



Hillcrest Drive Strategic Plan

Fremont County, Wyoming

July 11, 2023



Contents

1	Purpose and Need/Environmental Considerations	1
1.1	Purpose and Need	1
1.2	Affected Environment and Impacts	1
1.2.1	Land Use and Zoning	2
1.2.2	Archaeological and Historical Sites	2
1.2.3	Regulated Materials	3
1.2.4	Aquatic Resources	3
1.2.5	Fish and Wildlife	4
1.2.6	Section 4(f) and 6(f) Resources	4
1.2.7	Air Quality	5
1.2.8	Socioeconomic	5
1.3	Summary of Permits and Timeline Table	5
1.4	References	8
2	Roadway Inventory / Land Use / Roadway Network Analysis	9
2.1	Traffic Counts	9
2.2	Roadway Classification	10
2.3	Land Use	11
3	Right-of-Way.....	11
3.1	MP 1.4 (BEG) to 1.6 (city limits boundary).....	12
3.2	MP 1.6 to 1.7 (~300-feet)	13
3.3	MP 1.7 to 1.9	14
3.4	MP 1.9 to 2.0	15
3.5	MP 2.0 to 2.2 (END)	16
4	Public Meeting #1	17
5	Alternatives Analysis	17
5.1	Alternative 1 - Widened Shoulders (Paved Shoulder)	18
5.2	Alternative 2 – Sidepath	19
5.3	Alternative 3 – Advisory Shoulder (Edge Lane Road)	20
5.4	Alternative 4 – Shared Use Path.....	23
5.5	Alternative 5 – Mortimore Lane Inspired Section	24
5.6	Alternative 6 – Mortimore Lane/Share Use Combo	27
5.7	Alternative 7 – Realignment with Widened Shoulders	28
6	Public Meeting #2.....	30
7	Preferred Alternatives and Cost Estimating	30
7.1	Comparison of the Alternatives	30
7.2	Property Impacts	32
7.3	Estimated Costs for Acquiring Property	33
7.4	Opinions of Probable Cost	34



Attachment A: Agency Coordination	36
Attachment B: Public Meeting Comments	37
Attachment C: Alternatives Exhibits	38
Attachment D: Cost Estimates	39

Tables

Table 1 Summary of Permits and Timelines	6
Table 2 – Summary of Probable Costs	34
Table 3 – Cost Inflation Table	35

Figures

Figure 1 – NWI Wetlands	3
Figure 2 – (LRTP) - 2019	9
Figure 3 – (LRTP) - 2040	9
Figure 4 – (LRTP)	10
Figure 5 – (LRTP) (2012 Lander MP map)	11
Figure 6 – MP 1.4 to 1.6	12
Figure 7 – MP 1.6 to 1.7	13
Figure 8 – MP 1.7 to 1.9	14
Figure 9 – MP 1.9 to 2.0	15
Figure 10 – MP 2.0 to 2.2	16
Figure 11 – Pave Shoulder Section	18
Figure 12 – Sidepath	20
Figure 13 – Advisory Shoulder	21
Figure 14 - Shoulder	21
Figure 15 – Advisory Shoulder/Edge Lane Section	22
Figure 16 – Shared Use Path	23
Figure 17 – Mortimore Lane Inspired Section	25
Figure 18 – Bridger Street Intersection	26
Figure 19 – Beginning of Shared Use Path	27
Figure 20 – End of Shared Use Path	28
Figure 21 – Realignment View 1	29
Figure 22 – Realignment View 2	29
Figure 23 – Potential Property Impacts at Curve	32
Figure 24 – Property Impacts at Bottleneck	33

1 Purpose and Need/Environmental Considerations

1.1 Purpose and Need

As projects are developed and recommended to be carried forward for federal funding or permitting/approvals, they may need to include assessment of the impacts of the project in an environmental document in accordance with the National Environmental Policy Act (NEPA). Under NEPA, the purpose and need for a project establishes the reason a project is being proposed and justifies the expected outcome.

As part of this planning study, a preliminary purpose and need statement was developed to provide a foundation for future evaluations. The purpose of this study is to evaluate future transportation needs along Hillcrest Drive from Bridger Street, within the city limits of Lander, to Mortimore Lane within the unincorporated portion of Fremont County, WY.

One of the future transportation needs of the project is to improve roadway safety resulting from deficiencies along Hillcrest Drive from Bridger Street, within the city limits, to Mortimore Lane in the County. In addition, a goal of this project is to improve multimodal access along this segment of Hillcrest Drive.

The need to improve roadway safety resulting from deficiencies along Hillcrest Drive is primarily due to the lack of shoulders and general roadway geometry deficiencies. According to the County Road Fund Manual (2011), using the current Average Daily Traffic volume (ADT's) of Hillcrest Drive (see Section 2.1) should provide lanes that are 10-foot to 11-foot wide with a minimum of 2-foot shoulder for a typical 26-foot County Road without pedestrian and/or bicycle considerations. The existing roadway has a total width of 19-feet with no shoulders. Additionally, the horizontal and vertical alignment of the roadway is problematic. In some locations, the speed limit may be set too high for the horizontal curves and there are also vertical curves with sight distance issues. Clear zones will need to be reviewed in the design phase of the project and any roadside obstructions, like mailboxes or power poles, may need to be shielded or moved outside of the clear zone.

The need to improve multimodal access along Hillcrest Drive is to create a safe and walkable corridor. As noted in the Safe Routes to Schools and Walkable, Bikeable Routes Study (2020), Hillcrest Drive is part of a 3.65-mile loop known locally as "Tomato Loop." This route is used frequently by pedestrians and bicyclists. It is perceived as being unsafe and uncomfortable to walk or bike on and is noted by motorists for unsafe driving conditions due to limited sight distances, narrow lanes, and inability to see pedestrians and bicycles.

The purpose and need statement will continue to be developed in future phases, as projects and funding are identified.

1.2 Affected Environment and Impacts

The following provides an overview of the existing conditions of the study area and anticipated impacts from the proposed project. A desktop analysis consisting of information from publicly available data sources and coordination with state and federal agencies were used to complete this Environmental Assessment.

1.2.1 Land Use and Zoning

The proposed project is located on and adjacent to Hillcrest Drive, which leads directly into Lander, Wyoming. The primary use of the land surrounding this roadway is used for residential and agricultural use. The study area of Hillcrest Drive is mostly located within the unincorporated portion of Fremont County with a short section inside Lander, Wyoming city limits. Hillcrest Drive is currently classified as a collector roadway and the City of Lander Long Range Master Transportation Plan notes this roadway would continue with the designation as a collector at the 2040 project traffic forecast. Roadway improvements on Hillcrest would not have any significant impact on the current land use, which is expected to remain consistent into the future. Fremont County does not currently have any zoning regulations. For the portion of the roadway that is within city limits the zoning is listed as R-1 (residential) Single Family. Lastly, for the properties adjacent to Hillcrest, the tax classification is a mix of residential, residential (vacant), and agricultural; with the majority being classified residential or residential (vacant).

Due to the proximity to the Lander Airport, the WYDOT Planning and Programming Division was consulted on the project. WYDOT responded on April 8, 2022 that Hillcrest Drive currently has a slight overlap with the Runway Protection Zone (RPZ) of Runway 4 and Mortimer Lane crosses the RPZ. The RPZ is mainly for protection of people on the ground and therefore, residential and public assembly places are not allowed. Roads within the RPZ are not optimum but are not prohibited, and no permitting would be required through WYDOT Aeronautics (see Attachment A. Agency Coordination). Please note, land use and zoning is also discussed later in the report in Section 2.3.

1.2.2 Archaeological and Historical Sites

A cultural resources desktop data review for the Hillcrest Drive Study (Study) was conducted on March 3, 2022. The review identified known and potential cultural resources within or near the Study area. The Wyoming State Historic Preservation Office WyoTrack database (WyoTrack), the online GLO plat maps, and additional historical documents including aerial images from USGS EarthExplorer were accessed and reviewed for resources within T33N, R99W, Sections 17, 18, 19, 20, 29, 30 and T33N, R100W, Sections 24 and 25.

Two eligible historic ditches, the Dutch Flat Extension of Taylor Ditch and Cemetery Ditch (48FR6190 and 48FR6191), intersect the Study area, and one ineligible historical structure, located at 209 Bridger Street (48FR4111), which is adjacent to the Study area. Further assessment of the historical ditch segments within the Study area and the Hillcrest Road within the Study area is recommended to determine integrity based on the National Register of Historic Places (NRHP) criteria individually.

Based on HDR's knowledge of the project's permitting needs and funding source(s), no further investigation is necessary; however, the project proponent should be aware that receipt of any federal or grant monies, or the requirement of a permit or approval from a federal agency may trigger the process to assess the probable impacts of the undertaking pursuant to 36 Code of Federal Regulations (CFR) Part 800 of the National Historic Preservation Act (NHPA; 1966, as amended in 2000). Section 106 of the NHPA (16 United States Code 470f) directs federal agencies to take into account the potential effect of an undertaking on "historic properties," which refers to cultural resources listed in, or eligible for inclusion in, the NRHP. The Section 106 process and requirements for additional investigation to assess for historical integrity are based on NRHP criteria (HDR, 2022).

1.2.3 Regulated Materials

According to NEPAassist, no EPA Facilities (e.g., RCRAInfo, Superfund, Brownfield sites) are located within the study area.

During construction, the contractor should be aware of areas of soil staining, objectionable odors, or if buried drums or underground storage tanks are discovered. If any are noted during construction, coordination with the Department of Environmental Quality (DEQ) is required prior to continuing work in those areas.

1.2.4 Aquatic Resources

The U.S. Army Corps of Engineers (USACE) provided a response to the project on March 21, 2022 (see Attachment A. Agency Coordination). The USACE noted that the expansion project may impact Dutch Flat Extension of Taylor Ditch and other irrigation ditches (such as Cemetery Ditch), which is likely to be authorized under Nationwide Permit 14 for linear transportation projects. The soils present in the study area are not hydric according to the Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS, 2022). National Wetland Inventory (NWI) data indicates that one aquatic resource is present within the project area, identified as a riverine habitat (see Figure 1. NWI Wetlands). No Federal Emergency Management Agency (FEMA) mapped floodplains or floodways are present within the study area (FEMA, 2022).

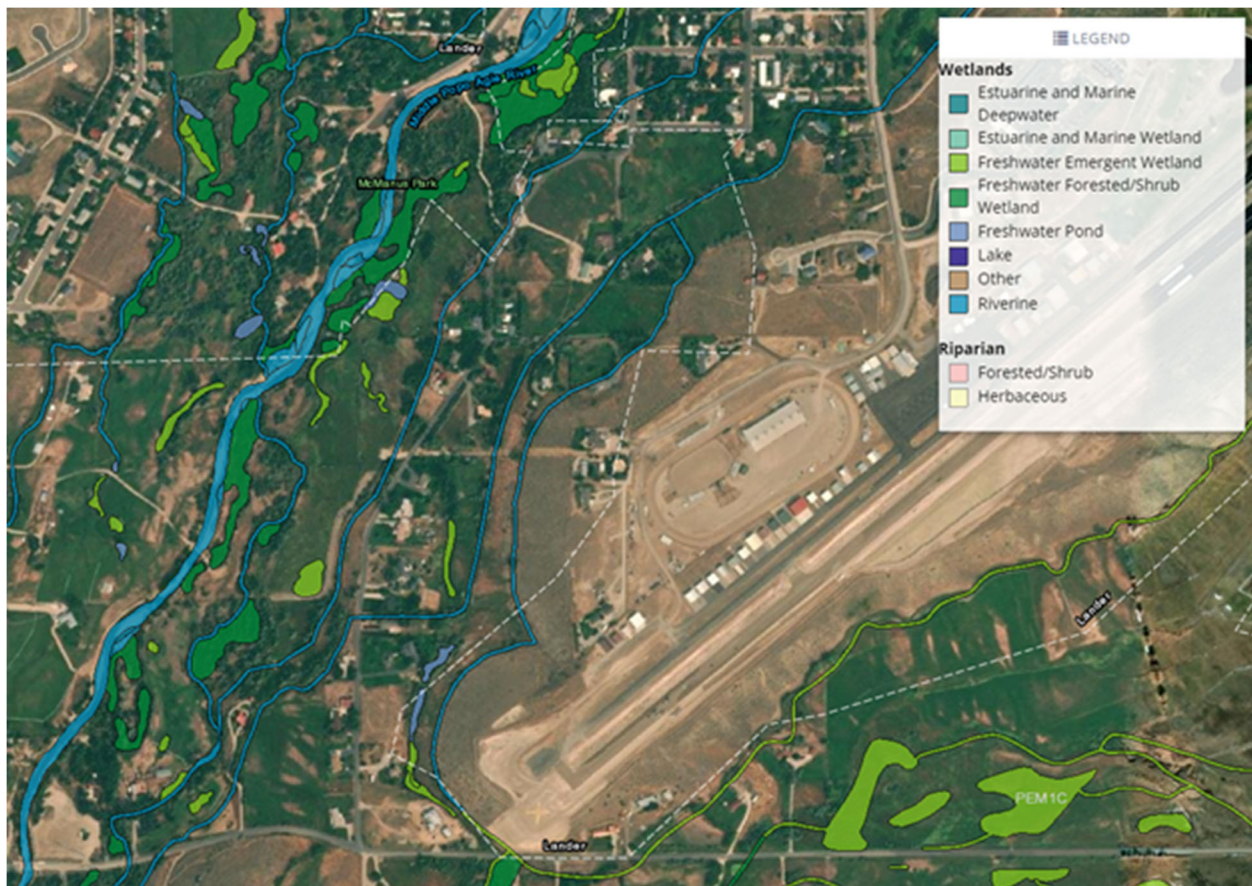


Figure 1 – NWI Wetlands

1.2.5 Fish and Wildlife

According to the USFWS Information, Planning, and Conservation (IPaC) online screening tool, the grizzly bear, monarch butterfly, and Ute ladies' tresses are the threatened or endangered species listed for the study area (USFWS, 2022). No critical habitat for listed species is located in the project area. Habitat requirements for each species are discussed in more detail below.

- Grizzly bear – The grizzly bear uses a wide range of habitats. Their selection of habitat is driven by the availability of food, cover, den sites, and mates. They often prefer habitats with bed sites that have horizontal and vertical cover, most likely as a concealment from humans. Grizzly bears prefer open feeding sites that are interspersed with cover, such as gras-forb meadow located within a forest. No suitable habitat for the grizzly bear is located within the project area, therefore no impact to the grizzly bear is anticipated.
- Monarch butterfly – Monarch butterflies are found in areas with a high number of nectar sources, with milkweed being the butterfly's lone food source. Areas with higher density native prairie are likely to support monarch butterflies. It is believed native prairie habitat in this area has been either eliminated or degraded due to the existing disturbance. No suitable habitat is located within the project area, therefore no impact to the monarch butterfly is anticipated.
- Ute ladies' tresses – Ute ladies' tresses are primarily found in wet or damp locations such as moist meadows associated with perennial stream terraces, floodplains, oxbows, river terraces, spring-fed abandoned stream channels and valleys, and lakeshores. More than one-third of the identified Ute ladies' tresses population is located on alluvial banks, point bars, floodplains, or oxbows associated with perennial streams. No suitable habitat is located within the study area, therefore no impact to the Ute ladies' tresses is anticipated.

The study area also is outside of sage grouse core areas and is over 5.5 miles from the nearest occupied lek. The USFWS confirmed on March 10, 2022, that the project is in compliance with the Endangered Species Act of 1973, as amended (see Attachment A: Agency Coordination).

The Wyoming Game and Fish Department (WGFD) responded on April 6, 2022, and provided considerations related to terrestrial and aquatic resources (see Attachment A: Agency Coordination). The recommendations are:

- Big Game Movements - Wildlife-friendly fencing specifications be used when replacing, repairing, or adding new fence.
- Noxious Weeds and Invasive Plants - Ensure all equipment is cleaned prior to arrival on the project site. This includes removal of mud, debris, seeds, or plant parts that may be found in, on, or adhering to equipment both prior to project initiation and following project commencement. After construction, the project proponent should monitor for and control noxious weeds and invasive plants that are found within or adjacent to the project site.
- Aquatic Considerations - Implement best management practices to minimize impacts to aquatic resources in the Middle Fork Popo Agie River. Best management practices for erosion control measures include silt fences, storm inlet protection, erosion control blankets, silt checks, etc.

1.2.6 Section 4(f) and 6(f) Resources

U.S. DOT Act of 1966 Section 4(f) was enacted to protect publicly owned parks, recreation areas, wildlife and waterfowl refuges, and public and private historic sites of local, state, and national significance. Federally funded transportation projects cannot impact Section 4(f)-protected properties

unless there are no feasible and prudent avoidance alternatives and all possible planning to minimize harm has occurred. Similarly, the National Land and Water Conservation Fund (LWCF) Act was enacted to preserve, develop, and assure the quality and quantity of outdoor recreation resources. Section 6(f) of the LWCF Act provides funding through grants to local and state governments for buying or developing public use recreational lands. Properties that have been acquired or developed with assistance under this section cannot be converted from public outdoor recreation uses without approval. There are no Section 4(f) or Section 6(f) resources located within the project area. The Lander Master Transportation Plan identifies general bicycle/pedestrian issues within the area surrounding Lander and proposes bike and pedestrian friendly considerations along the roadway.

1.2.7 Air Quality

Air Quality is monitored by the DEQ. The monitoring station closest to the project is located at South Pass in Fremont County. The most recent available annual data summary was for 2022. Fremont County is in attainment for all criteria pollutants (EPA, 2022).

1.2.8 Socioeconomic

The population of Lander, WY that would be served by the project is 7,546. The population of Fremont County is 39,234. The annual median household income for Lander is \$57,799. The annual median household income for Fremont County is \$55,896 (US Census Bureau, 2020).

1.3 Summary of Permits and Timeline Table

A table summarizing the matrix of permits described above with estimated timelines for approvals has been provided for guidance on the next couple of pages.

Table 1 Summary of Permits and Timelines

Required Permit	Permit Trigger	Permitting Agency	Potential Field Work (Time of Year)	Approval Timeline	Engineering Design Level	Additional Studies
Clean Water Act (CWA) Section 404 Permit	Impacts to WOTUS (Waters of the United States)	USACE Omaha District	WOTUS delineation (May - September)	12-18 months for an Individual Permit; 4-12 months for Nationwide Permit	60%	<p>Delineation Report - An onsite delineation of WOTUS, including wetlands, would be required. This work would need to be completed during the growing season when vegetation and hydrology are present.</p> <p>Alternatives Analysis - Section 404(b)(1) of the CWA requires that projects demonstrate that the project (aka alternative) is the Least Environmentally Damaging Practical Alternative relative to WOTUS, cost, technology, logistics, and other considerations such as cultural resources and ESA listed species. The analysis would include an assessment of other potential locations for the facility. This would be required as a standalone analysis for an individual permit.</p> <p>Mitigation Plan - If onsite mitigation was pursued, a mitigation plan would need to be developed. It would describe the impacts, existing and proposed conditions at the mitigation site, performance goals, and monitoring requirements. If mitigation is completed offsite, additional analysis for site selection would be necessary.</p>
National Environmental Policy Act (NEPA)	Impacts to WOTUS / WYDOT Funding	USACE Omaha District / WYDOT	N/A	12-18 months*	30%	<p>If no WYDOT funds used, the USACE would complete this documentation based on the information provided in the CWA Section 404 permit application package.</p> <p>If WYDOT funding is utilized, coordination with WYDOT would be required to determine the level of NEPA documentation required, and if WYDOT or the applicant would be required to complete the documentation. The USACE could utilize the WYDOT NEPA document or complete their own.</p>
CWA Section 401 Water Quality Certification	Impacts to WOTUS	WDEQ	N/A	4-6 months*	60%	Information would be provided as part of the CWA Section 404 permit application package.
Federal ESA Section 7 Consultation	Federal actions that may impact federally listed species	USFWS	None anticipated	3-6 months*	30%	ESA Documentation - Evaluation of the potential impacts of the project on ESA listed species and critical habitat (if present). While site specific surveys are not anticipated, further discussion with the USFWS is necessary to verify this assumption.

Required Permit	Permit Trigger	Permitting Agency	Potential Field Work (Time of Year)	Approval Timeline	Engineering Design Level	Additional Studies
National Historic Preservation Act Section 106 Consultation	Potential impacts to cultural resources	WY SHPO	Class III archaeological survey (when ground is visible)	6-8 months*	30%	Cultural Resources Evaluation and Report - A review of the state's historic preservation records and an onsite survey would be required. The onsite survey would include a pedestrian survey as well as shovel probing. Dependent on the records review and initial site survey, subsurface investigations may also be required. The evaluation would include an assessment of potential impacts of the project on cultural resources.
National Pollution Discharge Elimination System (NPDES) Construction General Permit	Construction disturbance of greater than 5 acres	WY DEQ	N/A	45-60 days	90%	Construction Stormwater Pollution Prevention Plan (SWPPP) – SWPPP would include the erosion control measures and best management practices (BMPs), monitoring and testing, to be used during construction.
FAA Form 7460, Notice of Proposed Construction or Alteration	Location within 5 miles of the airport	FAA	N/A	45-60 days		Any project within 5 miles of an airport may need to coordinate with FAA and complete FAA Form 7460, Notice of Proposed Construction or Alteration.
Civil Review Permits including: Commercial Building Permit Engineering Plan Review Fire Plan Review Electrical, Plumbing, Mechanical Permit	New industrial development	Fremont County	N/A	3-4 months	90%	Engineering Plans. As each permit has specific requirements, it is recommended that the environmental and engineering teams discuss the permitting needs in advance of engineering design. Engineering plans typically include: General site plan of existing and proposed features Architectural plans Landscape plans Grading plan including erosion control Drainage plan Utility plan Lighting plan Fire site plan Mechanical, electrical, plumbing details

Notes: *Processed concurrently with the CWA Section 404 permit.

