVE MAINTENANCE - NH		ALL							\$ 350,000							\$ 350,000
27th St-1st Ave S to Airport	7910	IC/RW							\$ 253,424							\$ 253,424
AIRPORT RD - ZIMMERMAN TRAIL	8987	PE							\$ 75,690							\$ 75,690
MDT-URBAN PAVEMENT PRESERVATION (UPP)		ALL							\$ 500,000							\$ 500,000
1ST AVE S-MINN AVE-13 ST-BLGS	8592	CN							\$ 964,700							\$ 964,700
4TH AVE N-13TH ST TO MAIN-BLG	8593	CN							\$ 452,300							\$ 452,300
6TH AVE N- 27TH TO 32ND (BLGS)	9003	PE							\$ 63,076							\$ 63,076
DIVISION STREET - BILLINGS	9004	PE							\$ 63,076							\$ 63,076
ENHANCEMENT PROJECTS-VARIOUS LOCATIONS		ALL														\$ -
STPE PONDEROSA SCHOOL PATH - BILLINGS	8183	CN					\$ 176,800									\$ 176,800
STPE ARROWHEAD SCHOOL PATH - BILLINGS	8184	CN					\$ 82,500									\$ 82,500
STPE SWORDS PARK OUTLET TRAIL - BLGS	8185	CN					\$ 117,900									\$ 117,900
STPE POLY DRIVE SCHOOL WALKS - BLGS	8186	CN					\$ 95,500									\$ 95,500
STPE BROADWATER SCHL LSCAPE - BLGS	8836	CN					\$ 188,795									\$ 188,795
STPE 19TH ST W WALKS - BLGS	8837	PE,CN					\$ 130,956									\$ 130,956
STPE POLY DRIVE BIKE/PED - BLGS	8838	CN					\$ 196,434									\$ 196,434
STPE 44TH ST W WALKS - BLGS	8839	PE,CN					\$ 111,312									\$ 111,312
STPE WICKS LN PATH - BLGS	8841	PE,CN					\$ 278,282									\$ 278,282
STPE BARRETT RD PATH - BLGS	8842	PE,CN					\$ 143,277									\$ 143,277
STPE CALHOUN LN WALKS - BLGS	8843	CN					\$ 188,795									\$ 188,795
STPE JACKSON ST WALKS - BLGS	8822	PE,CN					\$ 236,266									\$ 236,266
STPE KING AVE TRAIL - BLGS	8823	PE,CN					\$ 83,484									\$ 83,484
TRANSPORTATION ALTERNATIVES-VARIOUS LOCATIONS		PE						\$ 150,000								\$ 150,000
TA BROADWATER AVE PATH-BILLINGS	8701	PE						\$ 45,400								\$ 45,400
SAFETY PROJECTS VARIOUS		PE/RW/IC/CN							\$ 250,000							\$ 250,000
SF 129 RNDABOUT KING 56TH	8052	RW/IC							\$ 138,000							\$ 138,000
SF-149 HILLCREST RIGHT TURN LN.	8904	PE							\$ 30,098							\$ 30,098
SF-149 CLRS BILLINGS NORTH(only portion in MPO)	8906	PE							\$ 27,851							\$ 27,851
SF 149 - KING INTCH SFTY IMPRV	8941	PE							\$ 4,114							\$ 4,114
2012 SCOUR MITIGATION	7960	CN							\$ 520,000							\$ 520,000
TRANSIT OPERATING (7/2014-6/2015)											\$ 1,718,629		\$ 117,000		\$ 2,421,696	\$ 4,257,325
REPLACEMENT VEHICLES												\$ 187,000			\$ 40,000	\$ 227,000
TRANSIT CAPITAL (7/2014-6/2015)		CAPITAL												\$ 420,000	\$ 105,000	\$ 525,000
TOTAL			\$ 785,045	\$ 5,036,394	\$ 589,817	\$ 17,086,539	\$ 2,030,301	\$ 195,400	\$ 3,285,555	\$ 3,013,215	\$ 1,718,629	\$ 187,000	\$ 117,000	\$ 420,000	\$ 2,566,696	\$ 37,031,591

*Local Match for Transit **Dependent on Funding & Application Approvals by MDT ***FUNDS TO BE TRANSFERRED TO 5307

(Table 8) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2016

BILLINGS, MONTANA															
PROJECT DESCRIPTION	UPN	PHASING	STP URBAN (STPU)	CMAQ LOCAL	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	TRANSPORTATION ALTERNATIVES PROGRAM (TA)**	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5310**	TRANSIT SEC 5311***	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 13,721,659	\$ 2,628,450		\$ 8,055,049	\$ -				\$ -				
Estimated allocation			\$ 2,489,770	\$ 1,432,171	\$ -	\$ -	\$ 701,096	\$ 2,656,720	\$ 6,570,558	\$ 1,718,629	\$ 160,000	\$ -	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 16,211,429	\$ 4,060,622	\$ -	\$ 8,055,049	\$ 701,096				\$ 160,000				
MT3-ZIMMERMAN TR INTRSCCT IMPRV	8888	RW/IC						\$ 156,720							\$ 156,720
ZIMMERMAN TRAIL	6040	RW				\$ 100,000									\$ 100,000
BENCH BLVD-HILLTOP/PEMBERTON	6041	CN	\$ 3,660,751	\$ 2,114,255											\$ 5,775,006
TRAFFIC MITIGATION		ALL			\$ 250,000										\$ 250,000
DOWNTOWN STATE SIGNALS BLGS	8036	CN			\$ 6,272,824										\$ 6,272,824
MDT-PREVENTATIVE MAINTENANCE - IM		ALL						\$ 1,500,000							\$ 1,500,000
MDT-PREVENTATIVE MAINTENANCE - NH		ALL						\$ 1,000,000							\$ 1,000,000
MDT-URBAN PVMT PRES (UPP)		ALL						\$ 500,000							\$ 500,000
TRANSPORTATION ALTERNATIVES-VARIOUS LOCATIONS		ALL					\$ 380,000								\$ 380,000
TA BROADWATER AVE PATH-BILLINGS		CN					\$ 321,096								\$ 321,096
SAFETY PROJECTS VARIOUS		PE/RW/IC/CN						\$ 500,000							\$ 500,000
SF 129 RNDABOUT KING 56TH	8052	CN						\$ 3,044,800							\$ 3,044,800
SF 139 13TH/PARKHILL SIGNAL	8610	CN						\$ 432,119							\$ 432,119
SF 129 BILLINGS HORIZONTAL CURVE SIGNAGE(only portion in MPO)	7990	CN						\$ 1,126,700							\$ 1,126,700
SF 139-CENTRAL & 56TH RNDABOUT	8611	RW/IC						\$ 380,964							\$ 380,964
SF-149 CLRS BILLINGS NORTH(only portion in MPO)	8906	CN						\$ 285,000							\$ 285,000
SF-149 HILLCREST RIGHT TURN LN.	8904	CN						\$ 300,975							\$ 300,975
TRANSIT OPERATING (7/16-6/17)		Operating								\$ 1,718,629				\$ 2,421,696	\$ 4,140,325
VEHICLE REPLACEMENTS**		Purchase									\$ 160,000			\$ 40,000	\$ 200,000
TRANSIT CAPITAL (7/16-6/17)		Capital											\$ 420,000	\$ 105,000	\$ 525,000
TOTAL			\$ 3,660,751	\$ 2,114,255	\$ 6,522,824	\$ 100,000	\$ 701,096	\$ 2,656,720	\$ 6,570,558	\$ 1,718,629	\$ 160,000	\$ -	\$ 420,000	\$ 2,566,696	\$ 27,191,529

*Local Match for Transit **Dependent on Funding & Application Approvals by MDT ***FUNDS TO BE TRANSFERRED TO 5307

(Table 9) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2017

BILLINGS, MONTANA															
PROJECT DESCRIPTION	UPN	PHASING	STP URBAN (STPU)	CMAQ LOCAL	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	TRANSPORTATION ALTERNATIVES PROGRAM (TA)**	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5310**	TRANSIT SEC 5311***	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 12,550,678	\$ 1,946,367		\$ 7,955,049	\$ -								
Estimated allocation			\$ 2,489,770	\$ 1,432,171	\$ -	\$ -	\$ 700,000	\$ 21,310,839	\$ 4,663,108	\$ 1,718,629	\$ 160,000	\$ -	\$ 420,000	\$ 3,447,069	
Estimated beginning balance			\$ 15,040,448	\$ 3,378,538	\$ -	\$ 7,955,049	\$ 700,000				\$ 160,000				
BILLINGS BYPASS	4199	IC						\$ 3,188,004							\$ 3,188,004
ZIMMERMAN TRAIL	6040	CN				\$ 4,972,528								\$ 880,373	\$ 5,852,901
TRAFFIC MITIGATION		ALL			\$ 250,000										\$ 250,000
MDT-PREVENTATIVE MAINTENANCE - IM		ALL						\$ 1,500,000							\$ 1,500,000
PINEHILLS INTCH-PRYOR CR INTCH (only portion in MPO)	8986	CN						\$ 857,250							\$ 857,250
MDT-PREVENTATIVE MAINTENANCE - NH		ALL						\$ 1,000,000							\$ 1,000,000
BILLINGS - NW	8721	CN						\$ 4,439,700							\$ 4,439,700
MAIN ST - BILLINGS	8717	CN						\$ 1,514,700							\$ 1,514,700
27th St-1st Ave S to Airport	7910	CN			\$ 4,503,600			\$ 7,554,000							\$ 12,057,600
EXPOSITION DR & 1st AVE	7908	CN						\$ 1,257,185							\$ 1,257,185
MDT-URBAN PVMT PRES (UPP)		ALL							\$ 500,000						\$ 500,000
6TH AVE N- 27TH TO 32ND (BLGS)	9003	CN							\$ 347,783						\$ 347,783
DIVISION STREET - BILLINGS	9004	CN							\$ 526,951						\$ 526,951
TRANSPORTATION ALTERNATIVES-VARIOUS LOCATIONS		ALL					\$ 700,000								\$ 700,000
SAFETY PROJECTS VARIOUS		PE/RW/IC/CN							\$ 500,000						\$ 500,000
SF 139-CENTRAL & 56TH RNDABOUT	8611	CN							\$ 2,778,099						\$ 2,778,099
SF 149 - KING INTCH SFTY IMPRV	8941	CN							\$ 10,275						\$ 10,275
TRANSIT OPERATING (7/16-6/17)		Operating								\$ 1,718,629				\$ 2,421,696	\$ 4,140,325
VEHICLE REPLACEMENTS**		Purchase									\$ 160,000			\$ 40,000	\$ 200,000
TRANSIT CAPITAL (7/16-6/17)		Capital										\$ 420,000	\$ 105,000	\$ 105,000	\$ 525,000
TOTAL			\$ -	\$ -	\$ 4,753,600	\$ 4,972,528	\$ 700,000	\$ 21,310,839	\$ 4,663,108	\$ 1,718,629	\$ 160,000	\$ -	\$ 420,000	\$ 3,447,069	\$ 42,145,773

*Local Match for Transit and Zimmerman Trail **Dependent on Funding & Application Approvals by MDT ***FUNDS TO BE TRANSFERRED TO 5307

(Table 10) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2018

BILLINGS, MONTANA

PROJECT DESCRIPTION	UPN	PHASING	STP URBAN (STPU)	CMAQ LOCAL	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	TRANSPORTATION ALTERNATIVES PROGRAM (TA)**	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5310**	TRANSIT SEC 5311***	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 15,040,448	\$ 3,378,538		\$ 2,982,521									
Estimated allocation			\$ 2,489,770	\$ 1,432,171	\$ -	\$ -	\$ 700,000	\$ 12,052,476	\$ 38,682,471	\$ 1,718,629	\$ 160,000	\$ -	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 17,530,218	\$ 4,810,710	\$ -	\$ 2,982,521	\$ 700,000				\$ 160,000				
BILLINGS BYPASS(Five Mile Road)	4199	CN	\$ 3,357,041												\$ 3,357,041
MT3-ZIMMERMAN TR INTRSCCT IMPRV	8888	CN						\$ 1,316,466	\$ 2,131,422						\$ 3,447,888
TRAFFIC MITIGATION		ALL			\$ 250,000										\$ 250,000
MDT-PREVENTATIVE MAINTENANCE - IM		ALL						\$ 1,500,000							\$ 1,500,000
MDT-PREVENTATIVE MAINTENANCE - NH		ALL						\$ 1,000,000							\$ 1,000,000
AIRPORT RD - ZIMMERMAN TRAIL	8987	CN						\$ 2,227,383							
MDT-URBAN PVMT PRES (UPP)		ALL							\$ 500,000						\$ 500,000
TRANSPORTATION ALTERNATIVES-VARIOUS LOCATIONS		ALL					\$ 700,000								\$ 700,000
I-90 YELLOWSTONE R-BILLINGS	7972	CN						\$ 6,008,627	\$ 35,551,049						\$ 41,559,676
SAFETY PROJECTS VARIOUS		PE/RW/IC/CN							\$ 500,000						\$ 500,000
TRANSIT OPERATING (7/16-6/17)		Operating								\$ 1,718,629				\$ 2,421,696	\$ 4,140,325
VEHICLE REPLACEMENTS**		Purchase									\$ 160,000			\$ 40,000	\$ 200,000
TRANSIT CAPITAL (7/16-6/17)		Capital										\$ 420,000	\$ 105,000	\$ 525,000	
TOTAL			\$ 3,357,041	\$ -	\$ 250,000	\$ -	\$ 700,000	\$ 12,052,476	\$ 38,682,471	\$ 1,718,629	\$ 160,000	\$ -	\$ 420,000	\$ 2,566,696	\$ 57,679,930

*Local Match for Transit **Dependent on Funding & Application Approvals by MDT ***FUNDS TO BE TRANSFERRED TO 5307