1.4 References

- Lander, WY, 2012. Lander Master Plan 2012. Available online at: [2012-Master-Plan-Past-Present-Future2.pdf \(revize.com\)](#)
- EPA, 2022. Wyoming Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants. Available online at: [https://www3.epa.gov/airquality/greenbook/anayo_wy.html](#)
- Federal Emergency Management Agency (FEMA), 2022. FEMA's National Flood Hazard Layer (NFHL) Viewer. Available online at: [https://hazards-fema.maps.arcgis.com/](#)
- HDR. 2022. Cultural Resources Desktop Review and Summary.
- National Land Cover Dataset, 2019. Available online at: [https://www.mrlc.gov/](#)
- National Resource Conservation Service (NRCS), 2022. Farmland. Available online at: [https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm](#)
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- U.S. Fish and Wildlife Service (USFWS), 2022. Information for Planning and Conservation (IPaC). Available online at: [https://ecos.fws.gov/ipac/](#)
- Wyoming Department of Environmental Quality (DEQ), Wyoming Ambient Air Monitoring Annual Network Plan 2022. Available online at: [Wyoming Air Quality Monitoring Network \(wyvisnet.com\)](#)
- Wyoming Game and Fish Department (WY GFD), 2022. PLSS Sections Containing Occupied Sage-Grouse Lek. Available online at: [https://nrex.wyo.gov/map](#)
- Wyoming Regional Climate Center, 2022. Lander Hunt Fld AP, WY. Available online at: [https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?wy5390](#)

2 Roadway Inventory / Land Use / Roadway Network Analysis

2.1 Traffic Counts

Existing traffic counts throughout the city can be found in the 2020 City of Lander Long Range Transportation Plan (LRTP). Based on information contained in the LRTP, average daily traffic counts for Hillcrest Drive are approximately 394 (c. 2019). The average daily traffic count was projected to increase to 540 by the year 2040, a 37 percent increase over the next twenty years.

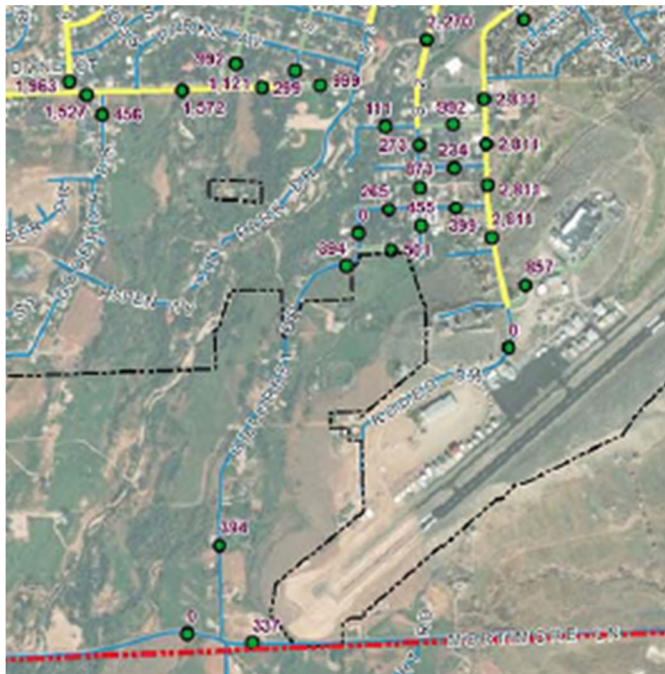


Figure 2 – (LRTP) - 2019

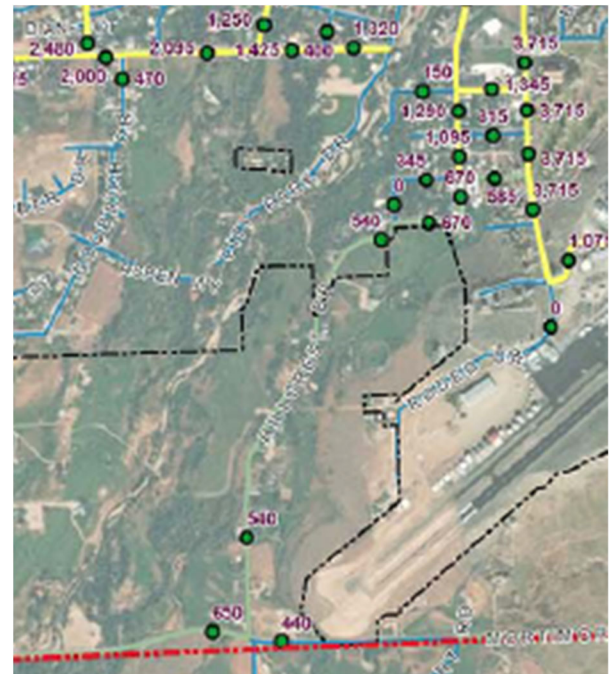


Figure 3 – (LRTP) - 2040

Forecasted traffic volumes for 2040 were developed based on traffic data at nodes throughout the City of Lander between 2001 and 2019. The traffic data were analyzed to determine the approximate rate growth between 2001 and 2019. This analysis indicated an annual growth rate of one percent. The one percent annual growth from past traffic data was then forecast into the future year of 2040, assuming similar growth would be expected. Growth between one percent and three percent is typical industry wide when projecting future traffic volumes, and existing traffic volume growth support the lower end of that scale at one percent.

2.2 Roadway Classification

Roadways have historically been categorized under a variety of designated functional classifications. The primary purpose of the classification system is to set the framework for the role and purpose of each roadway. The classifications typically carry expectations and/or requirements for roadway design characteristics, such as roadway speed, frequency of access, number of lanes, and roadway width.

At the highest classification level, Principal Arterials represent roadways designed to maximize speed and volume while minimizing access. On the opposite end of the spectrum, the Local classification represents roadways designed to maximize access to adjacent land and carry lower volumes of traffic at lower speeds.

Hillcrest Drive was defined as a rural residential Minor Collector in the 2020 LRTP and was not recommended for up or downgrading in the foreseeable future. From its intersection with Bridger Street, approximately 0.23 miles Hillcrest Drive exists within the corporate boundary of the City of Lander. The remaining 0.57 miles balance of the roadway exists within Fremont County.

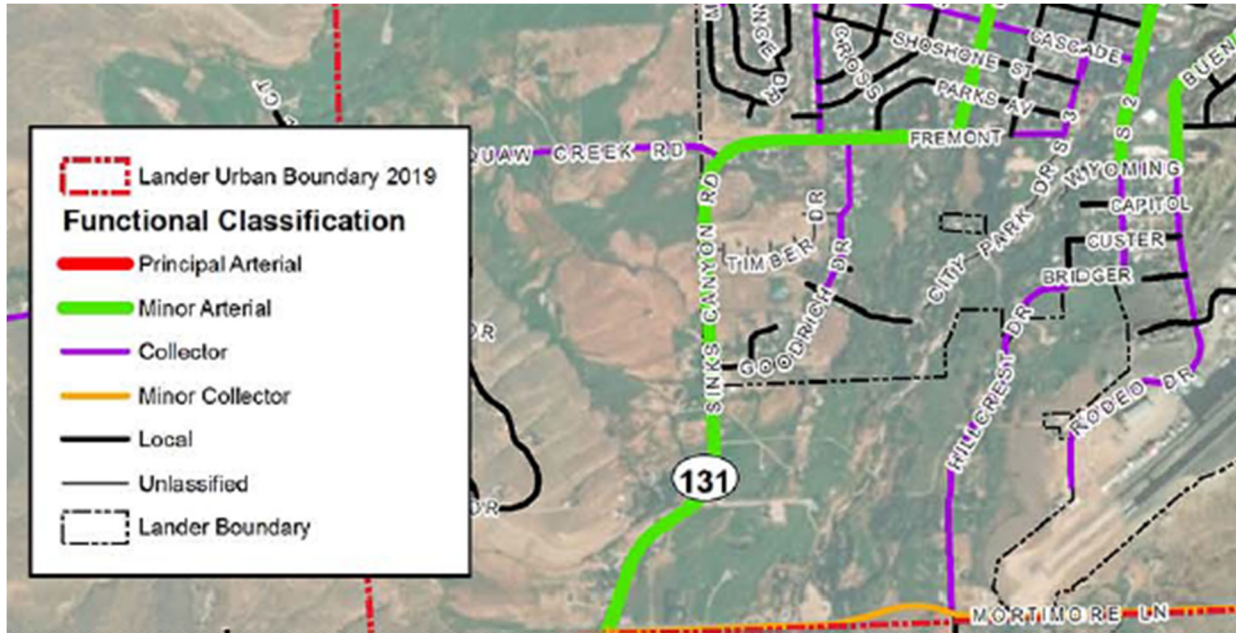


Figure 4 – (LRTP)

2.3 Land Use

As denoted in the 2020 LRTP, land use surrounding Hillcrest Drive within the study area include primarily developed rural residential land, followed by residential vacant land, and agricultural (based on tax classifications). Small portions of public land also exist at its north end (within city limits).

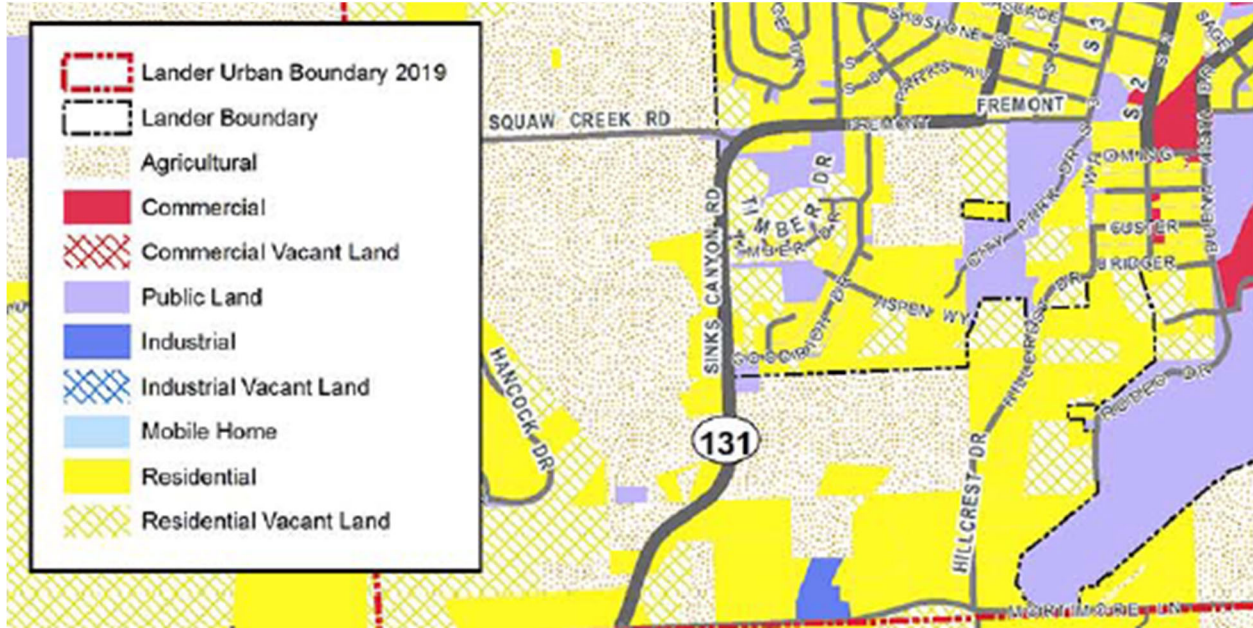


Figure 5 – (LRTP) (2012 Lander MP map)

For this study, focus has been given to Hillcrest drive from its intersection with Bridger Street (Mile Post (MP) 1.4), to the intersection with Mortimore Lane (MP 2.2). The corridor serves 37 rural residential lots; most of which are over 1 acre. The use and nature of the agrarian rural residential corridor is not anticipated to change in the near future; given the segment of the community it serves.

3 Right-of-Way

The Fremont County Planning Department provided GIS files containing linework resulting from descriptions from recorded easements, deeds, and legal descriptions. HDR surveyed available section corners to put these GIS files into a coordinate system to approximate where more research and field survey will be needed for clarification and determinations.

The following right-of-way sections are derived from the GIS files and sectioned using mile post locations. The original roadway was called Ditch Road and is described in the County Commissioner Minutes from Book F Page 465, dated November 4, 1915, which indicate the right-of-way to be 30-foot wide, 15-feet on each side of the centerline. There is also a plat/map from 1915 that was created by the County Surveyor Brown for Ditch Road that describes the road width as 40-feet (20-feet each side of centerline). The map is not signed by the Commissioners or in the public records, so it is assumed that the County Commissioner Minutes are the prevailing document. No evidence

was found of the existing roadway described in the documents from 1915 as having any portion vacated at any point.

Most properties along this corridor have observed the 40-foot right of way when they were platted. The exception is that at the location just south of the Lander city limits (described in other parts of this report as a bottleneck), the 30-foot right of way width appears to be what was utilized. A detailed study researching existing ownership along with field survey to establish properties will have to be completed before a right of way for new roadway design is undertaken.

3.1 MP 1.4 (BEG) to 1.6 (city limits boundary)

The City of Lander has acquired two separate parcels adjacent to, and parallel, to the Hillcrest Drive's centerline on its east edge. The parcels are 30-feet in width and accommodate a gravel trail from the intersection of Bridger Street and Hillcrest Drive to the City Park Trail. It is not anticipated additional right-of-way needs will be required along the frontage of the two city owned parcels. Approximately 50-feet from the southern edge of the city's corporate boundary the ROW appears to narrow to 30-feet in width. Older fencing on the 1440 Hillcrest Drive property near MP 1.6 appears to encroach into the ROW on the east side of the travel way. Newer fencing has been installed behind the older fencing, matching the newer ROW. It appears the old fencing needs to be removed.

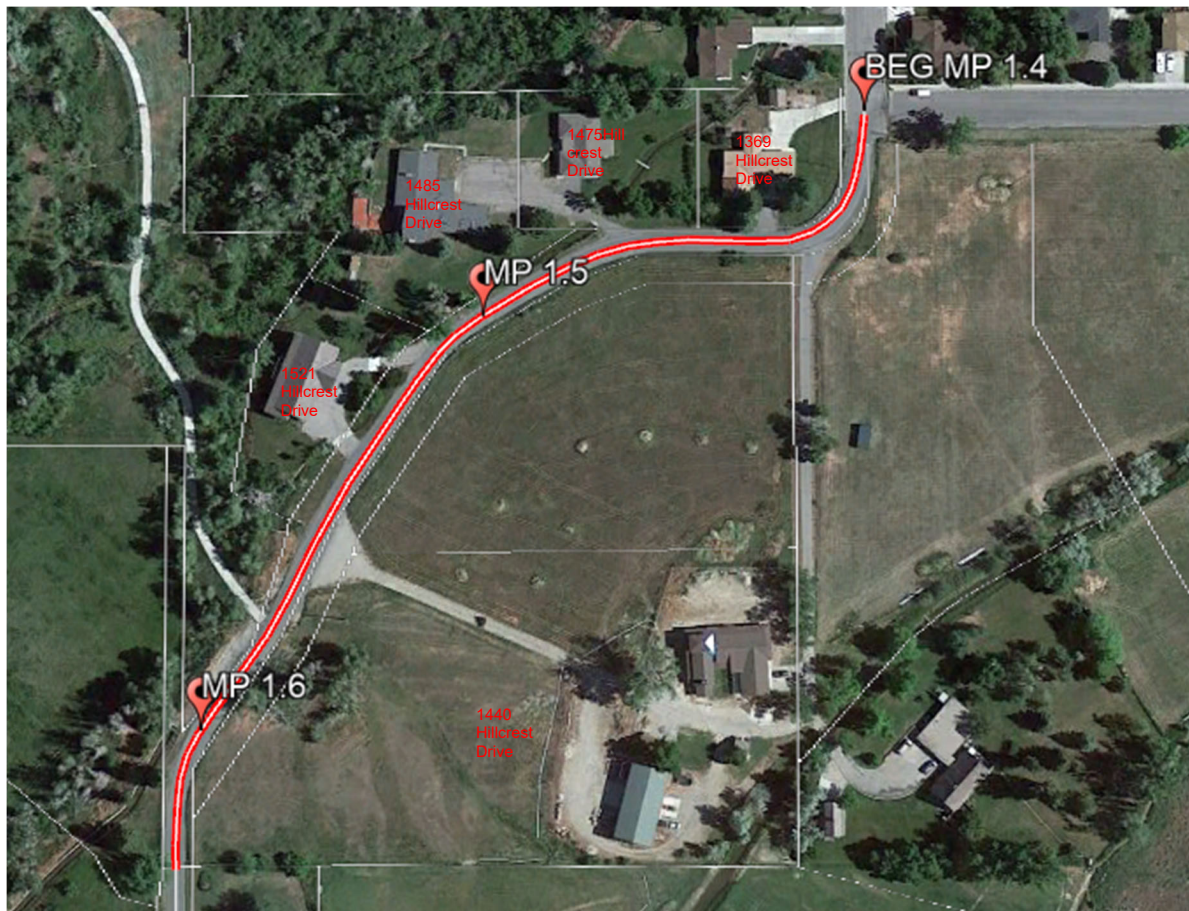


Figure 6 – MP 1.4 to 1.6

3.2 MP 1.6 to 1.7 (~300-feet)

This section of the study corridor appears to have a relatively consistent ROW width of 30-feet. The travel way appears to be centered within the ROW. Large trees flank the ROW through this section on both sides and may encroach into the ROW at their bases; however, certainly encroach into the vertical projection of the ROW. This location is challenging because of how close the homes are next to the existing road which creates a bottleneck.

The home located at 1679 Hillcrest Drive is approximately 30-feet from the existing edge of road on the west, and the home located at 1674 Hillcrest Drive is located approximately 40-feet from the existing edge of road on the east. Widening the roadway through this location presents a challenge because it moves the edge of roadway closer to either of the homes, depending on which side is widened. A vertical and horizontal curve also begins in this section of the study corridor at MP 1.6 and runs through MP 1.7. The property owner at 1679 Hillcrest Drive owns property on both sides of Hillcrest Drive at this location, so negotiation with this property owner will be critical for completion of any improvements on Hillcrest Drive.



Figure 7 – MP 1.6 to 1.7

3.3 MP 1.7 to 1.9

The Ditch Road right-of-way takes a 90 degree turn to the west near the mid-point of the curve just north of MP 1.7. From approximately MP 1.7 to 1.9, a 40-foot easement was acquired by WYDOT (Misc. Book 23, Page 122). This 40-foot section starts at the curve near MP 1.7, where the Ditch Road right-of-way turns at a 90 degree angle and follows the existing alignment for Hillcrest Drive until it intersects the original Ditch Road right-of-way to the south, near the address at 1826 Hillcrest. It appears that this acquisition of easement was an attempt to follow the alignment for Hillcrest Drive as part of a past construction project. This section also contains a horizontal curve from near MP1.9. The Ditch Road right-of-way is shown in the exhibits in Attachment B.

The clear zone for a roadway is the area immediately adjacent to the road where it is desirable to have an unencumbered roadside recovery area on the shoulder of the road. For the properties located east of the alignment between MP 1.8 and MP 2.0 there are various obstructions in or near the clear zone. These obstructions include trees, hedges, utility poles, junction boxes, gas meters, and a retaining wall (1880 Hillcrest Drive). It is anticipated that with reconstruction of Hillcrest Drive these obstructions will need to be evaluated and relocation of utilities may need to be considered.



Figure 8 – MP 1.7 to 1.9

3.4 MP 1.9 to 2.0

As mentioned in the previous section, there are obstructions on the east side of the road that may need to be addressed between MP 1.8 and MP 2.0. The 30-foot wide Ditch Road right-of-way appears to hug the eastern half of the existing road in this location. Obtaining additional right-of-way on the west side of the alignment between MP 1.82 and MP 1.98 will likely be required. It is recommended that enough right-of-way is obtained to encapsulate any fill slopes required on the west side of the road. There are two horizontal curves at this location that when paired with some of the roadside obstructions (hedges and trees), can have an impact on sight distance. The travel way between MP 1.9 and 2.0 also crosses overhead power lines.



Figure 9 – MP 1.9 to 2.0

3.5 MP 2.0 to 2.2 (END)

From MP 2.0 to 2.2, the County owns a 50-foot wide parcel of land that the existing road is built within (Warranty Deed 2008-1303589). Additionally, there is a 15-foot wide utility and roadway easement dedicated to Fremont County on the eastern side of the road as shown in the Cox Subdivision Plat for a total of 65-feet of right-of-way. The exception is located at 2118 Hillcrest Drive, where there is not the 15-foot wide roadway and utility easement. It is recommended that a 15-foot wide easement should be obtained at 2118 Hillcrest Drive. Multiple utilities, including overhead power, natural gas, and telecommunications are located in the east side of the ROW and may need to be relocated. There are also several trees adjacent to the road that will need to be evaluated to determine clear zone impacts.

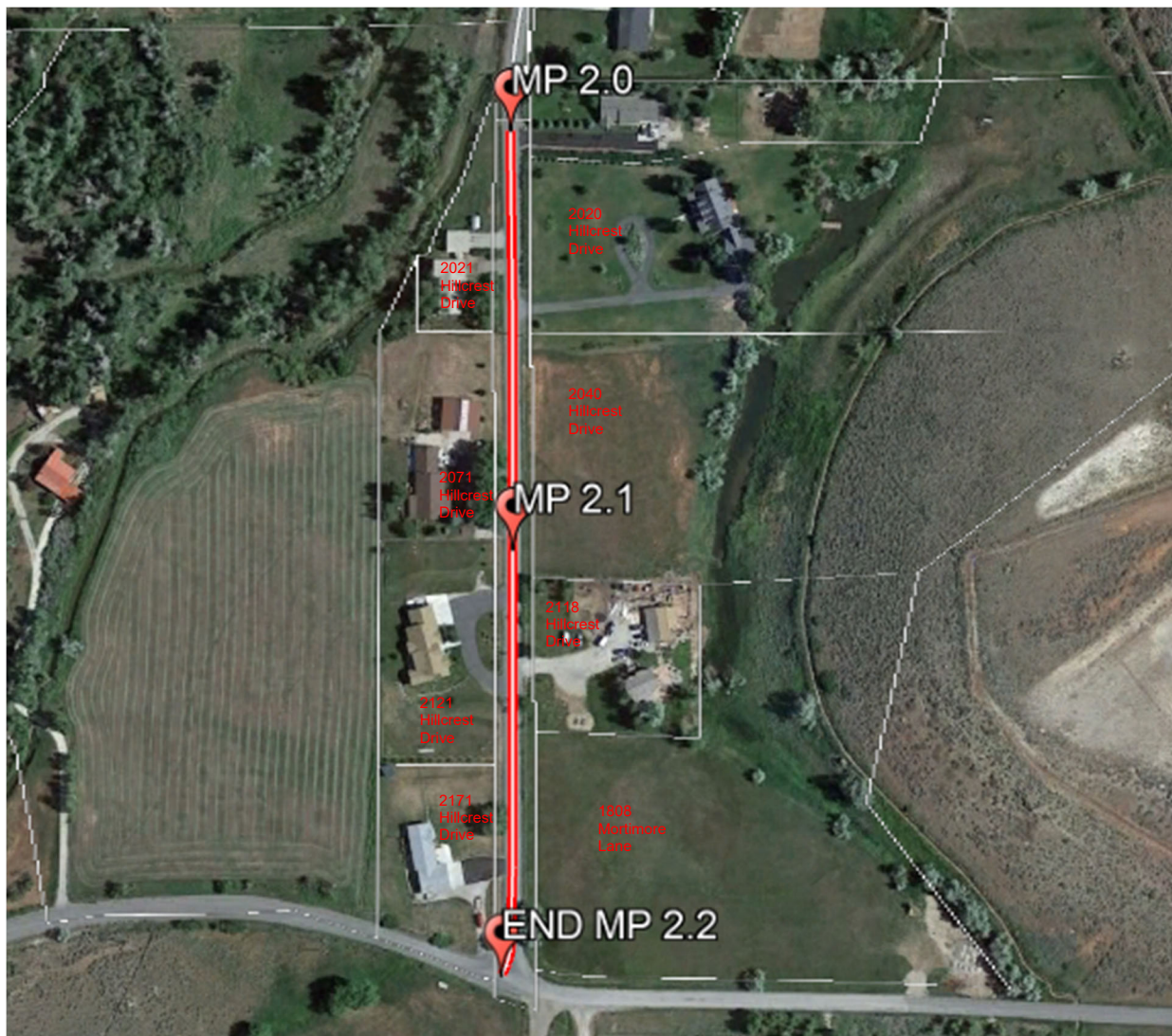


Figure 10 – MP 2.0 to 2.2

4 Public Meeting #1

As part of the process to review the proposed study and develop the alternatives, public engagement was conducted through meetings with the general public, the City staff, the Lander Pathways Committee, and the Lander Cycling Club. As part of the public outreach effort, postcards about the meeting were directly mailed to property owners adjacent to Hillcrest Drive. A County 10 Advertisement for the meeting was also published and the City and County added information about the meeting onto their websites.

The first public meeting was held on June 6, 2022, with approximately fifty people in attendance. The existing conditions of the right-of-way, bottleneck area, a 'typical' road right of way, and some possible solutions were all presented and discussed at the meeting. In addition to the comments gathered via hand-written comments on maps at the meeting, attendees submitted nine contact cards with comments, eleven emails, and two letters. Generally, the landowners and other attendees agreed changes need to be made to Hillcrest Drive to improve safety. Most stakeholders indicated an attached bike path (including re-striping the road rather than widening) was their preferred solution. Many were also open to a separated bike path.

After the public meeting and meetings with other stakeholders, multiple alternatives were developed showing the identified issues related to pedestrians and bicycles and possible solutions, taking the public engagement comments into account. Exhibits showing these alternatives are discussed in the next section with exhibits for each alternative located in Attachment B.

5 Alternatives Analysis

HDR conducted a simple field investigation as part of the project to get a baseline on the existing typical section. Ten random locations were selected along Hillcrest Drive and an existing roadway width measurement was taken. The average roadway width for Hillcrest Drive is approximately 19-feet. This equates to two, 9.5-foot wide travel lanes without any paved shoulders.

The County Road Fund Manual recommends minimum requirements for County Roadways including 10-foot to 11-foot wide lanes for reconstruction on an existing alignment for Minor Collector Roads and recommended shoulder widths for new construction on a new alignment for Minor Collector Roads ranging from 0-feet to 4-feet, depending on the estimated Average Daily Traffic volume.

The recommended section for Hillcrest Drive, based on County Road Fund Manual guidance and without considerations for pedestrians and bicycles is 10-foot wide travel lanes with 2-foot wide shoulders. While 12-foot wide travel lanes are more typical for recent roadway design for Fremont County, 10-foot wide lanes would provide better traffic calming and would help keep traffic speeds down. Public comments indicate that speed is perceived as being problematic on Hillcrest Drive and increasing the width of the roadway from the current 19-feet of width could result in higher speeds or have an undesired effect.

The following alternatives were identified based on the existing conditions along the roadway and based on guidance from FHWA's Small Town and Rural Multimodal Networks publication (Publication Number: FHWA-HEP-17-024). This guidance was utilized to propose improvements, beyond a County Road typical section (as suggested in the County Road Fund Manual).

- Alternative 1 – Widened Shoulders (Paved Shoulder)
- Alternative 2 – Sidepath
- Alternative 3 – Advisory Shoulder (Existing Roadway)
- Alternative 4 – Shared Use Path
- Alternative 5 – Mortimore Lane Inspired Section
- Alternative 6 – Mortimore Lane/Share Use Combo
- Alternative 7 – Realignment with Widened Shoulders

Discussion and feasibility of these alternatives is presented in the sections below.

5.1 Alternative 1 - Widened Shoulders (Paved Shoulder)

FWHA's Small Town and Rural Multimodal Networks describes a shoulder treatment type that can improve multimodal safety along rural roadways. Paved shoulders on a roadway can be enhanced to serve as a functional space for bicyclists and pedestrians and are visually separated from the travel lanes by means of a striping buffer and rumble strips.

HDR utilized guidance from the FHWA publication and proposes the following section for a visually separated paved shoulder treatment. This section provides widened safety shoulders that maintains 10-foot wide travel lanes adjacent to rumble strips that should provide a traffic calming effect. Please refer to the typical section shown below.

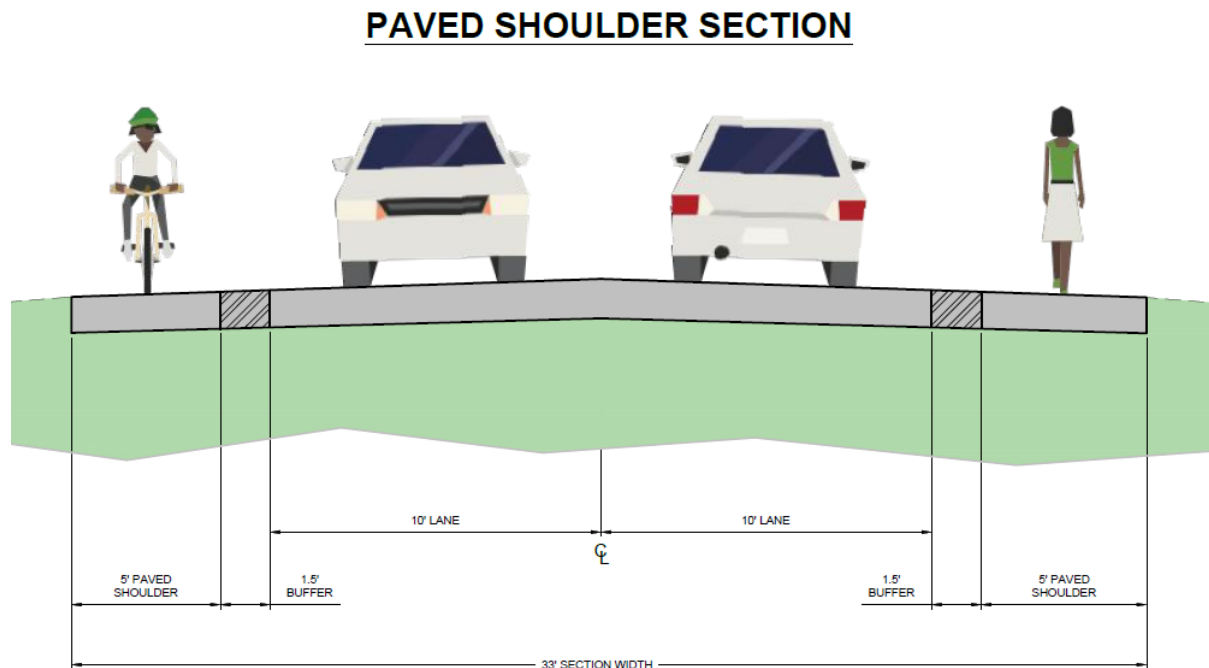


Figure 11 – Pave Shoulder Section

A preliminary layout of this roadway section was overlayed on the existing road and evaluated for impacts and feasibility (exhibits for this alternative are shown in Attachment C). The preliminary layout attempted to match the existing western edge of Hillcrest with the proposed western edge of the Paved Shoulder/Widened Shoulder alternative, effectively widening the road on the eastern side.

The reasoning for this was to show what the impacts could be along the eastern edge of the roadway, especially through the bottleneck between MP 1.6 and 1.7. This road section will require right-of-way acquisition from the properties adjacent to the bottleneck. During design, the alignment could be shifted to the west in some locations to lessen impacts. For the purposes of the second public meeting, we wanted to show what the greatest impacts could be for this alternative.

This alternative provides two-way traffic flow for pedestrians and bicycles. People on bikes are generally more comfortable and more visible when traveling with vehicular traffic. However, because the multimodal use is on both sides of the road, there will be a roadway crossing required at the intersection with the Lander City Park pathway near MP 1.57 for pedestrians and bicyclists traveling northbound on the eastern shoulder. The following is a “pros” and “cons” summary for this alternative:

Pros:

- Provides more comfortable two-way travel for bikes.
- Widened shoulders can be maintained as part of the road.
- Wide shoulders provide safer clear-zone.
- Shoulder would be maintained as part of the roadway.

Cons:

- Widened road will impact adjacent property owners, including the through bottleneck location.
- A roadway crossing will be required at the City Park Pathway and at Mortimore Lane.
- Is not consistent with existing pathway on Mortimore Lane.
- Lack of physical separation could be less comfortable for pedestrians.

5.2 Alternative 2 – Sidepath

There is currently an existing gravel sidepath on the eastern side of Hillcrest Drive within city limits between MP 1.4 and 1.55. Alternative 2 continues this eastern sidepath for the remainder of the roadway alignment to the intersection with Mortimore Lane.

Sidepaths are described in the FHWA Small Town and Rural Multimodal Networks publication as offering a low-stress experience for bicyclists and pedestrians on network routes otherwise inhospitable to walking and bicycling due to high-speed or high-volume traffic.

Sidepaths are a subcategory of shared use paths which are located in road right-of-way and generally follow the alignment of the roadway. The image below from the Small Town and Rural Multimodal Networks guide shows an example of a typical section for a roadway with a sidepath.

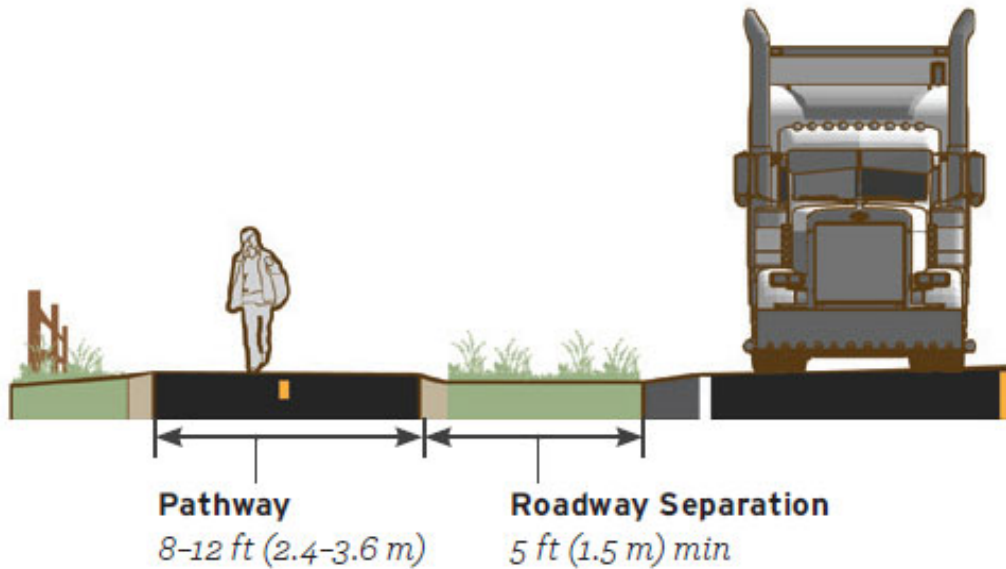


Figure 12 – Sidepath

Exhibits for the preliminary layout of this alternative are included in Attachment C. While this alternative would provide a high level of comfort for people walking and biking of all ages and abilities, there likely would be major adjacent property impacts (especially in the area with the bottleneck). This alternative also would require the roadway crossing at the intersection with the Lander City Park to remain in place. The following is a “pros” and “cons” summary for this alternative:

Pros:

- Physical separation provides a very safe and comfortable location for bikes and pedestrians.

Cons:

- A sidepath on the east will impact adjacent property owners along the entire route.
- The bottleneck location will see the greatest impact with this alternative.
- A roadway crossing will be required at the City Park Pathway and at Mortimore Lane.
- Long-term maintenance of separated paths can be problematic when not attached to the roadway.

5.3 Alternative 3 – Advisory Shoulder (Edge Lane Road)

The City of Lander Safe Routes to School and Walkable Bikeable Routes Study (completed in 2020) briefly discussed restriping Hillcrest Drive as an advisory shoulder road (also known as an edge lane road) for improving multimodal awareness. As part of this project, the existing roadway was evaluated for advisory shoulders in greater detail.

Advisory shoulders are a newer treatment type in the United States and create usable shoulders for bicyclists on a roadway that is otherwise too narrow to accommodate one. The shoulder is delineated by pavement markings and optional pavement color. Motorists may only enter the shoulder when no bicyclists are present and must overtake these users with caution due to potential oncoming traffic. If advisory shoulders are also intended for use by pedestrians, accessibility guidelines should be followed.

For this type of treatment, motorists travel in the two-way travel lane in the center of the road, and when passing a bicyclist or pedestrian, no lane change is required. When two motor vehicles meet, motorists will need to encroach into the advisory shoulder. Please see image below from the Small Town and Rural Multimodal Networks guide.

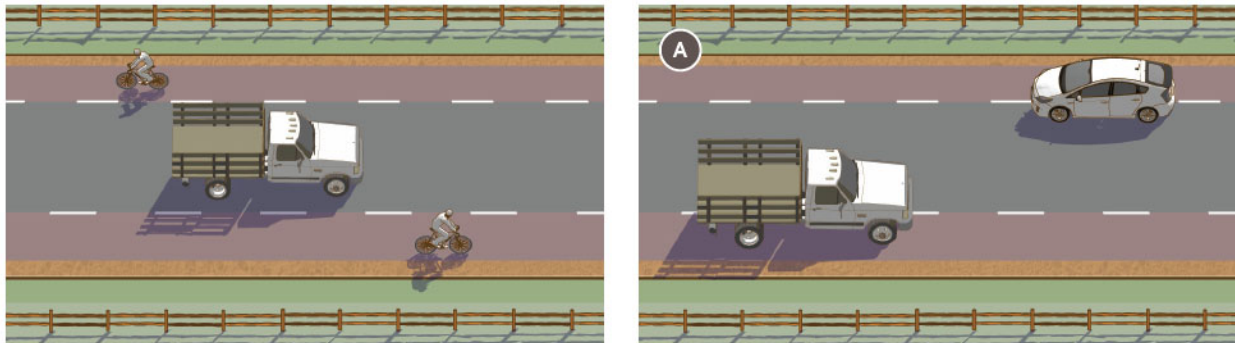


Figure 13 – Advisory Shoulder

In rare cases where bikes are present on the shoulder and two motor vehicles will meet near the location of the bicyclist, the vehicle traveling the same direction as the bike would yield to the bike.

The same situation when pedestrians are present is likely an even more rare occurrence because pedestrians tend to travel at lower speeds, and it is likely that most drivers would be able to pass the pedestrian before meeting the oncoming vehicle. If not possible, the driver would yield to the pedestrian as the oncoming car passes, similar to the maneuver when bikes are present.

Figure 14 shows what signage could look like for advisory shoulders. This example sign is from the Edge Lane Road Design Guide published in 2020 by Michael Williams.

For Hillcrest Drive, it is likely that this type of shared usage is already being utilized by some motorists and people walking/biking. The fact is that people are already walking and biking along the Tomato Loop. The advisory shoulder striping, signage, and educational effort on how to use roadways of this type could be deployed by Fremont County on Hillcrest Drive with its current paved surface road width. This could be completed as a temporary or interim solution that would provide better guidance for users of all types on Hillcrest Drive and help bring some safety and at a minimum a level of awareness that the roadway is intended for multimodal usage.



Figure 14 - Shoulder

The following typical section was developed based on the current average roadway width for Hillcrest Drive using guidance from the Small Towns and Rural Multimodal Networks. The existing paved roadway width is 19-feet wide. This width allows for a 10-foot wide center travel lane and 4.5-foot wide advisory shoulders. The guide recommends a range of 10-feet to 18-feet wide for the two-way travel lane, and a preferred width of 6-feet to an absolute minimum width of 4-feet for the advisory shoulder. The road section below is within the guidance in the Small Town and Rural Multimodal Networks guide. Exhibits for the preliminary layout of this alternative are included in Attachment C. A summary of “pros” and “cons” summary for this alternative is also listed below.

ADVISORY SHOULDER/EDGE LANE SECTION

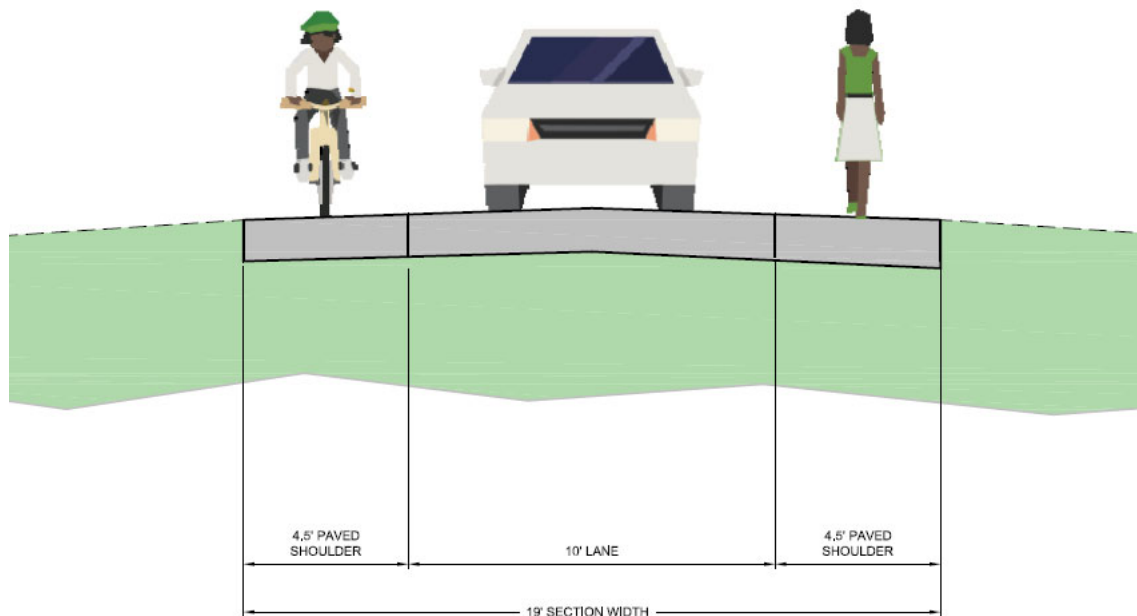


Figure 15 – Advisory Shoulder/Edge Lane Section

Pros:

- The existing road can be modified to an advisory shoulder roadway through re-striping, signage, and an educational effort.
- This modification is relatively low cost.
- Because the existing roadway is being utilized, property impacts will be minimal.