(Table 11) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2019

BILLINGS, MONTANA

PROJECT DESCRIPTION	UPN	PHASING	STP URBAN (STPU)	CMAQ LOCAL	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	TRANSPORTATION ALTERNATIVES PROGRAM (TA)**	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5310**	TRANSIT SEC 5311***	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 14,173,177	\$ 4,810,710		\$ 2,982,521									
Estimated allocation			\$ 2,489,770	\$ 1,432,171	\$ -	\$ -	\$ 700,000	\$ 2,500,000	\$ 1,000,000	\$ 1,718,629	\$ 160,000	\$ -	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 16,662,947	\$ 6,242,881	\$ -	\$ 2,982,521	\$ 700,000				\$ 160,000				
BILLINGS BYPASS(South RR Connection)	4199	CN	\$ 4,943,534												\$ 4,943,534
TRAFFIC MITIGATION		ALL			\$ 250,000										\$ 250,000
MDT-PREVENTATIVE MAINTENANCE - IM		ALL						\$ 1,500,000							\$ 1,500,000
MDT-PREVENTATIVE MAINTENANCE - NH		ALL						\$ 1,000,000							\$ 1,000,000
MDT-URBAN PVMT PRES (UPP)		ALL							\$ 500,000						\$ 500,000
TRANSPORTATION ALTERNATIVES-VARIOUS LOCATIONS		ALL					\$ 700,000								\$ 700,000
SAFETY PROJECTS VARIOUS		PE/RW/IC/CN							\$ 500,000						\$ 500,000
TRANSIT OPERATING (7/16-6/17)		Operating								\$ 1,718,629				\$ 2,421,696	\$ 4,140,325
VEHICLE REPLACEMENTS**		Purchase									\$ 160,000			\$ 40,000	\$ 200,000
TRANSIT CAPITAL (7/16-6/17)		Capital											\$ 420,000	\$ 105,000	\$ 525,000
TOTAL			\$ 4,943,534	\$ -	\$ 250,000	\$ -	\$ 700,000	\$ 2,500,000	\$ 1,000,000	\$ 1,718,629	\$ 160,000	\$ -	\$ 420,000	\$ 2,566,696	\$ 14,258,859

(Table 12) - BIENNIAL ELEMENT OCTOBER 1, 2014 - SEPTEMBER 30, 2016 (HIGHWAY)

BILLINGS, MONTANA							
PROJECT/PHASE	PROJECT NUMBER	PROJECT DESCRIPTION	TOTAL ESTIMATED COST	FEDERAL FUNDS AND SOURCES	NON-FEDERAL FUNDS AND SOURCES	RECIPIENT OF FUNDS	RESPONSIBLE IMPLEMENTING AGENCY
MT3-ZIMMERMAN TR INTRSCCT IMPRV PE/RW/IC	HSIP/NH UPN8888	INTERSECTION IMPROVEMENT	532,852	479,567 FHWA	53,285 STATE MATCH	MDT	MDT
BENCH BLVD-US 87 INTERSECTION IC/CN	STPU/MT 1036() UPN6041002	RECONSTRUCTION	2,574,359	2,228,880 FHWA	345,479 STATE MATCH	MDT	MDT
BENCH BLVD-HILLTOP/PEMBERTON CN	CM/STPU/MT 1036() UPN6041003	RECONSTRUCTION	10,811,400	9,360,510 FHWA	1,450,890 STATE MATCH	MDT	MDT
BILLINGS BYPASS RW	NCPD-MT56(45) UPN4199	RECONSTRUCTION	7,847,000	6,793,933 FHWA	1,053,067 STATE MATCH	MDT	MDT
TRAFFIC MITIGATION ALL	CM()	SIGNAL OPTIMIZATION	500,000	432,900 FHWA	67,100 STATE MATCH	MDT	MDT
BILLINGS SIGNALS UPDGRADE OT	CM UPN9007	SIGNAL OPTIMIZATION	320,869	277,808 FHWA	43,061 STATE MATCH	MDT	MDT
LOCKWOOD SIGNALS - BILLINGS OT	CM UPN9012	SIGNAL OPTIMIZATION	18,948	16,405 FHWA	2,543 STATE MATCH	MDT	MDT
MDT-PREVENTIVE MAINTENANCE (IM) PE/CN	IM	MAINTENANCE MAINTENANCE	3,000,000	2,597,400 FHWA	402,600 STATE MATCH	MDT	MDT
D-5 IM FENCING - CHAINLINK(only portion in MPO) CN	IM STWD UPN 8131	INTERSTATE FENCING	700,000	606,060 FHWA	93,940 STATE MATCH	MDT	MDT
PINEHILLS INTCH-PRYOR CR INTCH PE	IM UPN 8986	PAVEMENT PRESERVATION	30,307	26,240 FHWA	4,067 STATE MATCH	MDT	MDT
MDT-PREVENTIVE MAINTENANCE (NH) PE/CN	NH	MAINTENANCE MAINTENANCE	1,350,000	1,168,830 FHWA	181,170 STATE MATCH	MDT	MDT
27th St-1st Ave S to AIRPORT IC/RW	NH53-1(29) UPN7910	OVERLAY	253,424	219,414 FHWA	34,010 STATE MATCH	MDT	MDT
MDT-URBAN PVTM PRESERVATION(UPP) ALL	UPP	PAVEMENT PRESERVATION	1,000,000	865,800 FHWA	134,200 STATE MATCH	MDT	MDT
6TH AVE N - 27TH TO 32ND (BLGS) PE	UPP UPN9003	PAVEMENT PRESERVATION	63,076	54,611 FHWA	8,465 STATE MATCH	MDT	MDT
DIVISION STREET - BILLINGS PE	UPP UPN9004	PAVEMENT PRESERVATION	63,076	54,611 FHWA	8,465 STATE MATCH	MDT	MDT
AIRPORT RD - ZIMMERMAN TRAIL PE	NH UPN8987	PAVEMENT PRESERVATION	75,690	65,532 FHWA	10,158 STATE MATCH	MDT	MDT
1ST AVE S-MINN AVE-13 ST-BLGS CN	UPP UPN8592	PAVEMENT PRESERVATION	964,700	835,237 FHWA	129,463 STATE MATCH	MDT	MDT
4TH AVE N-13TH ST TO MAIN-BLG CN	UPP UPN8593	PAVEMENT PRESERVATION	452,300	391,601 FHWA	60,699 STATE MATCH	MDT	MDT
STPE PONDEROSA SCHOOL PATH - BILLINGS CN	STPE UPN8183	BIKE/PED	176,800	153,073 FHWA	23,727 LOCAL MATCH	MDT	LOCAL
STPE ARROWHEAD SCHOOL PATH - BILLINGS CN	STPE UPN8184	BIKE/PED	82,500	71,429 FHWA	11,072 LOCAL MATCH	MDT	LOCAL
STPE SWORDS PARK OUTLET TRAIL - BLGS CN	STPE UPN8185	BIKE/PED	117,900	102,078 FHWA	15,822 LOCAL MATCH	MDT	LOCAL
STPE POLY DRIVE SCHOOL WALKS - BLGS CN	STPE UPN8186	BIKE/PED	95,500	82,684 FHWA	12,816 LOCAL MATCH	MDT	LOCAL
SAFETY PROJECTS VARIOUS ALL	HSIP	SAFETY	500,000	450,000 FHWA	50,000 STATE MATCH	MDT	MDT
SF 129 RNDABOUT KING 56TH RW/IC/CN	HSIP UPN8052	SAFETY	3,182,800	2,864,520 FHWA	318,280 STATE MATCH	MDT	MDT
2012-SCOUR MITIGATION CN	HSIP UPN7960	SCOUR MITIGATION	520,000	468,000 FHWA	52,000 STATE MATCH	MDT	MDT
ZIMMERMAN TRAIL RW	MT1001() UPN6040	ROADWAY IMPROVEMENTS	100,000	86,580 FHWA	13,420 STATE MATCH	MDT	MDT
DOWNTOWN STATE SIGNALS BLGS CN	CMSTWD(100) UPN8036	SIGNAL OPTIMIZATION	6,872,600	5,950,297 FHWA	922,303 STATE MATCH	MDT	MDT
ENHANCEMENT PROJECTS-VARIOUS LOCATIONS ALL	TA()	BIKE/PED TRAILS	700,000	606,060 FHWA	93,940 STATE MATCH	MDT	MDT
SF 139 13TH/PARKHILL SIGNAL CN	HSIP1099() UPN8610	NEW SIGNAL	432,119	388,907 FHWA	43,212 STATE MATCH	MDT	MDT
SF 129 BILLINGS HORIZONTAL CURVE SIGNAGE CN	HSIPSTWD UPN7990	SIGNAGE UPGRADE	1,126,700	1,014,030 FHWA	112,670 STATE MATCH	MDT	MDT
SF 139-CENTRAL & 56TH RNDABOUT RW/IC	HSIP56() UPN8611	INSTALL ROUNDABOUT	380,964	342,868 FHWA	38,096 STATE MATCH	MDT	MDT
SF-149 HILLCREST RIGHT TURN LN. PE/CN	HSIP UPN8904	SIGNAGE UPGRADE	331,073	297,966 FHWA	33,107 STATE MATCH	MDT	MDT
SF-149 CLRS BILLINGS NORTH(only portion in MPO) PE/CN	HSIPSTWD UPN8906	CENTERLINE RUMBLE STRIPS	312,851	281,566 FHWA	31,285 STATE MATCH	MDT	MDT
SF-149 KING INTCH SFTY IMPRV PE	HSIP UPN8941	REFLECTIVE BACKING	4,114	3,703 FHWA	411 STATE MATCH	MDT	MDT
Not all Earmarks require 13.42% match							