Cons:

- This should be considered a temporary interim solution with the goal of completing other more permanent alternatives.
- Advisory shoulders are a relatively new roadway treatment, education and awareness will be critical for implementation.

5.4 Alternative 4 – Shared Use Path

As part of the Lander Safe Routes to Schools and Walkable Bikeable Routes Study, an alternative for a detached shared use path was identified for completing the Hillcrest Drive portion of the Tomato Loop.

This alternative utilizes the existing gravel sidepath in Hillcrest Drive within city limits (from Bridger Street to the pathway from Lander City Park). The proposed shared use path would begin at the City Park Pathway and continue south, following the western edge of Cemetery Ditch. The alternative follows Cemetery Ditch behind the homes where the bottleneck has been identified and continues south. There are several options for the shared use path south of MP 1.97, but all end up connecting with Mortimore Lane on the north side and would become a sidepath that eventually connects with the existing walking and biking path on Mortimore Lane near the bridge crossing the Middle Fork of the Popo Agie.

The impetus for this alternative was that if the pathway generally followed the irrigation ditch, the access easements for the irrigation could be modified to include pathway access. Also, by keeping the pathway on the side of the ditch away from the homes along Hillcrest Drive, there would be a “castle and moat” effect where the water feature helps provide some privacy/separation from the homes. Fencing and other items could be included as part of negotiations with landowners for the easement. Lastly, the pathway could provide better maintenance access for the ditch company for maintaining ditches where the pathway is adjacent to or crosses these features.

Shared use paths are similar to sidepaths with the main difference being that sidepaths generally follow the alignment of a roadway whereas shared use paths can be similar to sidepaths following a road or they can follow a completely separate alignment not related to a road. The Small Town and Rural Multimodal Networks guide provides the following guidance for shared use paths:

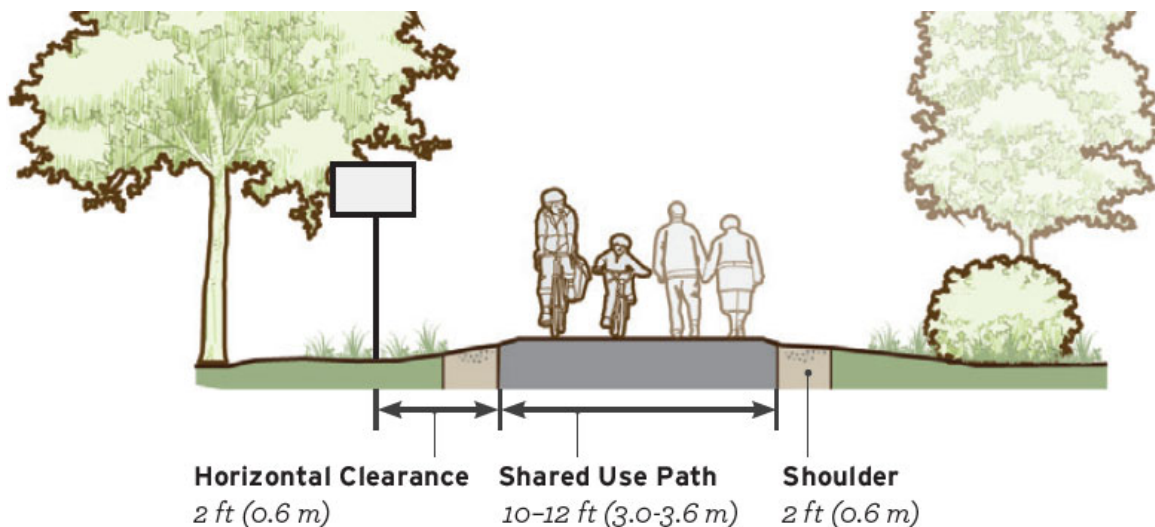


Figure 16 – Shared Use Path

Exhibits for the preliminary layout of this alternative are included in Attachment C. The minimum width allowed/recommended in the Small Town and Rural Multimodal Network guide is 8-feet wide. The pathway width in the exhibits shown in Attachment C are 10-feet wide. This width provides a good level of comfort for pedestrians and bicyclists when using the same path and provides enough

width for bicyclists to be able to pass people walking while still staying on the pathway. Additionally, some funding agencies may have a minimum acceptable width for Shared Use Paths. Typically, for projects involving federal funding the minimum width allowed is 10-feet.

While this alternative provides for a separated location for people walking and biking, it may have some major impacts on property owners. Property owner agreement and acceptance by all those impacted along the pathway alignment is the major obstacle for this alternative. Many of the properties that would be impacted by a path along the ditch use, or could potentially use, the west side of the ditch to graze horses and other livestock. Adding a pathway would eliminate their ability to easily access their land by their animals for grazing and water, minimizing their ability to enjoy their agricultural property. Additionally, routine and long-term maintenance of a shared use pathway would have to be addressed. The following is a “pros” and “cons” summary for this alternative:

Pros:

- A shared use pathway would provide a very safe and comfortable location for bikes and pedestrians that is completely separated from vehicle traffic.
- A path along the ditches could provide maintenance access for the ditch companies.

Cons:

- A shared use path along the ditch results in major property impacts because the path would bisect existing properties and could create an additional barrier for livestock grazing and watering.
- The existing roadway crossing for the City Park Pathway would remain in place.
- Long-term maintenance of separated paths can be problematic when not attached to the roadway.
- Roadway improvements for Hillcrest Drive would still need to be made in addition to installation of a new separated pathway.

5.5 Alternative 5 – Mortimore Lane Inspired Section

Fremont County reconstructed a portion of Mortimore Lane in 2017 between Sinks Canyon Road and the Middle Fork of the Popo Agie River. As part of the reconstruction, an attached pathway was included on the north side of the road. The pathway is an extended shoulder with a rumble strip buffer between the travel way and a 5-foot bike lane, and another 5-foot on the outside of the shoulder intended for pedestrian usage. A similar treatment has also been included on the eastern shoulder of Sinks Canyon Road between Mortimore Lane and the sidewalk on Fremont Street. Both locations are part of what is known as the Tomato Loop.

Because people are familiar with this type of treatment on the Tomato Loop, this study evaluated this as one of the possible alternatives for Hillcrest Drive. By adding the extra shoulder width on the west side of Hillcrest Drive, the route connections create an “inside” track/loop along the Tomato Loop roadways. If this alternative is pursued, the Mortimore Lane shoulder should be continued from the Middle Fork of the Popo Agie to the intersection of Hillcrest Drive to maintain consistency. The

typical section below was developed based on the Mortimore Lane section, guidance from the County Road Fund Manual, and direction from the Small Town and Rural Multimodal Networks guide.

MORTIMORE LANE INSPIRED SECTION

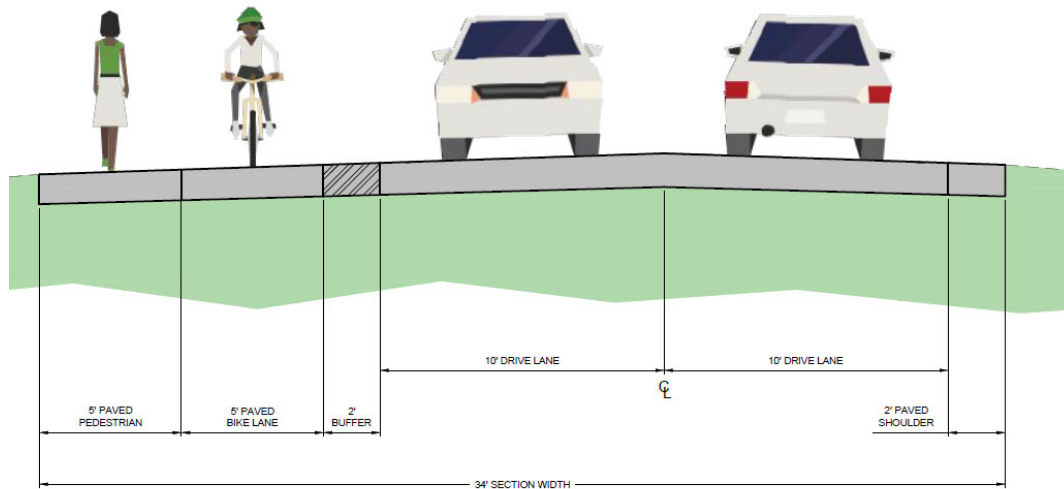


Figure 17 – Mortimore Lane Inspired Section

The section includes a 2-foot paved shoulder, 10-foot travel lanes, a 2-foot buffer with rumble strips, and a 10-foot shared use pedestrian/bike lane. Travel lanes with a width of 10-feet are recommended to provide traffic calming and would be similar to the existing road width if rumble strips were also included on the 2-foot shoulder side of the road.

A preliminary layout of this roadway section was overlayed on the existing road and evaluated for impacts and feasibility (exhibits for this alternative are shown in Attachment C). This section is 1-foot wider than the Paved/Widened Shoulders section from Alternative 1, though a similar width could be achieved if the shoulder and buffer width is reduced to 1.5-feet.

Because this has a similar width as Alternative 1, some of the greatest impacts would be on the properties adjacent to Hillcrest Drive between MP 1.6 and 1.7. The property impacts for this alternative will be discussed in greater detail later in the report.

One downside to this section is that some people in the biking community prefer to ride in the same direction as vehicular traffic to improve visibility and predictability and have indicated that this alternative is not ideal because they would be traveling contra-flow with vehicular traffic.

The greatest safety benefit for this alternative is that it eliminates the road crossing at the City Park Pathway, because the pathway would shift completely to the west side where the City Park Pathway intersects with Hillcrest Drive. The road crossing in this case would shift to the intersection of Bridger Street and Hillcrest Drive. A crosswalk would be added on the northern leg of the intersection between the existing sidewalk on the north side of Bridger Street and the shared use path proposed on the west side of Hillcrest Drive.

Also, the current intersection is stop controlled only on the Bridger Street leg. It is recommended that a stop sign be installed at all three legs of the intersection. This would slow traffic down coming into the final curve on Hillcrest Drive for northbound traffic. A three-way stop would also help provide visibility for the proposed crosswalk on the northern leg of the intersection. The proposed intersection configuration is shown in the image below. A summary of “pros” and “cons” summary for this alternative is also listed below.

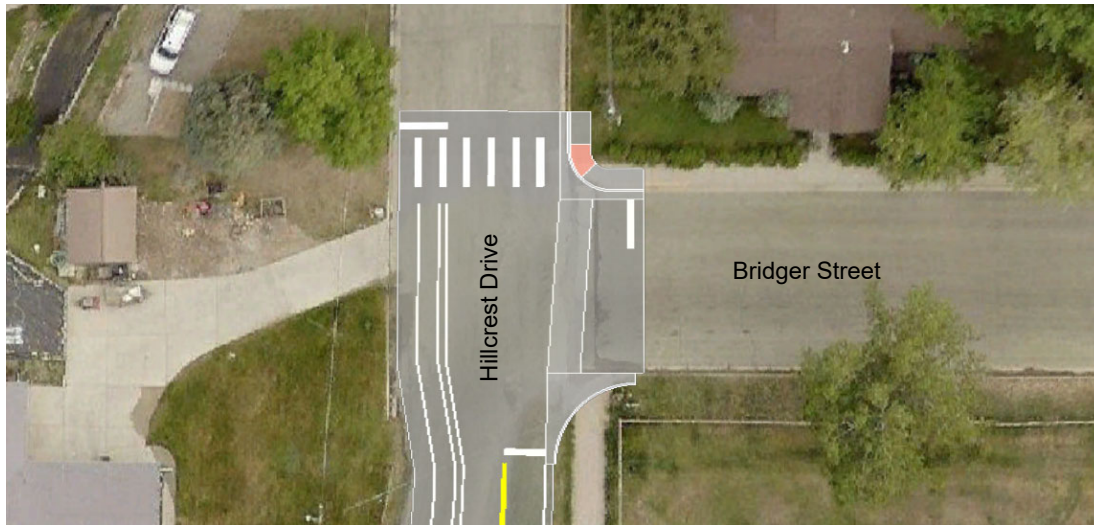


Figure 18 – Bridger Street Intersection

Pros:

- Eliminates the mid-road crossing at the City Park Pathway because the pathway is on the west side of Hillcrest Drive.
- Uses a similar treatment as Mortimore Lane and Sinks Canyon Road and provides consistency along the Tomato Loop.
- Will be maintained as part of the roadway because it is attached.

Cons:

- Widened road will impact adjacent property owners, including through the bottleneck location
- This alternative is not ideal for bikes because they would be traveling contra-flow with vehicular traffic.
- Lack of physical separation could be less comfortable for pedestrians.

5.6 Alternative 6 – Mortimore Lane/Share Use Combo

Alternative 6 is a combination of the Mortimore Lane Inspired Alternative and the shared use path Alternative. This alternative starts at the intersection of Hillcrest Drive and Bridger Street with the Mortimore Lane Inspired Typical Section (as discussed in the previous section). This section continues to the Lander City Park pathway where the shared use path splits off and follows the Cemetery Ditch as shown on the image below.



Figure 19 – Beginning of Shared Use Path

The roadway transitions to a typical county road section (10-foot travel lanes, 2-foot shoulders) with a detached shared use path at the intersection with the Lander City Park Pathway. The shared use path follows the west side of Cemetery Ditch similar to Alternative 4 and continues on that alignment until MP 1.8.

The shared use path crosses Cemetery Ditch near MP 1.8 and then follows the Ditch Road easement until it intersects with the existing road. Near MP 1.8, the road transitions back to the Mortimore Lane Inspired Alternative and continues with this typical section to the intersection with Mortimore Lane as shown in the image on the next page.



Figure 20 – End of Shared Use Path

This option combines some of the benefits from Alternatives 4 and 5. One of the benefits of this alternative is that it keeps a narrower typical county road section through the bottleneck area between MP 1.6 and 1.7 and routes people walking and biking away from the road on a shared use path. This alternative also helps improve safety at the Lander City Park crossing by shifting the crossing to a three-way stop at Bridger Street. By combining the alternatives, this provides the County and City with options for future negotiations with landowners. This Alternative would also need to address issues related to long-term and short-term maintenance of the pathway along the ditch as well as the fact that agricultural land is being bifurcated with the path causing significant hardship to the property owners. The following is a “pros” and “cons” summary for this alternative:

Pros:

- Has similar pros as Alternatives 4 and 5.
- Uses a narrower road section through the bottleneck to reduce impacts adjacent to the road at that location.

Cons:

- Has similar cons as Alternatives 4 and 5
- The property impacts at the bottleneck are shifted from being adjacent to the road to creating impacts at the ditch behind the homes, bisecting the properties.

5.7 Alternative 7 – Realignment with Widened Shoulders

This alternative was suggested by a landowner as part of the public comment for the second public meeting (which will be discussed in greater detail in the next section). Realignment of Hillcrest Drive

near the bottleneck was discussed early on, but was not pursued because it would have significant impact on some surrounding landowners.

However, after the public meeting where the alternatives above were presented, the property owners at 1724 Hillcrest Drive (just past MP 1.7 on the east side of the road) suggested realignment of Hillcrest Drive, and that they might be willing to negotiate with the County if the realignment proposed by them was to be pursued.

The realignment for this alternative begins near MP 1.5 and turns to the south. The roadway takes a north-south bearing and continues along the rear property line of 1674 Hillcrest Drive. From 1674 Hillcrest Drive, the realignment veers back to the west to the existing alignment of Hillcrest Drive. The properties located within the bottleneck would need to have a shared approach onto the realigned roadway.

For this alternative to become feasible, there would be a garage and another out-building that would need to be removed on the 1702 Hillcrest Drive property. The property owners indicated that demolition of these buildings would be something they might consider if the other property owners impacted by the realignment would be open to the idea. Please see the images below.

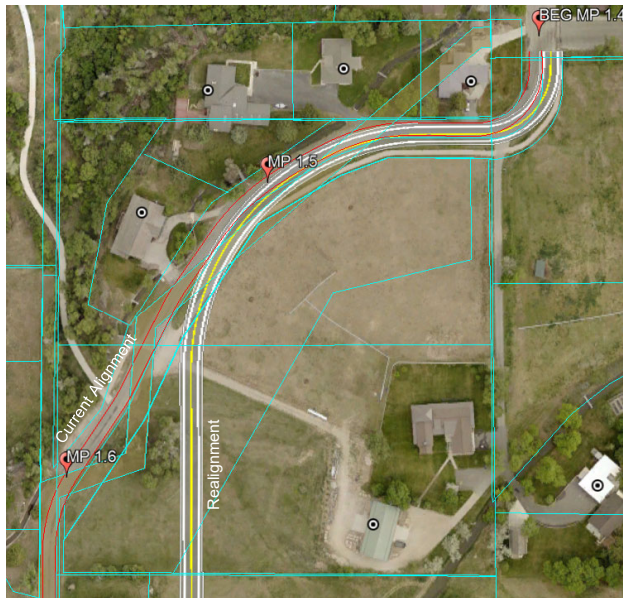


Figure 21 – Realignment View 1



Figure 22 – Realignment View 2

The typical section proposed and shown in the exhibits in Attachment C for this alternative is the paved/widened shoulder discussed in Alternative 1. However, other typical sections could be utilized for the realignment as well. Of all the alternatives discussed, this one would have the largest amount of property impacts because new full width right-of-way would need to be obtained for the realigned section.

Pros:

- Realigns the road around the bottleneck.

Pros:

- Has similar cons as other alternatives.
- Would have greatest property impacts.
- Removes an existing garage.
- Driveway access presents challenges.

6 Public Meeting #2

A second public meeting for Hillcrest Drive Strategic Plan was held on February 13, 2023 at the Lander Community Center. During this public meeting Alternatives 1 through 6 as outlined above were presented to the public (as mentioned Alternative 7 was developed after the second public meeting). A draft of the report was also presented at the public meeting for comment.

Like the first meeting, the second meeting was also well attended with approximately forty people in attendance. Like the first public meeting, post cards for the meeting invitation were mailed to landowners along the project. A County 10 Advertisement for the meeting was also published and the City and County added information about the meeting, including Alternatives 1 thru 6 and the Draft Report onto their websites.

The following are some of the comment themes and specific items that will need to be considered for any future project.

Comment Summary:

- Keep Pedestrians on only one side of the road
- Keep the cyclists on the road
- Someone mentioned making Hillcrest a one-way road. Residents and landowners were very opposed to Hillcrest Drive becoming one-way
- Goals should be to limit speed of motorists and cause the least burden to landowners
- Alternative 7 – build behind Johnsons through bottleneck – McCauley's willing to lose out-buildings or land
- People will continue to walk the road if a path (as shown for Alt 4) is not lit up
- Could city water and hydrants be added for adjacent properties?
- Consider speed limit of 15 mph
- Generally, Alternative 5 has the most positive feedback and Alternative 4 had the most negative feedback

Specific Action Items/Comments to Be Addressed

- Kevin Johnson (1674 Hillcrest Drive) - please consider that he has a leach field near the road and when determining final construction limits and road alignment.
- Justus & Taylor Jacobs (2020 Hillcrest & 2014 Mortimore) willing to share/sell land for project but were strongly opposed to Alternative 4.

A summary of the public comments and scanned handwritten comments can be found in Attachment B.

7 Preferred Alternatives and Cost Estimating

7.1 Comparison of the Alternatives

After the second public meeting, comments were collected and summarized. Then a meeting with Fremont County, the City of Lander, and HDR was held to discuss the alternatives, public meeting, and draft report. The realignment of Hillcrest Drive, Alternative 7, was also discussed.

In evaluation of the alternatives, there was discussion related to the following:

- Which alternatives provide the greatest level of safety
- How does each alternative impact adjacent properties
- Which alternatives provide consistency with how multi-modal travel is currently conducted on the Tomato Loop
- Which alternatives appear to have the greatest level of support based on public comments
- Which alternatives provide options for negotiation with landowners in the bottleneck area between MP 1.6 and 1.7.

During this discussion, Alternatives 5 (the Mortimore Lane Inspired Section) and Alternative 6 (the Mortimore Lane/Shared Use Path Alternative) both shift the roadway crossing at the intersection with the City Park pathway to the intersection of Hillcrest Drive and Bridger Street.

Moving the crosswalk to the intersection and converting the intersection to the 3-way stop provides a safer condition than the current crossing with the City Park Pathway. The 3-way stop at the intersection forces traffic to stop at the crosswalk and provides drivers a better opportunity to see people walking because vehicles are at a much slower speed as they approach the stop sign. Whereas the existing crosswalk location at the Park Pathway requires drivers to yield to pedestrians at the crosswalk while their vehicle is traveling the speed limit.

When Alternative 5 and 6 are compared to Alternative 1 (widened shoulders) and Alternative 2 (sidepath on the east), there are similar property impacts adjacent to the roadway. However, both Alternative 1 and 2 require a non-intersection crossing at the City Park pathway and would be less safe when compared to Alternatives 5 and 6 for the roadway crossing reasons mentioned above.

Alternative 4 (Shared Use Path) provides complete separation between drivers and people walking and biking. However, to accomplish this separation, there are additional property impacts by following the existing irrigation ditches. Based on public feedback from landowners in the area, these property impacts were not well received. Additionally, this alternative also keeps the roadway crossing at the City Park Pathway in place. Also, because this alternative completely separates the pathway from the road, much needed roadway improvements would still need to be completed and the existing road would need to be brought up to standards as outlined in the County Road Fund Manual. These improvements are still likely to have property impacts adjacent to the road. Lastly, there was some concern by the public and landowners, that some users might still choose to use the roadway for biking and possibly walking, even with a new pathway.

Alternative 7 (Realignment with Widened Shoulders) provides a potential solution to get around the bottleneck location. Out of all of the alternatives presented, Alternative 7 would create the greatest amount of area needed for right-of-way acquisition and the realignment requires more of the roadway to be reconstructed through the realigned areas, making this this alternative more costly than others.

Alternative 5 received the greatest amount of support from the public, substantially increased safety for all modes of traffic, and provided for normal maintenance of the road surface. Alternative 6 provides the same level of safety as Alternative 5 but presents significant challenges related to the bifurcation of properties along the route as well as issues related to long-term maintenance and snow removal. For these reasons and for the other reasons listed above, Alternative 5 is recommended as the preferred alternatives for roadway improvements on Hillcrest Drive.

Because it is expected that it may take several years to implement Alternative 5, it is recommended that Alternative 3 (Advisory Shoulder) should be reviewed for implementation as an interim solution to

provide better guidance for how vehicles, bikes, and people walking should interact on Hillcrest Drive in its current condition. A public outreach effort to educate the public on how to use advisory shoulders would need to be completed prior to and in conjunction with restriping and installation of roadway signage.

The alignments for Alternative 5 was further refined to determine property impacts, and a budgetary cost estimate was developed. The estimated costs were developed based on recent bid tabulations for projects HDR has been involved with in the area and were also developed using WYDOT Statewide Average Weighted Unit Prices.

7.2 Property Impacts

The alignments and typical section road widths for Alternative 5 was refined to fit within the existing right-of-way along Hillcrest Drive. Note: property impacts are shown in red in exhibits/ figures.

There are minimal property impacts between MP 1.4 and MP 1.6. Through this section of the alignment the property descriptions of parcels adjacent to the roadway appear to allow for an area for right-of-way that generally follows the road. Property research in this area is unclear and additional research is needed to fully understand the known right-of-way. The area in question will need to be researched by a professional land surveyor. The northside (or inside) of the curve coming into the Bridger Street intersection is where there may be property impacts that required additional right-of-way from the adjacent parcels. See image below:

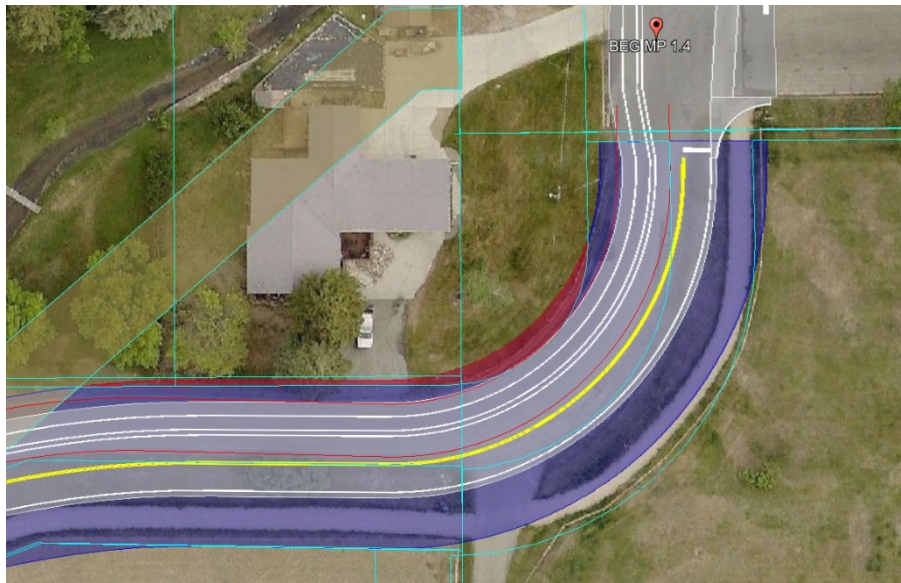


Figure 23 – Potential Property Impacts at Curve

One of the main areas of right-of-way focus was through the bottleneck area. For Alternative 5, the western edge of the proposed road was aligned with the western edge of the existing right-of-way. The proposed typical section width for Alternative 5 is 34-feet wide. The Ditch Road right-of-way width is 30-feet, which means approximately 4-feet of the paved surface would extend past the existing right-of-way onto the eastern properties (1679 Hillcrest Drive and 1674 Hillcrest Drive).

A 60-foot right-of-way, consistent with County standards, was overlayed at this location with the center of the right-of-way held at the center yellow striping of the proposed paved surfacing. This resulted in the new pavement shifting within the easement to the east (with 12-feet of paving on the east and 22-feet of paving on the west, which results in the paved area not being centered within the proposed right-of-way). Please see image below (also refer to the exhibits in Attachment C):

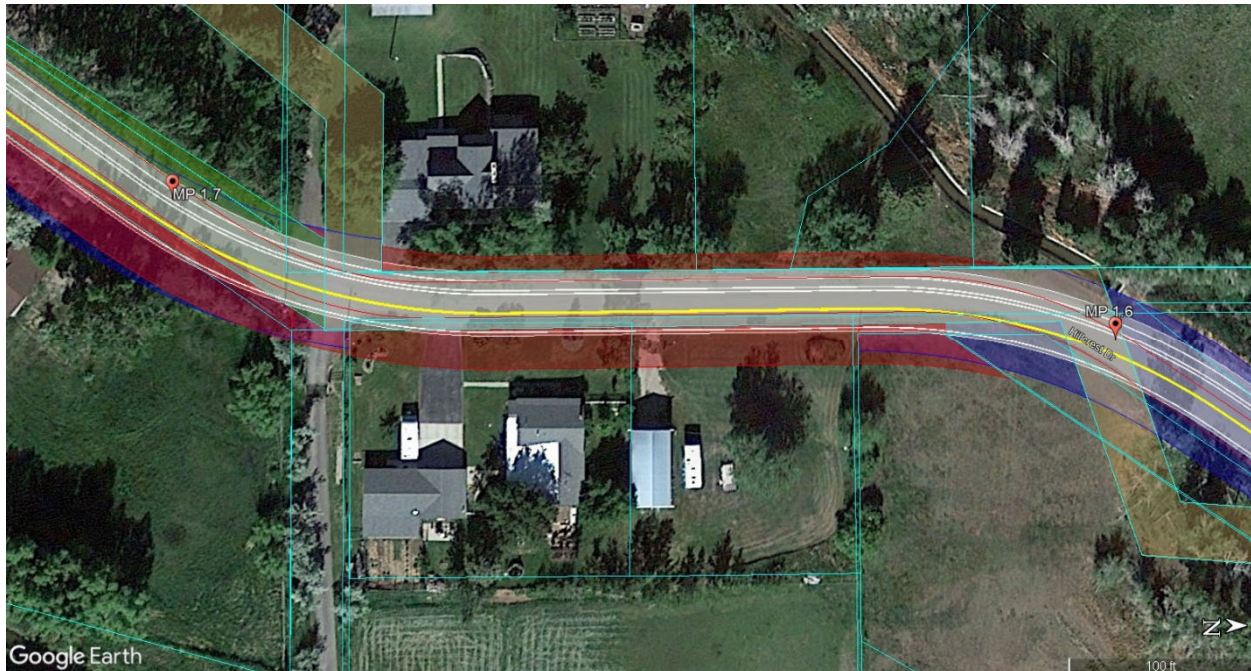


Figure 24 – Property Impacts at Bottleneck

This same right-of-way arrangement was applied over the entire length of Hillcrest Drive for Alternative 5 where the Mortimore Lane inspired cross section was used. During the final design, this arrangement is likely to vary along the length of Hillcrest Drive due to possible variations of obtainable right-of-way widths, property owner negotiations, better encapsulation of fill slopes, horizontal and vertical grade requirements, or adjustments due to utilities and roadside obstacles.

It is important to note that these adjustments will likely shift the property impacts from one side of the road to the other, with the overall impacted area generally remaining the same. For the purposes of this study, these shifts are likely to have minor variations on the potential property impacts discussed in the text below and the estimated impacts are intended to provide preliminary data with contingency built in.

7.3 Estimated Costs for Acquiring Property

The property impacts described in the sections above are shown in the exhibits in Attachment C for Alternative 5. Budgetary Costs were estimated for right-of-way acquisition based on the areas of the property impacts for Alternative 5. The estimated cost is based on a high-level comparable market analysis and is estimated at \$210,000 for acquisition of the right-of-way depending on the alternative.

The estimated costs are what would be anticipated to acquire the right-of-way and include contingency due to the preliminary nature of the estimates. Additional costs for surveying,

negotiation efforts, legal fees, and infrastructure related property impacts have been estimated separately in the next section. A detailed breakdown of these cost has been delivered separately from this report.

7.4 Opinions of Probable Cost

For the purposed of this study, general concepts for Alternative 5 have been identified. These concepts are in the early stages of development and there are a lot of unknowns related to the various types of work that will be required to complete a project for Hillcrest Drive. In order to provide an opinion of probable cost, a variety of assumptions have to be made.

The costs presented herein constitute a pre-design construction cost opinion to assist with budgeting and funding applications. There may be a variety of options available to help reduce costs for the project, including a partial overlay of the existing roadway. However, complete reconstruction of Hillcrest Drive was assumed to provide a more conservative estimate which is desirable when budgeting and planning for a future project.

Unit costs are estimated based upon recent WYDOT statewide average weighted bid prices for some of the bid items and were increased to estimate costs for 2023. Because the alternatives are in the in the early preliminary phase, there are a lot of unknowns that cannot be identified until the design is further developed. Bid items were selected based on which items are believed to cost the most (such as mobilization, milling the existing asphalt, installation of new asphalt, and new base course) and then a larger contingency percentage was applied to the estimated construction cost. Quantities were estimated based on roughly estimated geometry. The thickness of asphalt was assumed at 4-inches and the thickness of base was assumed at 12-inches for the roadway, sidepath, and detached path.

Non-construction costs for right-of-way acquisition services (legal surveying, landowner negotiations, and legal fees), relocation of utilities, and engineering design and construction phase services were estimated based on assumed percentages applied to the estimated construction cost. Legal surveying, landowner negotiations, and legal fees were assumed at 3%. Relocation of Utilities was assumed at 5%. Design and environmental services were assumed at 12%; engineering construction monitoring was estimated at 10%. Land acquisition costs were plugged into the estimate based on the estimated costs for acquiring property discussed in Section 7.3.

A summary of the estimated construction costs, non-construction costs, and rounded project totals can be found in Table 2. The detailed cost opinion is included in Attachment D.

Table 2 – Summary of Probable Costs

Alternative	Construction Costs	Non-Construction Costs	Project Total
Alt 5 – Mortimore Lane Inspired Section	\$2,720,000	\$1,030,000	\$3,750,000

With recent spikes in inflation and construction costs, Table 3 was created to increase the total project cost by 5% each year for the next 10 years (note: the values have been rounded). For the purposes of project budgeting, the higher cost of \$3.75 million was used in the table.

Table 3 – Cost Inflation Table

Year	Estimated Project Budget
2023	\$3,750,000
2024	\$3,940,000
2025	\$4,140,000
2026	\$4,350,000
2027	\$4,570,000
2028	\$4,800,000
2029	\$5,040,000
2030	\$5,290,000
2031	\$5,550,000
2032	\$5,830,000



Attachment A: Agency Coordination



March 8, 2022

Tyler Abbott
Field Supervisor
U.S. Fish and Wildlife Service
334 Parsley Blvd.
Cheyenne, WY 82007

Provided electronically to: WyomingES@fws.gov

U.S. Fish and Wildlife Service
Based on the information provided, you may consider this project to be in compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). The project should be reanalyzed by our office if any new information indicates there may be effects to protected species or their habitats.

**NATHAN
DARNALL**

Digitally signed by NATHAN
DARNALL
Date: 2022.03.10 10:27:30 -07'00'

for Field Supervisor, U.S. Fish and Wildlife Service, Wyoming Field Office, 334 Parsley Boulevard, Cheyenne, WY 82007

ECOSphere: **2022-0017102**

Re: Lander Streets, Hillcrest Drive Strategic Plan (PL02221), Fremont County, Wyoming, Agency Scoping

Dear Mr. Abbott,

Fremont County, the City of Lander, and WYDOT Planning are developing a strategic plan in order to evaluate potential roadway improvements along Hillcrest Drive from Bridger Street to Mortimore Lane. The County is initiating the scoping process to study the potential impacts to resources in the study area corridor. The Project is located in the City of Lander and in Fremont County, WY (see Figure 1. Project Location). Information received via project scoping will be used to prepare the strategic plan. HDR Engineering, Inc. (HDR) has been retained by Fremont County to conduct scoping and prepare the plan.

The purpose of the study is to analyze the existing roadway network within the study area and make recommendations to improve traffic mobility, connectivity, safety, and accessibility.

We are seeking information from federal, state, and local resource agencies concerning potential effects of the project. We are requesting information from your agency on the resource(s) under your jurisdiction in the study area that could be affected by the project. Please identify any issues that you feel require consideration in the study and determine if any permits and approvals are required from your agency for project construction.

In order for the project's strategic plan to move forward, we are requesting a response by April 8, 2022. Please contact me by phone at (307) 757-9006 or by email at Jessica.Brisbois@hdrinc.com with any questions or comments regarding this request.



Mark Gordon
Governor

WYOMING Department of Transportation

"Providing a safe, high quality, and efficient transportation system"

5300 Bishop Boulevard, Cheyenne, Wyoming 82009-3340



K. Luke Reiner
Director

April 8, 2022

Jessica Brisbois
HDR Inc.
123 Main Street
P.O. Box 467
Lander, WY 82520-3301

Re: Lander Streets, Hillcrest Drive Strategic Plan (PL03332)

Dear Ms. Brisbois,

Thank you for the opportunity to comment on the upcoming strategic plan for Hillcrest Drive as it pertains to Hunt Field. There are several items for consideration, as follows.

Hillcrest Drive currently has a slight intersection with the Runway Protection Zone (RPZ) of Runway 4 and Mortimer Lane crosses the RPZ. The RPZ is mainly for protection of people on the ground and so residential and public assembly places are not allowed. Roads within the RPZ are not optimum but are not prohibited. Our concern is that the situation could be made worse. It would be better to move these roads out of the RPZ but understand this may not be possible.

Potential structures need to be limited for height restrictions based on FAA 14 CFR Part 77, Objects Affecting Navigable Airspace surfaces. Any object that penetrates these (imaginary) surfaces is an obstruction. Additionally, Hillcrest Drive and Mortimer Lane are both in the area of the Part 77 Approach Surface for Runway 4 specifically; however, at current elevations and locations neither road presents a problem for the approach surface.

Compatible land use should be considered when developing in the area of an airport. Noise and lighting impacts are considerations for residential areas and other development. Anything that would impact the long term viability of the airport is a concern and should be evaluated carefully.

There are no permit requirements from the Aeronautics Division of WYDOT.

Finally, the services supported by airports for our communities include life flight, access to medical care, agricultural, business, firefighting, and more, are critical. The economic impact of the airport is substantial to the community as well as the state. Sometimes this is not fully recognized or appreciated when off airport development activity is being considered. It's extremely important to preserve and protect the future development of the airport.

Thank you again for allowing input into this process.

Sincerely,



Cheryl L. Bean, P.E.
Planning and Programming Manager
Aeronautics Division

cc: Brian Olsen, Administrator, WYDOT Aeronautics Division
Christine Yaffa, Wyoming Planning, FAA Denver ADO
RaJean Strube Fossen, Assistant to the Mayor, City of Lander
Chris Johnson, Airport Manager, Hunt Field



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
WYOMING REGULATORY OFFICE
2232 DELL RANGE BOULEVARD, SUITE 210
CHEYENNE WY 82009-4942

March 21, 2022

Jessica Brisbois
HDR
7350 Stockman Street, Suite A
Cheyenne, Wyoming 82009

Dear Ms. Brisbois:

This letter is in response to information we received from you on March 8, 2022, concerning information on Department of the Army authorization for the Fremont County Lander Streets Hillcrest Drive Strategic Plan. The project area is south of Lander along Hillcrest Drive between Bridger Street and Mortimore Lane in Section 19, Township 33 North, Range 99 West, Fremont County, Wyoming.

The U.S. Army Corps of Engineers regulates the placement of dredged and fill material into waters of the United States under Section 404 of the Clean Water Act (33 U.S.C. 1344). The Corps' regulations are published in the *Code of Federal Regulations* as 33 CFR Parts 320 through 332. Detailed information on Section 404 requirements in Wyoming can be obtained from our website: <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Wyoming.aspx>

Based on the preliminary information provided, the proposed project involves roadway improvements to Hillcrest Drive in the location described above. The discharge of dredge and fill material into Dutch Flat Ditch and other irrigation ditches may be required to complete the project. Such activities are likely authorized by Nationwide Permit (NP) 14 for linear transportation projects, as defined in the *Federal Register* published on December 27, 2021 (Vol. 86, No. 245), provided the permittee complies with all of the terms and conditions. Nationwide Permit 14, General Conditions and Regional Conditions are enclosed.

We encourage you to review all the terms and general conditions of NP 14 to determine if any of the proposed activities trigger the need to submit a pre-construction notification (PCN). General Condition (GC) 32 defines the PCN procedure. A PCN is also required for any activity that results in a discharge of material into wetlands, "may affect" threatened or endangered species as explained under GC 18, and any activity that has the "potential to cause effects" to any historic properties within the "permit area" as explained under GC 20. The permit area is the aquatic habitat affected by the activity and immediately adjacent uplands, as further defined in the regulations at 33 CFR Part 325, Appendix C.

If a lead federal agency is involved in this project, the lead federal agency should follow its own procedures for complying with the requirements of the Endangered Species Act and Section 106 of the National Historic Preservation Act as defined under GC 16(b) and GC 20(b).

The permittee shall not begin work until the lead federal agency has documented that the proposed activities will have “no effect” on listed species or critical habitat, or until Section 7 consultation has been completed.

If no PCN is required for the project, the permittee may elect to proceed under the current NP 14 authorization, provided that the permittee complies with all of the terms and conditions and construction is conducted in a manner which does not result in a violation of any applicable water quality standard. The permittee may also elect to request written verification of authorization under NP 14 from the Corps, once the project plans are near completion.

Thank you for your interest in cooperating with requirements of the U.S. Army Corps of Engineers' regulatory program. If you would require further review or an approved jurisdictional determination for the irrigation ditches, please notify our office and reference file number NWO-2022-00476. Please contact me at (307) 251-8480 or by email at Kevin.C.Little@usace.army.mil if you have any questions concerning this project.

Sincerely,

Kevin C. Little

Kevin C. Little
Project Manager
Wyoming Regulatory Office

Enclosure

Nationwide Permit 14 – Linear Transportation Projects

Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, driveways, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/2 -acre of waters of the United States. For linear transportation projects in tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/3 -acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) The loss of waters of the United States exceeds 1/10 acre; or (2) there is a discharge of dredged or fill material in a special aquatic site, including wetlands. (See general condition 32.)

Note 1: For linear transportation projects crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Linear transportation projects must comply with [33 CFR 330.6\(d\)](#).

Note 2: Some discharges of dredged or fill material for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see [33 CFR 323.4](#)).

Note 3: For NWP 14 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b)(4) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, “District Engineer’s Decision.” The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

(Sections 10 and 404)

Nationwide Permit General Conditions

To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/ or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of [33 CFR 330.1](#) through [330.6](#) apply to every NWP authorization. Note especially [33 CFR 330.5](#) relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation.