(Table 12.1) - BIENNIAL ELEMENT JULY 1, 2014-JUNE 30, 2016 (TRANSIT)					
BILLINGS MONTANA					
PROJECT/FUNDING SOURCE	TOTAL EST COST	FEDERAL FUNDS AND SOURCES	NON-FEDERAL FUNDS AND SOURCES	RECIPIENT OF FUNDS	RESPONSIBLE IMPLEMENTING AGENCY
FTA SECTION 5307					
OPERATING PROJECT (7-1-14 TO 6-30-15)	4,140,325	1,718,629	2,421,696	CITY	CITY
OPERATING PROJECT (7-1-15 TO 6-30-16)	4,140,325	1,718,629	2,421,696	CITY	CITY
FTA SECTION 5310*					
REPLACEMENT VEHICLES(2015)	160,000	128,000	32,000	STATE	VARIOUS LOCAL
REPLACEMENT VEHICLES (2016)	160,000	128,000	32,000	STATE	VARIOUS LOCAL
FTA SECTION 5311* #Funds transferred to 5307					
OPERATING PROJECT (2015)	-	-	-	CITY	CITY
OPERATING PROJECT (2016)	-	-	-	CITY	CITY
FTA SECTION 5339					
CAPITAL/VEHICLES (2015)	525,000	420,000	105,000	CITY	CITY
CAPITAL/VEHICLES (2016)	525,000	420,000	105,000	CITY	CITY
TransADE State Funded					
OPERATING PROJECT (2015)			117,000	CITY	CITY
*Dependent on Funding & Application Approvals by MDT					



YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



Planning Board Public Hearing

Meeting Date: 05/27/2015

Information

PROBLEM/ISSUE STATEMENT

DISCUSSION. City and County Subdivision Regulation Amendments-Planning staff was recently alerted to an inconsistency in the local subdivision regulations with state law in relation to subdivision of land within a 100-year floodplain. It is desirable to have local subdivision regulations that are consistent with all other applicable laws. This proposed amendment is designed to bring the local and state regulations related to the 100-year floodplain into alignment with each other.

BACKGROUND

There is an inconsistency in the local subdivision regulations with state law in relation to subdivision of land within a 100-year floodplain. Specifically, Montana Code Annotated (MCA) 76-3-504(1)(f) indicates that local subdivision regulations must prohibit the subdivision of land for building purposes in areas located within the *floodway* of a flood of 100-year frequency. The City of Billings and Yellowstone County local regulations are more restrictive than state law in this case, prohibiting the subdivision of land for building purposes within the *entire* floodplain of a flood of 100-year frequency. The floodplain is made up of the floodway and the flood fringe. Local floodplain ordinances administered by the City and County Floodplain Administrators also mirror state law, prohibiting building only within the floodway. Flood fringe development is allowed under local floodplain laws if the appropriate permit is acquired and certain requirements are met. It is desirable to have local subdivision regulations that are consistent with the state and other local laws.

Attached are proposed amendments to Article 23-1100 and Appendix O. of the City of Billings Subdivision Regulations, and Chapter 11 and Appendix N. of the Yellowstone County Subdivision Regulations. The purpose of these amendments is to bring the local regulations into compliance with State law and local floodplain

ordinances.

Below is the proposed schedule for review and adoption of 2015 amendments.

- May 27, 2015 – Planning Board Review
- June 9, 2015 – Planning Board Public Hearing and Recommendation to governing bodies
- June 16, 2015 – BOCC Resolution of Intent to Amend Regulations, Setting of Public Hearing date
- July 14, 2015 – BOCC Public Hearing and Resolution to Adopt
- July 13, 2015 – City Council Public Hearing and 1st Reading of Ordinance
- July 27, 2015 – City Council 2nd Reading of Ordinance

FINANCIAL IMPACT

There should not be a direct financial impact to the City or County as a result of these proposed amendments.

RECOMMENDATION

Planning staff recommends that the Board of Planning review the proposed changes, provide feedback, and set a public hearing date for June 9, 2015.

Attachments

2015 County Subdivision Regulation proposed Amendments

2015 City Subdivision Regulation proposed Amendments

Attachment A

2015 Yellowstone County Subdivision Regulations Amendments

Changes to the current regulations are shown with ~~strike-through~~ for proposed deletions, and underline for proposed additions of text.