- (a) No activity may cause more than a minimal adverse effect on navigation.
- (b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.
- (c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

- 2. **Aquatic Life Movements.** No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.
- 3. **Spawning Areas.** Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (*e.g.*, through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.
- 4. **Migratory Bird Breeding Areas.** Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.
- 5. **Shellfish Beds.** No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.
- 6. **Suitable Material.** No activity may use unsuitable material (*e.g.*, trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

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7. **Water Supply Intakes.** No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.
8. **Adverse Effects from Impoundments.** If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.
9. **Management of Water Flows.** To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (*e.g.*, stream restoration or relocation activities).
10. **Fills Within 100-Year Floodplains.** The activity must comply with applicable FEMA-approved state or local floodplain management requirements.
11. **Equipment.** Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.
12. **Soil Erosion and Sediment Controls.** Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.
13. **Removal of Temporary Fills.** Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.
14. **Proper Maintenance.** Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.
15. **Single and Complete Project.** The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.
16. **Wild and Scenic Rivers.**
 - (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.
 - (b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. Permittees shall not begin the NWP

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activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

17. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species.

(a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which “may affect” a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See [50 CFR 402.02](#) for the definition of “effects of the action” for the purposes of ESA section 7 consultation, as well as [50 CFR 402.17](#), which provides further explanation under ESA section 7 regarding “activities that are reasonably certain to occur” and “consequences caused by the proposed action.”

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see [33 CFR 330.4\(f\)\(1\)](#)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. The district engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have “no effect” on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or

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until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWP.

(e) Authorization of an activity by an NWP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word “harm” in the definition of “take” means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether “incidental take” permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties.

(a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see [33 CFR 330.4\(g\)\(1\)](#)). If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The

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district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see [33 CFR 330.4\(g\)](#)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see [36 CFR 800.3\(a\)](#)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under [36 CFR 800.2\(c\)](#) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: No historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA ([54 U.S.C. 306113](#)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or

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affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

- 21. Discovery of Previously Unknown Remains and Artifacts.** Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- 22. Designated Critical Resource Waters.** Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.
 - (a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.
 - (b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be no more than minimal.
- 23. Mitigation.** The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:
 - (a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (*i.e.*, on site).
 - (b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.
 - (c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.
 - (d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal,

Contents adapted from the Federal Register ([Volume 86, Number 8](#)) published on Jan. 13, 2021

and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see [33 CFR 332.3\(e\)\(3\)](#)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of [33 CFR part 332](#).

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see [33 CFR 332.3\(b\)\(2\)](#) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see [33 CFR 330.1\(e\)\(3\)](#)). (See also [33 CFR 332.3\(f\)](#).)

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of [33 CFR 332.4\(c\)\(2\)](#) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see [33 CFR 332.3\(k\)\(3\)](#)). If permittee-responsible mitigation is the proposed option, and the proposed

compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see [33 CFR 332.4\(c\)\(1\)\(ii\)](#)).

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see [33 CFR 332.4\(c\)\(1\)\(ii\)](#)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at [33 CFR 332.3\(b\)](#). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality.

(a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see [33 CFR 330.4\(c\)](#)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not

previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see [33 CFR 330.4\(d\)](#)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see [33 CFR 330.4\(e\)](#)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

The following Nationwide Permit (NWP) regional conditions will be used in the State of Wyoming for NWP 12, 21, 29, 39, 40, 42, 43, 44, 48, 50, 51, 52, 55, 56, 57, and 58. Regional conditions are placed on NWPs to ensure projects result in no more than minimal adverse impacts to the aquatic environment and to address local resources concerns.

A. PRECONSTRUCTION NOTIFICATION REQUIREMENTS APPLICABLE TO ALL NWPs

For all NWPs, permittees must notify the Corps in accordance with General Condition 32 Preconstruction Notification (PCN) requirements for regulated activities located within or comprised of the following:

1. Wetlands Classified as Peatlands:

PCN required for any regulated activity in wetlands classified as peatlands. For purposes of this condition, peatlands are permanently or seasonally waterlogged areas with a surface accumulation of peat (organic matter) 30 centimeters (12 inches) or more thick. Under cool, anaerobic, and acidic conditions, the rate of organic matter accumulation exceeds organic decay. Any peat-covered areas, including fens, bogs, and muskegs, are all peatlands.

2. Waters Adjacent to Natural Springs:

PCN required for any regulated activity located within 100 feet of the water source in natural spring areas. For the purpose of this condition, a spring water source is defined as any location where there is flow emanating from a distinct point at any time during the growing season.

Springs do not include seeps and other groundwater discharge areas where there is no distinct point source of waters. Springs do not include drain tile outlets.

Contents adapted from the Federal Register ([Volume 86, Number 8](#)) published on Jan. 13, 2021

3. Stream Channelization and Relocation Projects:

PCN required for any regulated activity that involves permanent stream channelization or relocation of an existing perennial stream channel. For the purpose of this condition, stream channelization is defined as “the manipulation of a stream’s course, condition, capacity or location that causes more than minimal interruption of normal stream processes.” Examples of stream channelization include, but are not limited to straightening, relocating, shifting, tubing (i.e., placement of a culvert in an open channel for construction purposes).

4. Specific Waterways:

PCN required for any regulated activities in Class 1 waters.

- a. Class 1 Waters in Wyoming are defined as:
 - i. All surface waters located within the boundaries of national parks and congressionally designated wilderness areas as of January 1, 1999;
 - ii. The main stem of the Snake River through its entire length above the U.S. Highway 22 Bridge (Wilson Bridge);
 - iii. The main stem of the Green River, including the Green River Lakes, from the mouth of the New Fork River upstream to the wilderness boundary;
 - iv. The main stem of the Wind River from the Wedding of the Waters upstream to Boysen Dam;
 - v. The main stem of the North Platte River from the Mouth of Sage Creek (approximately 15 miles downstream of Saratoga, Wyoming) upstream to the Colorado state line;
 - vi. The main stem of the North Platte River from the headwaters of Pathfinder Reservoir upstream to Kortess Dam (Miracle Mile segment);
 - vii. The main stem of the North Platte River from the Natrona County Road 309 bridge (Goose Egg Bridge) upstream to Alcova Reservoir;
 - viii. The main stem of Sand Creek above the U.S. Highway 14 bridge;
 - ix. The main stem of the Middle Fork of the Powder River through its entire length above the mouth of Buffalo Creek;
 - x. The main stem of the Tongue River, the main stem of the North Fork of the Tongue River, and the main stem of the South Fork of the Tongue River above the U.S. Forest Service boundary;
 - xi. The main stem of the Sweetwater River above the mouth of Alkali Creek;
 - xii. The main stem of the Encampment River from the northern U.S. Forest Service boundary upstream to the Colorado state line;
 - xiii. The main stem of the Clarks Fork River from the U.S. Forest Service boundary upstream to the Montana state line;
 - xiv. All waters within the Fish Creek (near Wilson, Wyoming) drainage;
 - xv. The main stem of Granite Creek (tributary of the Hoback River) through its entire length;
 - xvi. Fremont Lake; and

Contents adapted from the Federal Register ([Volume 86, Number 8](#)) published on Jan. 13, 2021

xvii. Wetlands adjacent to the above listed Class 1 waters.

5. **Teton County:**

PCN required for any regulated activities in Teton County.

B. PRECONSTRUCTION NOTIFICATION REQUIREMENTS APPLICABLE TO SPECIFIC NWP

1. **NWP 23 – Approved Categorical Exclusions:**

In addition to PCN requirements identified in Regulatory Guidance Letter (RGL) 05-07 or the applicable Corps RGL, PCN is required prior to initiating any regulated activity under NWP 23 that would permanently impact an area greater than 1/2 an acre of waters of the United States. In addition to information required for PCN, the applicant must identify the approved categorical exclusion that applies in RGL 05-07 or the applicable Corps RGL and provide documentation that the project fits the categorical exclusion.

C. BEST MANAGEMENT PRACTICES

The following Nationwide Permit regional condition best management practices are required for Wyoming in the Omaha District. Regional conditions are placed on Nationwide Permits to ensure projects result in no more than minimal adverse impacts to the aquatic environment and to address local resources concerns.

1. **Suitable Material**

Permittees are reminded of General Condition No. 6 which prohibits use of unsuitable material. A list of materials prohibited or restricted as fill material in waters of the U.S. can be found at:

<http://www.nwo.usace.army.mil/Media/FactSheets/FactSheetArticleView/tabid/2034/Article/12320/prohibited-restricted-materials.aspx>

2. **Spawning Areas:**

Spawning locations are defined as sites within stream networks where mature fish congregate to release gametes into the riverine environment.

Spawning periods are driven by a host of local environmental factors including elevation, day length and water temperature. As such, there is a high degree of variability in timing from one location to the next in the state. If a permittee is proposing to undertake regulated activities in spawning locations and within the spawning periods identified below, they must first obtain site-specific information from Fisheries Supervisors in Wyoming Game and Fish Department Regional Offices (WGFD). Additional information is available at:

<https://wgfd.wyo.gov/Habitat/Habitat-Plans/Wyoming-State-Wildlife-Action-Plan>

Activities in spawning locations during the periods listed below must be avoided to the maximum extent practicable.

Spawning seasons for common native species are:

- i. Chub, Leatherside: April 1 through August 15
- ii. Chub, Roundtail: May 1 through July 15

Contents adapted from the Federal Register ([Volume 86, Number 8](#)) published on Jan. 13, 2021

- iii. Chub, Hornyhead: June 1 through August 15
- iv. Sauger: May 1 through June 15
- v. Sturgeon: May 1 through June 15
- vi. Sucker, Bluehead: May 1 through July 15
- vii. Sucker, Flannelmouth: May 1 through July 15
- viii. Trout, Bonneville Cutthroat: April 15 through July 31
- ix. Trout, Colorado River Cutthroat: May 1 through July 31
- x. Trout, Snake River Cutthroat: March 15 through July 31
- xi. Trout, Yellowstone Cutthroat: May 15 through July 31

Spawning seasons for common nonnative salmon and trout species are:

- xii. Salmon, Kokanee: September 15 through November 30
- xiii. Trout, Brook: September 15 through November 30
- xiv. Trout, Brown: September 15 through November 30
- xv. Trout, Rainbow: May 15 through July 31

The WGFD can provide information on Blue Ribbon and Red Ribbon trout streams or waters that contain State Wildlife Action Plan Native Species Status 1, 2, and 3 fish species. Potential effects on these important resources should be considered when formulating a project plan with the intent of minimizing adverse effects. If PCN is required, early coordination with Fisheries Supervisors in WGFD Regional Offices should be conducted prior to submitting a PCN for activities located in these waters. Otherwise, project modifications to minimize adverse effects after receiving a PCN may be required.

3. Culvert Countersink Depth:

For all NWP in jurisdictional streams and a stable stream bed, culvert stream crossings shall be installed with the culvert invert set below the natural stream channel flow line according to the table below. This regional condition does not apply in instances where the lowering of the culvert invert would allow a headcut to migrate upstream of the project into an unaffected stream reach or result in lowering the elevation of the stream reach.

Culvert Type	Drainage Area	Minimum Distance Culvert Invert Shall Be Lowered Below Stream Flow Line
All culvert types	< 100 acres	Not required
Pipe diameter <8.0 ft	100 to 640 acres	0.5 ft
Pipe diameter <8.0 ft	>640 acres	1.0 ft
Pipe diameter > 8.0 ft	All drainage sizes	20% of pipe diameter
Box culvert	All drainage sizes	1.0 ft

- a. The stream flow line shall be defined as the longitudinal average of the low flow stream channel.
- b. The slope of the culvert should be parallel to the slope of the stream flow line.

Contents adapted from the Federal Register ([Volume 86, Number 8](#)) published on Jan. 13, 2021

- c. The culvert invert depression depth shall be measured at the culvert inlet for culverts installed at a slope less than the slope of the stream flow line.
- d. Riprap inlet and outlet protection shall be placed to match the height of the culvert invert.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

- (a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.
- (b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

- (a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;
- (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by [33 CFR 332.3](#)(1)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and
- (c) The signature of the permittee certifying the completion of the activity and mitigation.

Contents adapted from the Federal Register ([Volume 86, Number 8](#)) published on Jan. 13, 2021

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires review by, or permission from, the Corps pursuant to [33 U.S.C. 408](#) because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a “USACE project”), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification.

(a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is “no effect” on listed species or “no potential to cause effects” on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see [33 CFR 330.4\(f\)](#)) and/or section 106 of the National Historic Preservation Act (see [33 CFR 330.4\(g\)](#)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in [33 CFR 330.5\(d\)\(2\)](#).

(b) *Contents of Pre-Construction Notification:* The PCN must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed activity;

Contents adapted from the Federal Register ([Volume 86, Number 8](#)) published on Jan. 13, 2021

- (3)** Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;
- (4)** (i) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.
- (ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.
- (iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);
- (5)** The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;
- (6)** If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

Contents adapted from the Federal Register ([Volume 86, Number 8](#)) published on Jan. 13, 2021

- (7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;
- (8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;
- (9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the “study river” (see general condition 16); and
- (10) For an NWP activity that requires permission from, or review by, the Corps pursuant to [33 U.S.C. 408](#) because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) Agency Coordination:

- (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.
- (2) Agency coordination is required for: (i) All NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet

Contents adapted from the Federal Register ([Volume 86, Number 8](#)) published on Jan. 13, 2021

from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or email that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at [33 CFR 330.5](#).

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

Further Information

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
3. NWPs do not grant any property rights or exclusive privileges.
4. NWPs do not authorize any injury to the property or rights of others.
5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).

Nationwide Permit Definitions

Best management practices (BMPs): Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Discharge: The term “discharge” means any discharge of dredged or fill material into waters of the United States.

Ecological Reference: A model used to plan and design an aquatic habitat and riparian area restoration, enhancement, or establishment activity under NWP 27. An ecological reference may be based on the structure, functions, and dynamics of an aquatic habitat type or a riparian area type that currently exists in the region where the proposed NWP 27 activity is located. Alternatively, an ecological reference may be based on a conceptual model for the aquatic habitat type or riparian area type to be restored, enhanced, or established as a result of the proposed NWP 27 activity. An ecological reference takes into account the range of variation of the aquatic habitat type or riparian area type in the region.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Ephemeral stream: An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

High Tide Line: The line of intersection of the land with the water’s surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gauges, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

Historic Property: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places

maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps Regulatory Program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.

Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. The loss of stream bed includes the acres of stream bed that are permanently adversely affected by filling or excavation because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters or wetlands for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities that do not require Department of the Army authorization, such as activities eligible for exemptions under section 404(f) of the Clean Water Act, are not considered when calculating the loss of waters of the United States.

Navigable waters: Waters subject to section 10 of the Rivers and Harbors Act of 1899. These waters are defined at 33 CFR part 329.

Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

Open water: For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of flowing or standing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of “open waters” include rivers, streams, lakes, and ponds.

Ordinary High Water Mark: The term ordinary high water mark means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

Perennial stream: A perennial stream has surface water flowing continuously year-round during a typical year.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: Re-establishment and rehabilitation.

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a coarse substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Riparian areas: Riparian areas are lands next to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

Shellfish seeding: The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (i.e., spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term “single and complete project” is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large,

irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

Single and complete non-linear project: For non-linear projects, the term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of “independent utility”). Single and complete non-linear projects may not be “piecemealed” to avoid the limits in an NWP authorization.

Stormwater management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

Stormwater management facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

Stream bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

Stream channelization: The manipulation of a stream’s course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Tidal wetland: A tidal wetland is a jurisdictional wetland that is inundated by tidal waters. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line.

Tribal lands: Any lands title to which is either: (1) Held in trust by the United States for the benefit of any Indian tribe or individual; or (2) held by any Indian tribe or individual subject to restrictions by the United States against alienation.

Tribal Rights: Those rights legally accruing to a tribe or tribes by virtue of inherent sovereign authority, unextinguished aboriginal title, treaty, statute, judicial decisions, executive order or agreement, and that give rise to legally enforceable remedies.

Vegetated shallows: Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

Waterbody: For purposes of the NWPs, a waterbody is a jurisdictional water of the United States. If a wetland is adjacent to a waterbody determined to be a water of the United States, that waterbody and any adjacent wetlands are considered together as a single aquatic unit (see [33 CFR 328.4\(c\)\(2\)](#)).



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4699

wgfd.wyo.gov

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BRIAN R. NESVIK

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RICHARD LADWIG
ASHLEE LUNDVALL

April 6, 2022

WER 14795.00
HDR Inc.
Fremont County
Lander Streets
Hillcrest Drive Strategic Plan (PL02221)
Fremont County

Jessica Brisbois
HDR Inc.
7350 Stockman Street, Suite A
Cheyenne, WY 82009
Jessica.brisbois@hdrinc.com

Dear Ms. Brisbois,

The staff of the Wyoming Game and Fish Department (Department) has reviewed the proposed Lander Streets, Hillcrest Drive roadway improvements project located in T33N, R99W, Section 19. The Department is statutorily charged with managing and protecting all Wyoming wildlife (W.S. 23-1-103). Pursuant to our mission, we offer the following comments for your consideration.

The proposed project includes roadway improvement on Hillcrest Drive, from Bridger Street to Mortimore Lane, in the City of Lander. The area around the proposed project is primarily low-density, single family housing and is used frequently by mule deer and white-tailed deer. The project is also in close proximity to Middle Fork Popo Agie River. To minimize impacts to wildlife and wildlife habitat, the Department recommends the following:

Terrestrial Considerations

Big Game Movement

It is assumed fences will be replaced, repaired, or built as part of the proposed project. Fences can act as movement barriers to mule deer and white-tailed deer and deer can become entangled in fences that are not built to wildlife-friendly specifications. As such, the Department recommends the following to minimize the project-related impacts to deer:

- Wildlife-friendly fencing specifications be used when replacing, repairing, or adding new fence.

The Department welcomes the opportunity to work with the proponents to determine appropriate fence types and identify locations where wildlife-friendly fencing is not needed.

Noxious Weeds and Invasive Plants

Noxious weeds and invasive, non-native plants can cause significant harm to the ecosystem. They can establish and spread quickly, while significantly reducing the quality of wildlife habitat and, in some cases, increasing the risk of catastrophic wildfire. The potential economic impacts are severe, and once established, eradication is difficult and costly. Prevention is the best way to keep Wyoming's wildlife habitats functioning. Operators should take the following actions to prevent the spread of noxious weeds and invasive annual plants, including cheatgrass, medusahead, and ventenata:

- Ensure all equipment is cleaned prior to arrival on the project site. This includes removal of mud, debris, seeds, or plant parts that may be found in, on, or adhering to equipment both prior to project initiation and following project commencement.
- After construction, the project proponent should monitor for and control noxious weeds and invasive plants that are found within or adjacent to the project site.

Work with the local Weed and Pest district to implement plans for successful restoration of disturbed sites. Find additional information at: wyoweed.org.

Aquatic Considerations

To minimize impacts to the aquatic resources in Middle Fork Popo Agie River, we recommend that best management practices be used to control erosion and prevent sediment from reaching this waterway. Examples of best management practices are: disturbed area stabilization with mulch, disturbed area stabilization with permanent vegetation, disturbed area stabilization with sod, and disturbed area stabilization with temporary vegetation. Additional examples of best management practices can be found at the following websites:

Erosion and Sediment Management

<https://www.mdt.mt.gov/research/projects/env/erosion.shtml>

http://www.dot.ca.gov/hq/construc/stormwater/BMP_Field_Master_FullSize_Final-Jan03.pdf

Vegetative Best Management Practices

http://deq.wyoming.gov/media/attachments/Water%20Quality/Nonpoint%20Source/Best%20Management%20Practices/2014_wqd-wpp-Nonpoint-Source_Stream-and-Lakeshore-Restoration-Best-Management-Practice-Manual.pdf

<https://cpw.state.co.us/Documents/CNAP/RevegetationGuide.pdf>

Jessica Brisbois
April 6, 2022
Page 3 of 3 – WER 14795.00

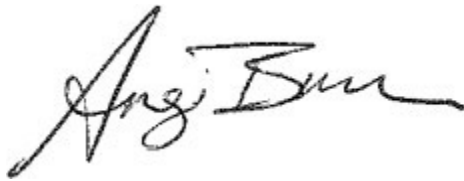
Stormwater and Structural Best Management Practices

http://deq.wyoming.gov/media/attachments/Water%20Quality/Storm%20Water%20Permitting%20/Storm%20Water%20Links/Casper_BMP_Manual.pdf

<http://www.dot.state.wy.us/files/live/sites/wydot/files/shared/Construction/WYDOT%20Storm%20Water%20Field%20Guide%204-6-11.pdf>

Thank you for the opportunity to comment. If you have any questions or concerns please contact Ross Crandall, Habitat Protection Biologist, at (307) 367-4347 ext. 237.

Sincerely,

A handwritten signature in black ink, appearing to read "Angi Bruce". The signature is fluid and cursive, with the first name "Angi" being more prominent than the last name "Bruce".