As is the case in the existing regulations, text shown in **Arial Font** is mandated by State law (MCA 76-3-101, et seq.), and text shown in **Times New Roman** font is based on local laws and policies.

Section 11.1. Variances (**76-3-506, MCA**).

The Board of County Commissioners may grant reasonable variances from the design and improvement standards of these Regulations when strict compliance would result in undue hardship and the result would not negatively affect public health and safety. The granting of a variance shall not have the effect of nullifying the intent and purpose of these Regulations or justifying submission of an incomplete application. The Board of County Commissioners may not approve a variance that would permit structures within the floodway of the 100-year floodplain, as defined in 76-5-101, MCA.

APPENDIX N FLOOD HAZARD EVALUATION

A. Definitions. (Sec. 76-5-103, MCA) Whenever the following words and phrases are used in this Appendix, they shall be given the meaning attributed to them by this section.

- ~~1. Channel: The geographical area within either the natural or artificial banks of a watercourse or drainway.~~
1. Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.
- ~~2. Flood: The water of any watercourse or drainway that is above the bank or outside the channel and banks of the watercourse or drainway.~~
2. Flood Fringe: the identified portion of the floodplain outside of the floodway.
3. Flood of 100-year Frequency: A flood magnitude expecting to recur on the average of once every 100 years or a flood magnitude that has a 1% chance of occurring in any given year. having a one percent (1%) chance of being equaled or exceed in any given year. A 100-year flood is the same as a base flood.

4. Floodplain: The area adjoining the watercourse or drainway that would be covered by the floodwater of a flood of 100-year frequency, except for sheet flood areas that receive less than 1 foot of water per occurrence and are considered “shaded X zone” by the federal emergency management agency.
5. Floodway: The channel of a watercourse or drainway and those portions of the floodplain adjoining the channel that are reasonably required to carry and discharge the floodwater of any watercourse or drainway. ~~stream and the adjacent overbank areas that must be reserved in order to discharge a base flood without cumulatively increasing the water surface elevation more than one half (1/2) foot.~~
6. ~~Watercourse: Any depression two (2) feet or more below the surrounding land serving to give direction to a current of water at least nine (9) months of the year and having a bed and well defined banks.~~

B. General.

1. Land located within the floodway of a flood of 100-year frequency as defined by Title 76, chapter 5, MCA, may not be subdivided for building purposes, or other uses that may be prohibited by state or local floodplain regulations.
2. Where the 100-year floodway has been delineated by a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), or a City- or County-approved study on land in a subdivision, the 100-year floodway boundary and 100-year floodplain boundary shall be shown on the plat of the subdivision and the area within the 100-year floodway shall be labeled as a “No-Build Zone.”
3. Any development of land that is in the flood fringe, a Zone A as shown on a FIRM, or an identified flood prone area is subject to the requirements of the Yellowstone County Floodplain Regulations.

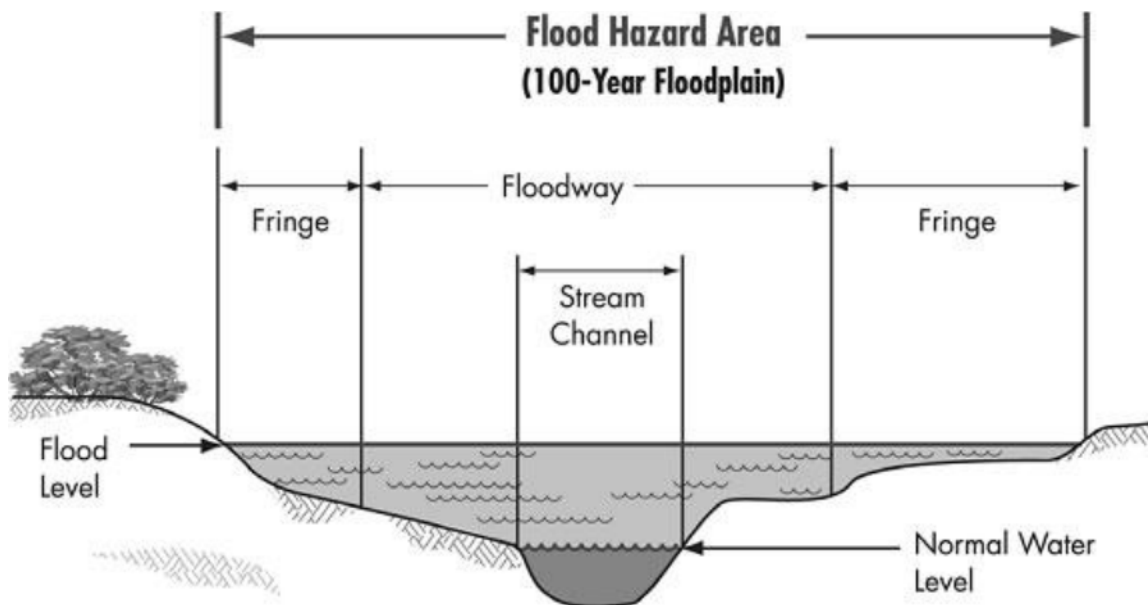


Figure 1. 100-Year Floodplain Cross-Section Diagram

- ~~1. Flood Hazard Areas (See 76-3-504, MCA): Land subject to being flooded by a flood of 100-year frequency as defined in this Appendix by the Federal Emergency Management Agency (FEMA), or land deemed to be subject to flooding by the City or County, may not be subdivided for building or residential purposes, or other uses that may increase or aggravate flood hazards to the public health, safety or welfare, or that may be prohibited by state or local floodplain or floodway regulations. Land deemed to be subject to flooding by the City or County may include (but is not limited to) land subject to shallow flooding, groundwater rise, historically flooded lands and lands located within 2,000 horizontal feet of the channel bank of the watercourse.~~
- ~~2. Where the 100-year floodway has been delineated by a FEMA Flood Insurance Rate Map (FIRM), a FEMA Floodway Map or a City or County approved study on land in a subdivision, the 100-year floodway boundary and 100-year floodplain boundary shall be shown on the plat of the subdivision and the area within the 100-year floodway shall be labeled as a "No-Build Zone."~~
- ~~3. Where the subdivision is within a flood hazard area that has been identified by the City or County, a Flood Study shall be completed as outlined in Part B and Part C of this Appendix, and the 100-year floodway boundary and 100-year floodplain boundary shall be shown on the plat of the subdivision and the area within the 100-year floodway (see Figure 1) shall be labeled as a "No-Build Zone."~~

C. ~~Flood Study Requirements.~~

- ~~1. A Flood Study shall be required for a subdivision if:
 - ~~a. Any portion of a proposed subdivision is within 2,000 horizontal feet and less~~~~

~~than 20 vertical feet from the channel bank of a watercourse draining an area of 25 square miles or more, and no official floodplain or floodway delineation (study) of the watercourse has been made; or~~

- ~~b. The subdivision is within a flood hazard area that has been identified by the City or County.~~
- ~~2. The Flood Study shall be performed by a registered Professional Engineer experienced in this field of work. Upon the request of the City or County, the study shall be submitted to the City of Billings Floodplain Administrator and/or the Floodplain Management Section, Water Resources Division, Montana Department of Natural Resources and Conservation (DNRC) for review and comment. A copy of the Flood Study and written comment from the City Floodplain Administrator and/or the DNRC shall be provided to the Planning Department.~~

~~D. **Flood Study Contents.** The Flood Study shall include the following:~~

- ~~1. Certification: Certification by a registered professional engineer, including license number, seal or stamp, signature and date.~~
- ~~2. Written Report: A narrative report containing a description of the study area, data collection, the type of modeling method used for both the hydrology and hydraulics, discussion of the parameters used, modeling results and conclusions.~~
- ~~3. Site Plan: An overall scaled site plan of the subdivision with location of lot lines and an identified scale for vertical and horizontal distance showing the following:
 - ~~a. Vicinity Map~~
 - ~~b. Watercourse~~
 - ~~c. 100-year floodplain and floodway boundaries~~
 - ~~d. Contours shown at intervals between one (1) foot and four (4) feet depending on the site, or at the discretion of the Floodplain Administrator.~~
 - ~~e. Cross-sections~~
 - ~~f. Bridges or other constrictions in the floodplain~~
 - ~~g. USGS gauging stations (if any)~~
 - ~~h. Location and elevation of a temporary benchmark(s) established within the subdivision and referenced to mean sea level with appropriate elevation adjustment.~~~~

~~4. Cross-sectional information:~~

- ~~a. Cross-section elevations and stations should be determined at points representing significant breaks in ground slope and at changes in the hydraulic characteristics of the floodplain (i.e., points where ground cover, soil, or rock conditions change). Elevations shall be reported in NAVD 88 or NGVD 29 datum.~~
 - ~~b. The number of cross-sections needed, and the distance between cross-sections will vary depending on the site, the slope of the watercourse, the slope of the channel, and the hydraulic characteristics of the reach. A minimum of four cross-sections are required over the entire reach with at least two cross-sections at the property where the elevations are desired. Additional cross-sections shall be taken above, below and at bridges, control structures, or natural constrictions in topography.~~
 - ~~c. Each cross-section shall cross the entire floodplain. The cross-section alignment should be perpendicular to the general flow of the watercourse (approximately perpendicular to contour lines). Elevation stations should be recorded at the channel bank and within the channel to determine the channel bottom shape. Cross-sections shall be reasonably spaced to accurately define the study area.~~
 - ~~d. A profile sheet scaled the same as a FEMA Flood Insurance Study showing the observed water surface profile, base flood elevation, location of cross-sections, subdivision boundaries, watercourse profile, and thalweg (lowest point of the channel bottom along the reach of the watercourse).~~
- ~~5. Bridges/Culverts/Pipes: Provide descriptions and sketches of all bridges, culverts and pipes within the reach, showing unobstructed waterway openings and elevations.~~
- ~~6. Water Surface: Base Flood elevation of the water surface is to be determined and shown on each valley cross-section.~~
- ~~7. Supporting Documentation: Provide engineering reports of calculations and assumptions, historical references, research of published hydrology or calculations showing how hydrology was derived, and other documentation of research information.~~
- ~~8. Electronic Data: Provide maps and any other information provided for a Flood Study that may be utilized by FEMA that meets their specific guidelines for digital and electronic data. Please refer to FEMA's Flood Hazard Mapping Program at www.fema.gov/fhm/ for specific guidelines and specifications for data collection.~~

Figure 1. 100-Year Floodplain Cross-Section Diagram

Attachment B

2015 City of Billings Subdivision Regulations Amendments

Changes to the current regulations are shown with ~~strike-through~~ for proposed deletions, and underline for proposed additions of text.

Section 23-1101. Variances.

The City Council may grant reasonable variances from the design and improvement standards of these Regulations when strict compliance would result in undue hardship and the result would not negatively affect public health and safety. The granting of a variance shall not have the effect of nullifying the intent and purpose of these Regulations or justifying submission of an incomplete application. The City Council may not approve a variance that would permit structures within the floodway of the 100-year floodplain, as defined in 76-5-101, MCA.

APPENDIX O FLOOD HAZARD EVALUATION

A. Definitions. (Sec. 76-5-103, MCA) Whenever the following words and phrases are used in this Appendix, they shall be given the meaning attributed to them by this section.

- ~~1. Channel: The geographical area within either the natural or artificial banks of a watercourse or drainway.~~
1. Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.
- ~~2. Flood: The water of any watercourse or drainway that is above the bank or outside the channel and banks of the watercourse or drainway.~~
2. Flood Fringe: the identified portion of the floodplain outside of the floodway.
3. Flood of 100-year Frequency: A flood magnitude expecting to recur on the average of once every 100 years or a flood magnitude that has a 1% chance of occurring in any given year, having a one percent (1%) chance of being equaled or exceed in any given year. A 100 year flood is the same as a base flood.
4. Floodplain: The area adjoining the watercourse or drainway that would be covered by the floodwater of a flood of 100-year frequency, except for sheet flood areas that receive less than 1 foot of water per occurrence and are considered "~~zone B~~" "shaded X zone" by

the federal emergency management agency.

5. Floodway: The channel of a watercourse or drainway and those portions of the floodplain adjoining the channel that are reasonably required to carry and discharge the floodwater of any watercourse or drainway. stream and the adjacent overbank areas that must be reserved in order to discharge a base flood without cumulatively increasing the water surface elevation more than one half (1/2) foot.
6. ~~Watercourse: Any depression two (2) feet or more below the surrounding land serving to give direction to a current of water at least nine (9) months of the year and having a bed and well defined banks.~~

B. General.

1. Land located within the floodway of a flood of 100-year frequency as defined by Title 76, chapter 5, MCA, may not be subdivided for building purposes, or other uses that may be prohibited by state or local floodplain regulations.
2. Where the 100-year floodway has been delineated by a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), or a City- or County-approved study on land in a subdivision, the 100-year floodway boundary and 100-year floodplain boundary shall be shown on the plat of the subdivision and the area within the 100-year floodway shall be labeled as a “No-Build Zone.”
3. Any development of land that is in the flood fringe, a Zone A as shown on a FIRM, or an identified flood prone area is subject to the requirements of the City of Billings Floodplain Regulations.