Angi Bruce
Deputy Director

AB/rc/ct

cc: U.S. Fish and Wildlife Service
Daryl Lutz, Wyoming Game and Fish Department
Stan Harter, Wyoming Game and Fish Department
Craig Amadio, Wyoming Game and Fish Department
Joanna Harter, Wyoming Game and Fish Department
Chris Wichmann, Wyoming Department of Agriculture

Attachment B: Public Meeting Comments

Public Meeting #1

Hillcrest Drive Strategic Plan

Public Meeting/Open House

June 6, 2022

Lander Community Center

Sign-in Sheet (Please Print)

#	Name	Property/Business Name	Mailing Address	Phone #
1	SAM BROWALL		1679 Hillcrest DR	332 2608
2	TERRI WATSON		1335 Hillcrest Dr	349-5838
3	Marta Rickelson			330-6559
4	Pam Cooper		1942 Hillcrest Dr	332-5406
5	Pam Cooper		1942 HILLCREST DR.	332-5406
6	Jim Massman		1826 Hillcrest Dr	330-4611
7	Julia Wilboughby		1826 Hillcrest Dr	332-7667
8	Geff & Pam Conine		2071 Hillcrest Dr	970-412-7424 719-410-8318
9	Libby Graves		435 Sweetwater St.	(231) 409-9248
10	Alex Herbert		435 Sweetwater St.	303-718-7221
	STEVE Baumann Hank Rosberry		2140 SERRA CREEK RD 300 mt ARCTIC LOOP	349-2900 840-5312

Hillcrest Drive Strategic Plan

Public Meeting/Open House

June 6, 2022

Lander Community Center

Sign-in Sheet (Please Print)

#	Name	Property/Business Name	Mailing Address	Phone #
11	Mike Jones	County Commission		970.297.8957
12	DAN Hahn	Lander Council	547 Washington St	
13	Lou Pope	2171 Hillcrest	same	307-332-6949
14	Jill Widmar	"	"	"
15	Michael Kusick	Wyoming Pathways	995 Cliff St.	307 760 9035
16	Martha Clarke		1475 Hillcrest.	307-349-2197
17				
18				
19				
20				

Hillcrest Drive Strategic Plan

Public Meeting/Open House

June 6, 2022

Lander Community Center

Sign-in Sheet (Please Print)

#	Name	Property/Business Name	Mailing Address	Phone #
21	James + Jessica West	1958 Hillcrest Dr Lander	Same	349-4405
22	Tanette Hahn	547 Washington	Same	330-6583
23	Coabe + Natasha Harris	1880 Hillcrest Dr.	" "	349-1220 349-0930
24	Kevin Johnson	1674 Hillcrest Dr	Same	714-1955
25	Clark + Lisa McCawley	1724 Hillcrest Dr.	"	610.420.7118 cmccawley2813@gmail.com
26	Bob + Carol Tipton	1436 Hillcrest	PO Box 1595 Lander	307-349-8046
27	Willy + Tina Cunningham	290 Bridget St	same	307 349 5066
28				
29				
30				


Hillcrest Drive Strategic Plan

Public Meeting/Open House

June 6, 2022

Lander Community Center

Sign-in Sheet (Please Print)

#	Name	Property/Business Name	Mailing Address	Phone #
31	Janie O'Donnell		2040 Hillcrest	503-866-0077
32	Jen Sallwick		1745 Hillcrest	307-330-4286
33	Scott Becker		1728 Hillcrest	307-349-2803
34	Mike Bostick		149 Custer Street	307-534-6597
35	Patty Trautman		805 Mortimore Ln	2-3235
36	Lance Hopkin		City of Lander	
37				
38				
39				
40				

Hillcrest Drive Strategic Plan

Public Meeting/Open House

June 6, 2022

Lander Community Center

Sign-in Sheet (Please Print)

#	Name	Property/Business Name	Mailing Address	Phone #
51	Heidi Lohse		750 Bellvue	575-635-2674
52	Tim Gist		2121 Hillcrest	307-349-9944
53	Debbie Larser		PO Box 1807, Lander WY	307-321-1220
54	Kyle + Mike Trujillo		1950 Sinks Canyon R	349-6501
55	Dee + Elisa Harrison		1884 Hillcrest	345-0573
56	Liz + Sam Lightner		1690 "	
57	Mike + Suzanne Clysgren		1521 Hillcrest	840-3131
58	Leslie + Frank Hamilton		1440 Hillcrest	801-244- 3283
59	Stelen Stigby		1686 Hillcrest	349-5453
60	Patricia Strube Fossom	City		in file

CONTACT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Ken Sallwick
Address	1745 Hillcrest Dr.
Phone	307-330-4296
Email	ken.sall@gmail.com

I am a:

☒ Landowner adjacent to the project

☐ Member of the community

Comments/Concerns:

One way easement through Sam's stretch would improve rd. traffic significantly.
(+) 25 mph.
3 ft. marked shoulders would be vast improvement from current arrangement

We will only use your contact information for project updates including meetings, construction, easements, etc.

CONTACT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Ken Sallwick
Address	1745 Hillcrest Dr.
Phone	307-330-4296
Email	ken.sall@gmail.com

I am a:



Landowner adjacent to the project



Member of the community

Comments/Concerns:

One way easement through Sam's stretch would improve rd. traffic significantly.
(+) 25 mph.
3 ft. marked shoulders would be vast improvement from current arrangement

We will only use your contact information for project updates including meetings, construction, easements, etc.

CONTACT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Gene Dehnert
Address	1355 Hillcrest Dr
Phone	307.332.5965
Email	

I am a:

☒ Landowner adjacent to the project

☐ Member of the community

Comments/Concerns:

Spoke on the phone with Gene.
They are a little further north of what a potential project
could be. He said that speed is an issue and
doesn't want to see improvements that would have the potential to
increase speed.

We will only use your contact information for project updates including meetings, construction, easements, etc.

CONTACT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Mike Bostick
Address	149 Custer Street, Lander
Phone	307-534-6597
Email	bostickmike@gmail.com

I am a:

☐ Landowner adjacent to the project

☒ Member of the community

Comments/Concerns:

There needs to be a 60' right of way to better accommodate pedestrians, or have separate path along ditch. You need to conduct a study to count the number of pedestrians on the street.

I live near hillcrest and my family and I use it frequently for driving, walking, running, and biking.

The street/route needs a separated walk/bike path. It is a beautiful route and very, very busy with pedestrian traffic and vehicles. A separate path for pedestrians would alleviate the issue. There

is also a lot of water running at the intersection of Hillcrest and Bridger, can that be fixed? That intersection also needs a "yield to pedestrians" sign - with lights. Also where the path crosses to go to McPartridge park.

We will only use your contact information for project updates including meetings, construction, easements, etc.

Could a path be placed along the right-of-way of the ditch/creek? I've seen that work in other cities.

I am in favor of narrower lanes, 9' or 10' would be good. Separated path is best option along ditch! also lower speed limit

CONTACT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Jamie O'Donnel
Address	2040 Hillcrest
Phone	503-866-0077
Email	jamesdavidodonnell@gmail.com

I am a:

☒

Landowner adjacent to the project

☐

Member of the community

Comments/Concerns:

I support a robust walk bike path and am happy to share my land to make it happen. I also support city water.

We will only use your contact information for project updates including meetings, construction, easements, etc.

CONTACT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Michael Kusrek Wyoming Pathways
Address	995 Cliff St
Phone	307 - 760 - 9035
Email	michael@wyopath.org

I am a:

☐ Landowner adjacent to the project

☒ Member of the community

Comments/Concerns:

Rumble Strips can actually be great for safety but also dangerous for bikes - what's going on on Sinks Canyon Road is way better

We will only use your contact information for project updates including meetings, construction, easements, etc.

CONTACT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Jessica West
Address	1958 Hillcrest Dr
Phone	L. 307-344 4405
Email	jwest0617@gmail.com

I am a:



Landowner adjacent to the project



Member of the community

Comments/Concerns:

We will only use your contact information for project updates including meetings, construction, easements, etc.

CONTACT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Leslie & Frank Hamilton
Address	1440 Hillcrest Dr.
Phone	801- 244-3283
Email	landerhamiltons@gmail.com

I am a:

☒ Landowner adjacent to the project

☐ Member of the community

Comments/Concerns:

Support Multi-use. Hopeful we can make the plan inclusive for bikers and walkers. - would like to investigate dropping the walking path below Hillcrest alleviating the need to widen road between Johnsons & Brails. Suggest moving walking/biking access to the other side of Hillcrest from Bridger Street to park - would →

We will only use your contact information for project updates including meetings, construction, easements, etc.

improve "line of sight" for drivers making the turn
on to Hillcrest as well as alleviate walkers
having to cross Hillcrest as they leave
Mt. Merus Park

CONTACT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	NORM COOPER
Address	1942 HILLCREST DR.
Phone	332-5406
Email	COOPERINWY@GMAIL.COM

I am a:

☐ Landowner adjacent to the project

☐ Member of the community

Comments/Concerns:

We will only use your contact information for project updates including meetings, construction, easements, etc.

HILLCREST DRIVE STUDY

6 June 2022

To: Fremont County and City of Lander Planners

From: Sam Browall

The Browall family has lived on Hillcrest Drive at this address, 1679 Hillcrest Drive, since 1953. At that time, it was an unpaved route which followed the Cemetery Ditch South from our home. At the same time there were perhaps three residences existed along the road. The road was not designed for heavy traffic, large campers or speeders. My property frontage supports 10 willow trees which were planted in 1906. They deserve to remain.

My recommendations for a least costly and most effective solution are the following;

- It is a fact if you widen roads, people will drive faster
- A 25 mph speed limit end to end, with signs at several locations
- Blinking yellow lights at both ends of Hillcrest, with speed warning, plus pedestrian walk way signs.
- At the present time, there is little or no county monitoring of speeders on Hillcrest. This should be increased
- Have a walking path painted on one side of the road with reflector "Caution Pedestrian" signs for night time.
- This is the most important: STOP using U.S. Steel Iron tailings for winter sanding.
- Mine Safety and Health Administration (MSHA) required U.S. Steel to spray dust sealing Flocculent on their tailings basin, because it was a harmful airborne irritant. The Wyoming Highway Maintenance, South Pass Housing was adversely affected by the Dust.
- An alternate source is unlimited FREE sand South East of Hudson.
- The county should vacuum the tailings residue and remove it from the edge of the roadway to protect the environment and residences of Hillcrest Drive.

Thank you for listening to the suggestion:



Sam Browall

1679 Hillcrest Dr.

Lander, WY 82520

1724 Hillcrest
Lander, WY 8250

7 June 2022
cmccaul@2813@gmail.com

Mr. Kyle Lehto
Hill Crest Drive Study (HDR)
325 Main Street
Lander, WY 82520

received
6/8/2022
Via Email

Dear Mr. Lehto,

Thanks to you and HDR for the opportunity to join neighbors in thinking about the future of Hillcrest Drive.

First, I agree with everything Sam Browall said in his letter.

I don't know how worried we should be about accidents, especially involving bikers or pedestrians, on Hillcrest. It seems there have not been any accidents.

But if we are worried, we should immediately implement some of Sam's suggestions such as lower speed limit and more patrolling to catch speeders. At the meeting it was suggested that any action on Hillcrest was at least five years away. If we are worried about accidents, five years is too long to do nothing.

Maybe HGR could survey residents and ask how worried they are about accidents, and, if they are worried, whether they would support suggestions for immediate action to improve safety?

Moving now to issues for five years from now...

Sam remembers that Ditch Road used to turn right just west of his driveway, go south down to Cemetery Ditch, then left/west alongside this ditch to Mortimer. If this is correct, it might be useful to tell current Hillcrest residents about this. It could help clear some of the mystery about how easements and property lines along Hillcrest are sometimes inconsistent.

Here are six possible changes to Hillcrest that I heard discussed at the meeting.

1. A pedx and bike path along the park side of the river, connecting to Mortimer.
2. A pedx and bike path along the Hillcrest side of the river, connecting to Mortimer
3. A pedx and bike path along the Cemetery Ditch, possibly putting the ditch in a culvert and putting the path on top of the ditch, connecting to Mortimer
4. A pedx and bike path behind Kevin Johnson's house (further location for path not specified).
5. Widening Hillcrest to put pedx and bike path on one or both shoulders.
6. Break Hillcrest somewhere in the middle to make two cul-de-sacs, so that Hillcrest would no longer be a (busy) shortcut between Lander and Mortimer.

You could add to this list from feedback received. I believe it would help dialog and progress if you could show everybody what possibilities have been identified. Perhaps by email?

To sum up, I believe that safety issues now should be separated from issues of five plus years from now.

I conclude with an offer of cooperation. I am willing to negotiate if some of 1724 property might help the Hillcrest of five years from now.

Yours sincerely,

Clark McCauley

610. 420. 7118



Lehto, Kyle

From: Jim Massman <jmassman82520@gmail.com>
Sent: Thursday, June 16, 2022 9:44 PM
To: Lehto, Kyle
Cc: michael.jones@fremontcountywy.gov; steve.baumann@fremontcountywy.gov
Subject: Hillcrest Drive Strategic plan

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kyle,

Thank you for the opportunity for input on the Hillcrest Drive Strategic Plan. I thought you did a good job presenting the study goals and managing the ensuing discussion.

I am a retired accountant and Deputy Treasurer of Fremont County serving for 24 years. I have lived at 1826 Hillcrest Dr for over 13 years with my wife, Julia Willoughby, who owns the property. As a resident living on Hillcrest Dr., I witness daily the substantial amount of foot traffic and bicycle traffic. My first comment is **your scope should be expanded to objectively measure this non-motorized traffic.**

I also routinely walk and bicycle Hillcrest Dr. It is fortunate that no serious casualties involving pedestrians/bicyclists and motorists have occurred. It is my opinion that **we should improve the roadway to keep it that way.**

Although I am confident that I can walk/ride it safely because I do so with great care. It has been more than once in Lander that I have avoided distracted motorists disregarding right-of-way or flat out blowing through red lights by an excess of caution.

Across the nation and the world it has been proven that having a safe path encourages and increases the volume of walkers and cyclists. We would all be better for that. **We need to make Hillcrest Dr safe for children who are not as careful as I.**

For more than ten years the County has had Federal money for this study. At the same time the project was given a high priority for 1 cent projects. I have given much thought over these long years to how it could be best done. You provided additional ideas that have great merit.

MY PREFERRED SOLUTION(S):

Add a walking biking path similar to that on Mortimore Lane while using the "traffic calming" effect of 10 ft lanes with striping both center and sides. In addition, I recommend flexible plastic delineator posts to separate motor traffic from the walkway.

With the exception of the bottleneck at Browall and Johnson's property, we can gain the necessary right of way without being on people's doorstep by moving the center line either east or west to take advantage of houses which have a substantial setback. Of course this comes at the cost of negotiating and paying for additional right-of-way.

This leaves us with the problem of the bottleneck:

Option 1: My favorite solution is to have the walking/biking path follow the ditch from the path at McManus Park to a point west of 1826 Hillcrest Dr where the ditch approaches the road again. This affects three property owners whose agreement will be needed. They may be reluctant to have a public pathway along their backyard. Perhaps the inclusion of a privacy fence and gate for horses would help sweeten the deal.

Option 2: My second choice is one that you suggested. Basically a single lane for motorized traffic though the bottleneck with the walkway alongside. Appropriate signage, striping and flexible pastic delineator posts would make this feel safe for pedestrians and bikers. If this is the solution we should not ask the Johnsons or Sam Browall to give up any of their front yards.

Jim Massman
1826 Hillcrest Dr
307-330-4611
jmassman82520@gmail.com

Lehto, Kyle

From: Stephanie Schilling <stephcschilling@gmail.com>
Sent: Wednesday, June 15, 2022 3:54 PM
To: Lehto, Kyle
Subject: Re: Hillcrest

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kyle,

Thanks for the info. I feel like the safest and most pleasant change for pedestrians on Hillcrest would be to continue that wide gravel path that was added a couple of years ago all the way up to Mortimore Lane. I realize that's probably not possible throughout that whole passage so second best would be to add a wider shoulder to the road.

Best,
Steph

On Thu, Jun 9, 2022 at 2:49 PM Lehto, Kyle <Kyle.Lehto@hdrinc.com> wrote:

Hi Stephanie.

The intent of the first public meeting is to inform the public that we're doing a Study to come up with a Strategic Plan for Hillcrest Drive and to get comments from stakeholders on what they might like to see happen with the roadway. The County and City have interest in rebuilding the road and as part of that they recognize that Multi-modal considerations are going to need to be a bid component of any solution. The road right-of-way is also a big challenge. We discussed some of these at the meeting as well as some possible roadway sections that take into account all user types on a rural road section. If you're interested, you are more than welcome to schedule a time to stop by the office and I can go over some of what was discussed at the meeting.

As far as feedback, we're interested in any ideas that the public might have about the roadway, the types of users, and landowner comments, concerns, suggestions, ect. This first meeting is an information gathering effort. We will use this feedback to inform alternatives, which will be presented at a future public meeting.

Please let me know if you have any questions and if/when you'd like to stop by our office.

Kyle Lehto, PE

Civil Engineer

HDR

325 Main Street (PO Box 467)

Lander, WY 82520

D 307.228.6063 M 307.851.8357 F 307.228.6061
kyle.lehto@hdrinc.com

hdrinc.com/follow-us

From: Stephanie Schilling <stephcschilling@gmail.com>

Sent: Thursday, June 9, 2022 8:07 AM

To: Lehto, Kyle <Kyle.Lehto@hdrinc.com>

Subject: Hillcrest

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Kyle,

I missed the council meeting discussing changes to Hillcrest. I run or walk that portion of the tomato loop usually three times a week and am excited that it might be made more pedestrian friendly. Are you looking for feedback on any plans in particular?

Thanks,

Stephanie

Lehto, Kyle

From: Camille Phillips <camille.phillips@yahoo.com>
Sent: Monday, June 13, 2022 8:51 PM
To: Lehto, Kyle
Subject: Hillcrest Road Transportation Study

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kyle,
I am reaching out in support of increasing pedestrian safety on Hillcrest Drive here in Lander. I am a Lander resident but I was unable to attend the public meeting last Monday as I was out of town for work. However, I would have attended. I am a frequent user of Hillcrest Drive either as a runner or walker and it is one of my favorite routes. However, there is not a large enough shoulder to be safe. I frequently end up in the weeds as there is often quite a bit of traffic on this road. I am in support of any way to increase safety for pedestrians via trails or paths. Thank you for your efforts on this project.
Thanks.
Camille Phillips

Lehto, Kyle

From: Krista Snyder <krista.snyder@gmail.com>
Sent: Thursday, June 9, 2022 2:01 PM
To: Lehto, Kyle
Subject: Support for Pedestrian Path on Hillcrest

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello!

I'm in support of building a pedestrian path on Hillcrest Drive in Lander, Wyoming.

I frequent Hillcrest often as a pedestrian, sometimes walking the whole "Tomato Loop" or walking an out-and-back on Hillcrest to Mortimore.

For most of the road there is not a safe(r) place to walk for pedestrians; the shoulder is quite shallow in many spots, pushing side-by-side pedestrians out into the road. Much of the traffic on that street speeds and has blind corners where they may not see a pedestrian in enough time to slow down or move over to safely pass them. Additionally, when I am driving on Hillcrest, I need to be extra cautious to keep an eye out for pedestrians and pets or kids that they might be with. I worry that they might not see/hear me coming or that I may not be able to see them to safely pass, endangering both the pedestrians and myself as a driver.

An established pedestrian path would increase for safety for both pedestrians and for drivers on the road.

Thank you for the work you're putting into this!

Krista Snyder
785 Von Bieker Drive
Lander, WY 82520

Lehto, Kyle

From: Kevin Johnson <kjohns1955@gmail.com>
Sent: Thursday, June 9, 2022 11:00 AM
To: Lehto, Kyle
Subject: Hillcrest Drive Study comments

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My wife and I live at 1674 Hillcrest Drive. Because our house and our neighbor's house directly across the street are quite close to the road, it doesn't leave much space for road widening without significantly impacting our property and improvements. I believe the "advisory shoulder" option that was mentioned at the public meeting may be the best solution for providing safety and minimizing the impact to our properties and homes. This section could be fairly short and then widen where conditions allow. A full width rumble strip and signage at either end of the advisory shoulder would serve to draw attention to the unusual roadway concept.

I very much agree with keeping the vehicle lanes narrow to discourage traveling at higher speeds. I also would be in favor of a 25 mph speed limit if the road is improved. As any final construction project would be some years in the future, I suggest that some effort be made to enforce the current 30 mph limit. More signs with the addition of red crossed flags to improve awareness of the speed limit might help to slow traffic at very little cost to the county.

Thank you for the opportunity to provide comments.

Kevin and Carie Johnson
1674 Hillcrest Drive
Lander, WY 82520
307-714-1955
kjohns1955@gmail.com

Lehto, Kyle

From: Stephanie Schilling <stephcschilling@gmail.com>
Sent: Thursday, June 9, 2022 8:07 AM
To: Lehto, Kyle
Subject: Hillcrest

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Kyle,

I missed the council meeting discussing changes to Hillcrest. I run or walk that portion of the tomato loop usually three times a week and am excited that it might be made more pedestrian friendly. Are you looking for feedback on any plans in particular?

Thanks,
Stephanie

Lehto, Kyle

From: Joanne Slingerland <joanneslingerland@me.com>
Sent: Wednesday, June 8, 2022 4:51 PM
To: Lehto, Kyle
Subject: Hillcrest improvements

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kyle,

I am a resident on Mortimore Lane and frequent user of the Tomato loop by foot and by bike. I also drive Hillcrest frequently. It's far past time that something is done to accommodate all users. It's getting very dangerous. People take their young kids and strollers on the route and I cringe when the cars go by. A lot of runners, too, who run at night or early in the morning and often have inadequate reflector gear. I support your efforts to improve Hillcrest for all users.