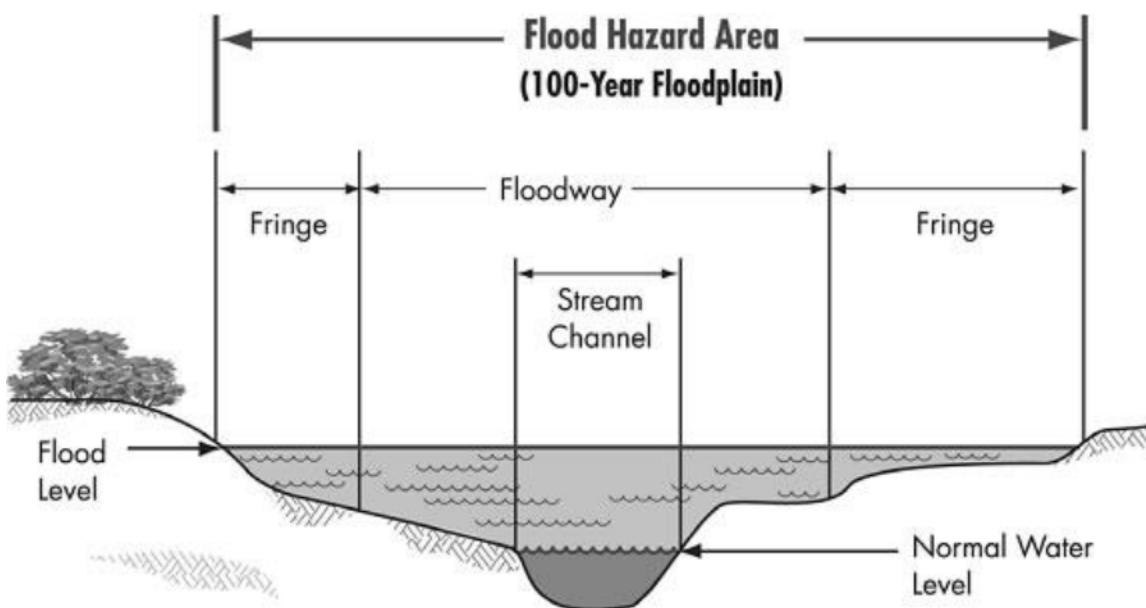


Figure 1. 100-Year Floodplain Cross-Section Diagram

- ~~1. Flood Hazard Areas (See 76-3-504, MCA): Land subject to being flooded by a flood of 100-year frequency as defined in this Appendix by the Federal Emergency Management Agency (FEMA), or land deemed to be subject to flooding by the City or County, may not be subdivided for building or residential purposes, or other uses that may increase or aggravate flood hazards to the public health, safety or welfare, or that may be prohibited by state or local floodplain or floodway regulations. Land deemed to be subject to flooding by the City or County may include (but is not limited to) land subject to shallow flooding, groundwater rise, historically flooded lands and lands located within 2,000 horizontal feet of the channel bank of the watercourse.~~
- ~~2. Where the 100-year floodway has been delineated by a FEMA Flood Insurance Rate Map (FIRM), a FEMA Floodway Map or a City or County approved study on land in a subdivision, the 100-year floodway boundary and 100-year floodplain boundary shall be shown on the plat of the subdivision and the area within the 100-year floodway shall be labeled as a "No-Build Zone."~~
- ~~3. Where the subdivision is within a flood hazard area that has been identified by the City or County, a Flood Study shall be completed as outlined in Part B and Part C of this Appendix, and the 100-year floodway boundary and 100-year floodplain boundary shall be shown on the plat of the subdivision and the area within the 100-year floodway (see Figure 1) shall be labeled as a "No-Build Zone."~~

~~C. Flood Study Requirements.~~

- ~~1. A Flood Study shall be required for a subdivision if:
 - ~~a. Any portion of a proposed subdivision is within 2,000 horizontal feet and less than 20 vertical feet from the channel bank of a watercourse draining an area of 25 square miles or more, and no official floodplain or floodway delineation (study) of the watercourse has been made; or~~
 - ~~b. The subdivision is within a flood hazard area that has been identified by the City or County.~~~~
- ~~2. The Flood Study shall be performed by a registered Professional Engineer experienced in this field of work. Upon the request of the City or County, the study shall be submitted to the City of Billings Floodplain Administrator and/or the Floodplain Management Section, Water Resources Division, Montana Department of Natural Resources and Conservation (DNRC) for review and comment. A copy of the Flood Study and written comment from the City Floodplain Administrator and/or the DNRC shall be provided to the Planning Department.~~

~~D. Flood Study Contents.~~ The Flood Study shall include the following:

- ~~1. Certification: Certification by a registered professional engineer, including license~~

~~number, seal or stamp, signature and date.~~

- ~~2. Written Report: A narrative report containing a description of the study area, data collection, the type of modeling method used for both the hydrology and hydraulics, discussion of the parameters used, modeling results and conclusions.~~
- ~~3. Site Plan: An overall scaled site plan of the subdivision with location of lot lines and an identified scale for vertical and horizontal distance showing the following:~~
 - ~~a. Vicinity Map~~
 - ~~b. Watercourse~~
 - ~~c. 100 year floodplain and floodway boundaries~~
 - ~~d. Contours shown at intervals between one (1) foot and four (4) feet depending on the site, or at the discretion of the Floodplain Administrator.~~
 - ~~e. Cross sections~~
 - ~~f. Bridges or other constrictions in the floodplain~~
 - ~~g. USGS gauging stations (if any)~~
 - ~~h. Location and elevation of a temporary benchmark(s) established within the subdivision and referenced to mean sea level with appropriate elevation adjustment.~~
- ~~4. Cross-sectional information:~~
 - ~~a. Cross section elevations and stations should be determined at points representing significant breaks in ground slope and at changes in the hydraulic characteristics of the floodplain (i.e., points where ground cover, soil, or rock conditions change). Elevations shall be reported in NAVD 88 or NGVD 29 datum.~~
 - ~~b. The number of cross sections needed, and the distance between cross sections will vary depending on the site, the slope of the watercourse, the slope of the channel, and the hydraulic characteristics of the reach. A minimum of four cross sections are required over the entire reach with at least two cross sections at the property where the elevations are desired. Additional cross sections shall be taken above, below and at bridges, control structures, or natural constrictions in topography.~~
 - ~~c. Each cross section shall cross the entire floodplain. The cross section alignment should be perpendicular to the general flow of the watercourse (approximately perpendicular to contour lines). Elevation stations should be recorded at the~~

~~channel bank and within the channel to determine the channel bottom shape. Cross sections shall be reasonably spaced to accurately define the study area.~~

- ~~d. A profile sheet scaled the same as a FEMA Flood Insurance Study showing the observed water surface profile, base flood elevation, location of cross sections, subdivision boundaries, watercourse profile, and thalweg (lowest point of the channel bottom along the reach of the watercourse.~~
- ~~5. Bridges/Culverts/Pipes: Provide descriptions and sketches of all bridges, culverts and pipes within the reach, showing unobstructed waterway openings and elevations.~~
- ~~6. Water Surface: Base Flood elevation of the water surface is to be determined and shown on each valley cross section.~~
- ~~7. Supporting Documentation: Provide engineering reports of calculations and assumptions, historical references, research of published hydrology or calculations showing how hydrology was derived, and other documentation of research information.~~
- ~~8. Electronic Data: Provide maps and any other information provided for a Flood Study that may be utilized by FEMA that meets their specific guidelines for digital and electronic data. Please refer to FEMA's Flood Hazard Mapping Program at www.fema.gov/fhm/ for specific guidelines and specifications for data collection.~~

Figure 1. 100 Year Floodplain Cross Section Diagram



YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



Planning Board Public Hearing

Meeting Date: 05/27/2015

Information

PROBLEM/ISSUE STATEMENT

GROWTH POLICY UPDATE. CANDI MILLAR, DIRECTOR, PLANNING & COMMUNITY SERVICES DEPT: How the city grows and where it grows have significant consequences for existing and future residents and business. If growth is restricted to our current city limits, is there enough land for housing and businesses to serve an increasing population? If growth was allowed to continue westward and northward, will we have enough resources to serve and maintain the outlying development? What about the needs of current and future residents? The average age of our population has increased; from 36.8 in 2000 to 37.5 in 2010, but more importantly the population in general is aging. The largest population cohorts in Billings are the millennials, age 20 – 35, and the late baby boomers, age 45 – 65. These two generations will drive what types of public services and facilities are needed in the future. (see attached population pyramid).

BACKGROUND

The future needs of our businesses and residents are why the City-County Planning Division has embarked on an ambitious 2-year process to plan for Billings. The plan has been branded, “BillingsBeyond!”, because it looks beyond the needs of current residents and beyond our current boundaries. Starting in October, 2014, and ending in February, 2015, the Planning Division gave 35 presentations on the current status of many aspects of our city. The presentation also showed a chart on growth trends. From 1990 to 2010, Billings grew approximately 1.5% per year. Since 2010, Billings has grown closer to 4% per year. If the population were to continue to grow at 1.5%, approximately 10,000 more people would be added by 2035. A slightly higher growth rate of 2.0% would add about 70,000 people. At a 3.0% annual growth rate, the City of Billings would exceed a quarter million people in 20 years (see attached population growth chart).

The participants at each presentation were asked two questions: How do you want Billings to grow, and where do you want Billings to grow? From over 1,200 responses, the how's could easily be grouped into six categories. The planners evaluated the responses and developed goals for each category:

ESSENTIAL INVESTMENTS: Spend money wisely and on those things that would improve our quality of life.

PLACEMAKERS: Preserve and enhance our important public buildings and spaces.

COMMUNITY FABRIC: An attractive and well-designed City.

STRONG NEIGHBORHOODS: Clean and safe neighborhoods that meet our essential daily needs.

HOME BASE: A choice of housing types and sufficient supply of affordable housing.

MOBILITY AND ACCESS: The transportation system is designed to be safer and more efficient for all users.

Interestingly, the economy and jobs were not raised as issues. However, they were very important issues back in 2003 and 2008 when the last versions of the Growth Policy were updated. This is a good indication that the current economy is fairly stable and people are comfortable with the levels of employment.

The answer to the question of where we grow needed little interpretation. Three geographical areas emerged as primary directions: stay within our existing boundaries (infill), grow north (Inner Belt Loop area) and grow west. There were some very specific locations like EBURD, SBBURD, along Shiloh Road, downtown, etc., but there were no comments suggesting to cross the river to the south which helps frame our potential growth area.

The identified growth areas will provide the next element of the planning effort; growth scenarios. Scenario planning entails comparing the consequences of developing in different areas to determine which scenario offers the best outcomes in terms of revenue generated, costs incurred and goals achieved. While no one scenario may meet everyone's desires and be most cost-effective, the exercise will help reveal what factors of the scenarios are responsible for driving costs and affecting the values stated in the goals. The intent of the scenario analysis is to determine if our current pattern of growth and infrastructure investments can be modified to achieve the desired outcomes.

The planning effort will continue through June, 2016. The Planning Division staff values all input from the public, including City employees, advisory boards and elected officials.

FINANCIAL IMPACT

The Billings growth plan may be used by elected officials and city departments to help guide them in making infrastructure investments.

RECOMMENDATION

No recommendation at this time is needed as this is an update on the progress of developing the 1015-2016 Growth Policy.

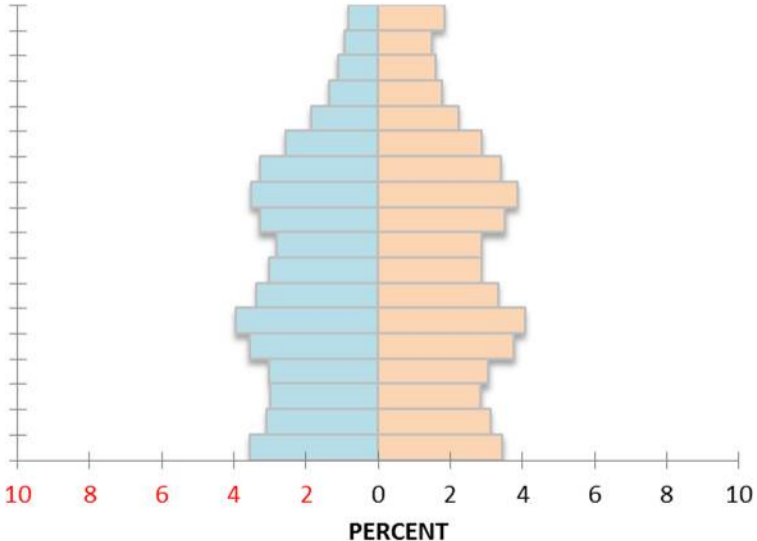
Attachments

Population Pyramid

Population Growth Chart

AGE

85+ yrs.
80-84 yrs.
75-79 yrs.
70-74 yrs.
65-69 yrs.
60-64 yrs.
55-59 yrs.
50-54 yrs.
45-49 yrs.
40-44 yrs.
35-39 yrs.
30-34 yrs.
25-29 yrs
20-24 yrs
15-19 yrs.
10-14 yrs.
5-9 yrs.
0-4 yrs.



1990



2035

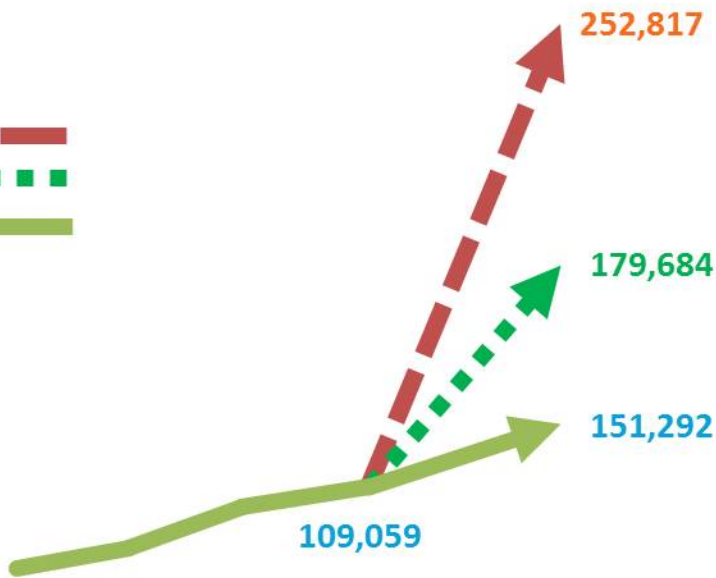
3.0%



2.0%



1.5%



BILLINGS