I'm intrigued also by the idea of developing a path along the ditch and diverting walkers, runners and cyclists completely off the road. I suppose a path along the river from the Mortimore Lane bridge to City Park is out of the question because of the private land ownership, but I would love to see a path there.

Thank you for the opportunity to provide feedback.

Joanne Slingerland

Lehto, Kyle

From: Lisa McCauley <lisabeckmccauley@gmail.com>
Sent: Wednesday, June 8, 2022 1:20 PM
To: Lehto, Kyle
Subject: Hillcrest Drive project

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kyle,

Thanks for an interesting meeting on Monday. Would it be possible to make the images and info you presented accessible online? I had trouble making sense of some of the conversation without being able to see the maps.

One of the traffic-calming measures you mentioned was to create a one-lane area where vehicles would have to take turns passing through.

What about using guardrails on both sides of the road at the narrow spot to enforce the single lane? As in the photo below.

- There would still be enough space on the "bridge" to mark off a pedestrian path.
- An obvious narrowing of the road ought to slow traffic down, and make Hillcrest a less desirable (but still accessible) route for big trucks and campers.
- I have not asked them yet but I bet Sam and Kevin/Carrie might appreciate a physical barrier to keep traffic out of their well-kept lawns.
- If safety is a priority, this could be done fairly quickly and cheaply, in advance of any major road reconstruction.
- No doubt some signage would be required, but I think this would look much better and be more effective than Sam's suggestion of flashing lights and signs.



Attachment B: Public Meeting Comments

Public Meeting #2

Hillcrest Drive Strategic Plan - Feb 13, 2022 - Please Sign In!

#	Name	Address	Email
1	Eden Anne Fossen	City	rsfossen@landrwyoming.org
2	Lance Hopkin	City	lhopkin@landrwyoming.org
3	Norm & Pam Cooper	1942 Hillcrest Dr	cooperinwy@gmail
4	Clark & Kathy Hanson	1540 Goodrich	cnkhanson@gmail
5	Jeff & Pam Conine	2071 Hillcrest Dr.	jeffconine@hotmail.com pjconine@aol.com
6	Kevin & Carrie Johnson	1674 Hillcrest Dr.	kjohns1955@gmail.com
7	James Whiting	545 Cliff	james@whitinglawpc.com
8	Sam Brownell	1679 Hillcrest Dr	SBrownell@gmail.com
9	Monte R. Lerdson	590 west lake	
10	Skippy Day	286 Custer	Skippy.day@gmail.com
11	Janelle Hahn	547 Washington	janellehahn2@hotmail.com
12	Grace Templeton	246 Wagon	marketing@wyopath.org
13	Dan Hahn	547 Washington St	
14	Scott & Therese Woodhuff	2024 Mortimore	scott@wyominghiking.com
15	Matt & Chelsie Wilson	1948 Hillcrest Dr.	ccielski@gmail.com
16	Justus & Taylor Jacobs	2020 Hillcrest Dr	taylormjacobs@yahoo.com justus@insurewy.com
17	Jessica & James West	1958 Hillcrest Dr	jwest0617@gmail.com
18	James Massman	1826 Hillcrest Dr	jmassman82520@gmail.com
19	Suzanne Lilygren	1521 Hillcrest Dr	suzanne@lilygren.com
20	Joanne Slingerland	2182 Mortimore Ln.	joanneslingerland@icloud.com
21	Isabelle Lawham	1505 Goodrich	ilawham@aol
22	Hugh Lawham	"	hlawham@gmail.com
23	Scott Becker	1723 Hillcrest Dr	sbecker@gmail.com
24	Kyle Kaulen-Trujillo	1950 Sinks Canyon Rd	kktrujillo@sinkscanyontherapies.com
25	Debra & Kathi McKee	210 Bridger St	kathimckee49@gmail.com
26	Ami Vincent	11 Wagon Hammer	ami@lafoundation.org
27	Steve Baumann	Fremont County	Steve.baumann@fremontcounty.gov
28	Tina Cunningham	290 Bridger St.	tinajcunningham@gmail.com
29	Jon Hamilton	1440 Hillcrest	jonnyuno@gmail.com
30	Bob Tipton	1436 Hillcrest	tiptonwy@gmail.com
31	Matthew T. Graf	1290 S 2nd St	matthewtgraf@gmail.com
32	Matthew C. Graf	130 Wendy St.	Mattgraf58@gmail.com

Hillcrest Drive Strategic Plan - Feb 13, 2022 - Please Sign In!

#	Name	Address	Email
33	Kate Foster	726 Park S	akfoster1022@gmail.com
34	Liz Lightner	1690 Hillcrest	
35	Michael Kusiek	995 Cliff St.	mikekusiek@gmail.com
36	Mike Bostick	149 Custer St.	bostickmike@gmail.com
37	Clark McCauley	1724 Hillcrest	lisabeckmccauley@gmail.com
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COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Julia W. Hooshby / Jim Massman
Address	1826 Hillcrest Dr
Phone	307-330-4611
Email	jmassman82520@gmail.com



I am a:

☒ Landowner adjacent to the project

☐ Member of the community

Comment:

Please send copies of six
alternatives from meeting

We will only use your contact information for project updates including meetings, construction, easements, etc.

COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	McCaughey, Clark & Lisa
Address	1724 Hillcrest
Phone	
Email	lisabeckmccaughey@gmail.com



I am a:

☒ Landowner adjacent to the project

☐ Member of the community

Comment:

Alternative 7 - Build road behind
the Johnsons thru the Bottle Neck. They indicated
they'd be willing to talk about losing Building
or land.

We will only use your contact information for project updates including meetings, construction, easements, etc.

COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	SAM BROWALL
Address	1679 HILLCREST
Phone	332 2608
Email	sbrowall@gmail.com



I am a:

☒ Landowner adjacent to the project

☐ Member of the community

Comment:

ALTERNATIVE 3 EDGE ROAD TAPPING
WOULD WORK

We will only use your contact information for project updates including meetings, construction, easements, etc.

COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Kate Foster
Address	726 Parks
Phone	307 699 0096
Email	akfoster1022@gmail.com



I am a:

☐ Landowner adjacent to the project

☒ Member of the community

Comment:

Thank you for considering ~~safer~~ upgrading this
roadway to make it safer. I would love to see a
seperated path way such as option #2. I understand
landowners are concerned but it seems property values would increase.

We will only use your contact information for project updates including meetings, construction, easements, etc.

COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Aaron Foster
Address	726 Park
Phone	438-5677
Email	akfoster@brennan.net



I am a:

☐ Landowner adjacent to the project

☒ Member of the community

Comment:

A separate pathway would be great. However, it seems unlikely. Next best would be a side path so pedestrians are not on the road at all. Any improvement would be welcomed. my ~~concerns~~ ~~of the road~~ @ recreation.

We will only use your contact information for project updates including meetings, construction, easements, etc.

COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Grae Templeton
Address	24d washakie st.
Phone	818 793 4358
Email	marketing@wyopath.org



I am a:

☐ Landowner adjacent to the project

☒ Member of the community

Comment:

this road feels very unsafe as a user.
widened roads or an alt path is
my top two choices.

We will only use your contact information for project updates including meetings, construction, easements, etc.

COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Justus + Taylor Jacobs
Address	2020 Hillcrest + 2014 Montmore
Phone	307-349-2784
Email	



I am a:

☒ Landowner adjacent to the project

☐ Member of the community

Comment:

We support bike and walking path options
and would share/sell land if this moves
forward.
Speed is an issue

We will only use your contact information for project updates including meetings, construction, easements, etc.

COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Scott Becker
Address	1723 Hillcrest
Phone	307-349-2803
Email	scabecker@gmail.com



I am a:

☒ Landowner adjacent to the project

☐ Member of the community

Comment:

Prefer something similar to alternative 3, but willing to ^{consider} ~~go~~ alternative 1 or 5
for pedestrian (& my kids) safety even though it may mean losing cottonwoods + will. Would
appreciate city H₂O + hydrants. ~~and~~ Prefer something paved attached to road.
Alternative 4 + 6 are big 'NO'. Idea of one-way road is intriguing. Willing to chat in
person ~~if needed~~ or by phone if needed, or email too.

We will only use your contact information for project updates including meetings, construction, easements, etc.

COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Justus ³ Taylor Jacobs
Address	2020 Hillcrest Dr + 2014 Mortimore
Phone	307-349-2186 / 307-438-1039
Email	justus@insurewy.com



I am a:

☒ Landowner adjacent to the project ☐ Member of the community

Comment:

Option 4 is not an option!! 'We would consider others
Mortimore property we own land for grazing livestock +
there are many issues with this. (1) Decreasing pasture for land owners
(2) fencing to maintain pathway would be expensive (3) people
will just walk the road especially if this isn't lit up. "

We will only use your contact information for project updates including meetings, construction, easements, etc.

COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Mike Bostick
Address	149 Custer St., Lander
Phone	307-534-6597
Email	bostickmike@gmail.com



I am a:

☐ Landowner adjacent to the project ☒ Member of the community

Comment:

We live a block away from Hillcrest and frequently use it for driving and recreation.
We would like to improve pedestrian safety - I would prefer a separated
walking path, but also like the edge lane road striping (alternation 3)
as that could happen right away while a wider road or path gets discussed
further.

We will only use your contact information for project updates including meetings, construction, easements, etc.

COMMENT CARD

Fremont County & City of Lander
Hillcrest Drive Strategic Plan

Name	Matthew Graf
Address	1290 S 2 nd St. Lander
Phone	(802) 318-6147
Email	matthewtgraf@gmail.com



I am a:

☐ Landowner adjacent to the project

☒ Member of the community

Comment:

Please consider a speed limit of 15 MPH through the bends & bottlenecks of Hillcrest. Also public use for exercise will undoubtedly increase on this road, a fix is paramount.

We will only use your contact information for project updates including meetings, construction, easements, etc.

~~scott@wyominghiking.com~~

please send a copy of the
various options.

Thank you!

Taylor Jacobs

+
Justus Jacobs

taylormjacobs@yahoo.com

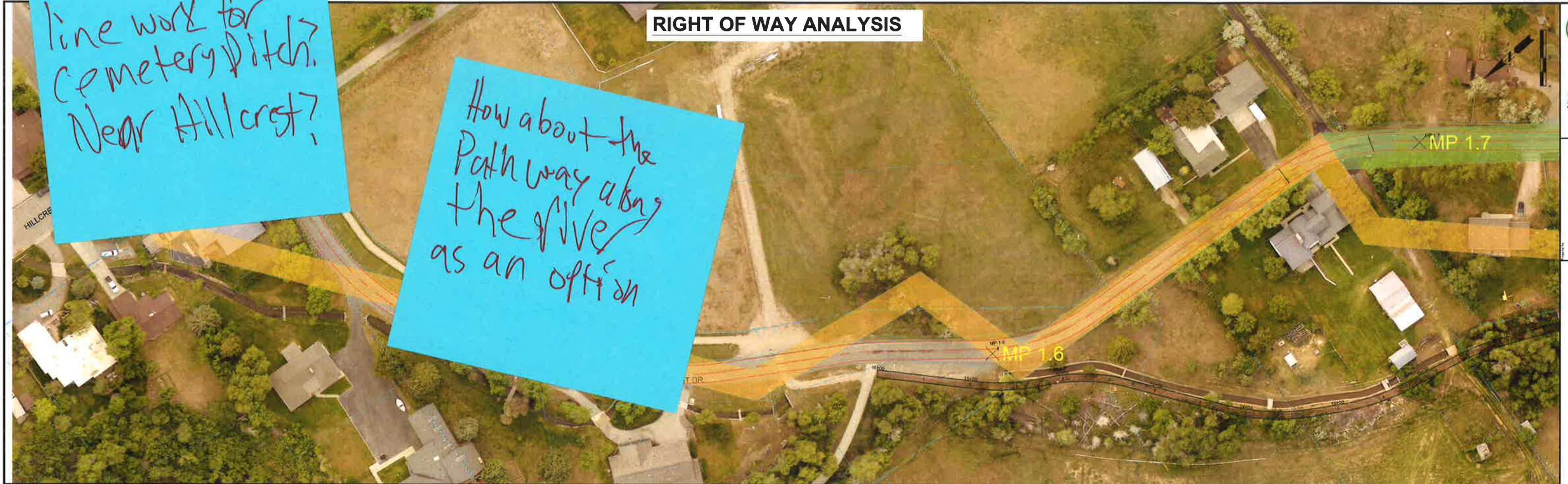
scott@wyoming
hiking.com

send me all
the study stuff
please

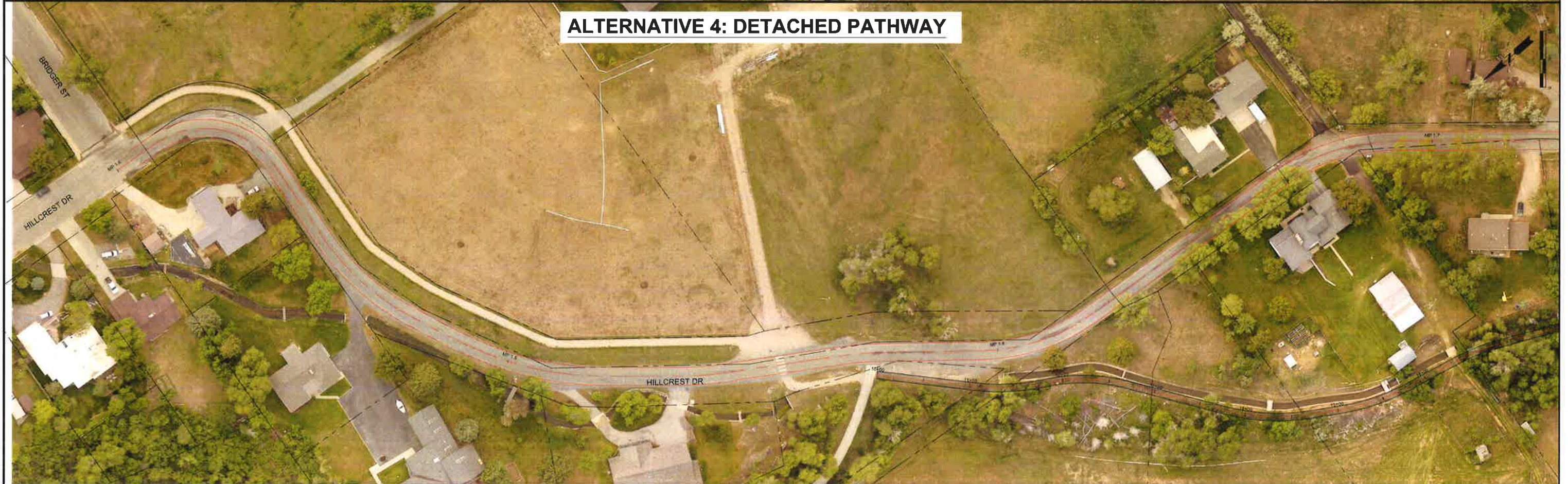
Where is the
line work for
Cemetery ditch?
Near Hillcrest?

How about the
Pathway along
the river
as an option

RIGHT OF WAY ANALYSIS



ALTERNATIVE 4: DETACHED PATHWAY



Lehto, Kyle

From: Matt Ayers <technomatty1@gmail.com>
Sent: Friday, February 3, 2023 5:56 PM
To: Lehto, Kyle
Subject: Re: Hillcrest Drive Strategic Plan

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Kyle.

On Feb 3, 2023, at 3:10 PM, Lehto, Kyle <Kyle.Lehto@hdrinc.com> wrote:

Hi Matt.

It's likely just asking you to log in. To share the OneDrive folder I had to send that link specific to your email. You're the only one that will be able to access it. But you'll have to set up a password probably to access the folder. Try it again and let me know if you have any issues. We can jump on a phone call and I can help troubleshoot if needed.

Also, the files sizes are pretty huge....I would recommend accessing the PDF files on a computer instead of your phone.

The Report is also downloadable here: https://www.landerwyoming.org/news_detail_T6_R100.php

Kyle Lehto, PE
D 307.228.6063 M 307.851.8357

hdrinc.com/follow-us

From: Matt Ayers <technomatty1@gmail.com>
Sent: Thursday, February 2, 2023 3:06 PM
To: Lehto, Kyle <Kyle.Lehto@hdrinc.com>
Subject: Re: Hillcrest Drive Strategic Plan

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Once I click the link, it is asking for a code to verify my identity. Permissions on the folder may need to be modified to allow anyone with the link to view the content.

Thanks Kyle!

Lehto, Kyle

From: pjconine@aol.com
Sent: Tuesday, February 14, 2023 3:03 PM
To: Lehto, Kyle
Cc: jeffconine@hotmail.com
Subject: Hillcrest Drive Strategic Plan

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kyle,

Thank you for presenting the options for the Hillcrest Drive Strategic Plan on February 13, 2023. It was informative and we appreciate your time.

We do believe that widening Hillcrest Drive is the best and safest solution. We know that there are a couple of areas that are a bottleneck, but we believe this could be overcome by keeping them as they are and/or seeing if we could get a three-foot path and perhaps make it easier for pedestrians and cyclists in these areas.

We live at 2071 Hillcrest Drive and are close to Mortimer Lane. We have three big trees in front of our property that we do not want to lose but will be willing to grant the property in front of our trees. We are also interested in getting City water so will be willing to negotiate. We own the field that is next to our home, which our shop sits on, and we are willing to negotiate for the front of this property as well.

We do not agree for Hillcrest Drive to become one lane and will not work with anyone on this option as this option should not even be considered. There is a lot of traffic on this road, and we worry about FedEx, UPS and mail deliveries. Trash pickup is also a concern so consequently we need a two-lane road for this as well.

We like Alternate No. 1 with the widened shoulder/paved shoulder and the 5' lanes on both sides of the road. We do understand that there is a 1--5" buffer on each side of the lanes. If this needs to be decreased for 4' lanes this could also be done. We believe that Hillcrest Drive will not be the same widths through this area and will need to be accommodated as each circumstance is warranted. This reminds us of the T-Rex project on I-25 in Denver where there are narrows and wider areas that can accommodate more lanes.

Option #4 will be quite costly so we believe that this option should be taken off the strategic plan.

Sincerely,

Pam Conine
719-440-8318

Jeff Conine
970-412-7424

Lehto, Kyle

From: Serol Stauffenberg <serolcs@gmail.com>
Sent: Tuesday, February 14, 2023 7:34 AM
To: Lehto, Kyle
Subject: meeting materials

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I live on Hillcrest and haven't been able to attend either Public Meeting due to work conflicts. Can you forward me the meeting materials or anything else that might provide insight.

Thanks--Serol Stauffenberg

Lehto, Kyle

From: Lehto, Kyle
Sent: Thursday, February 16, 2023 12:55 PM
To: Jill Widmar
Subject: RE: Hillcrest Drive Strategic Plan

Hi Jill.

I am sending you a OneDrive link to all of the meeting materials. There are 6 Exhibits that show the 6 alternatives that were presented at the meeting. A copy of the draft report is also available for review. Lastly, there is a Google Earth .KML file that you should be able to open up on your phone or computer that will also show the six alternatives.

<https://hdrinc-my.sharepoint.com/:f:/p/klehto/Erze0CRkDtIAgtYmyPq3pKABV51BL4Ta7ZJTMN2D6nFeKA?email=jwidmar55%40gmail.com&e=sYVere>

This link is specific to you. If you'd like me to grant access to someone else I can send them a link if you give me their email address. I'd also be happy to schedule a time to look at the alternatives in our office. Our address is in my signature line.

Thank you,
Kyle Lehto, PE
Civil Engineer

HDR
325 Main Street (PO Box 467)
Lander, WY 82520
D 307.228.6063 **M** 307.851.8357 **F** 307.228.6061
kyle.lehto@hdrinc.com

hdrinc.com/follow-us

-----Original Message-----

From: Jill Widmar <jwidmar55@gmail.com>
Sent: Thursday, February 16, 2023 12:41 PM
To: Lehto, Kyle <Kyle.Lehto@HDRinc.com>
Subject: Hillcrest Drive Strategic Plan

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We live at 2171 Hillcrest Drive and were unable to attend the meeting on Monday Feb.13. We would very much like you to send us a copy of the minutes from the meeting if it wouldn't be too much trouble.

Thank you,
Jill Widmar
Lou Pope

Sent from my iPad

Follow Up Flag:	Follow up
Flag Status:	Flagged

Thank you for the offer. Kyle; however I'm currently out of town for medical issues. I'll get with you when I return. I typically walk this route daily in nicer weather and live in the general area, although not on Hillcrest, so I'm always interested in plans.

> On Feb 2, 2023, at 11:35 AM, Lehto, Kyle <Kyle.Lehto@hdrinc.com> wrote:

>

> Hi Helen.

>

> Unfortunately we're not currently planning a Zoom type meeting. I would be happy to meet with you one-on-one at our office to discuss if you'd like. I have availability next week if there is a time that works for you.

>

> Also a copy of the draft report and exhibits can be downloaded here:

>

> <https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fhdrinc.com%2Fmy.sharepoint.com%2F%3A%2Fp%2Fkylelehto%2FErZe0CRkdTlAgTYmyPq3pKABV51BL4Ta7ZJTMN2D6nFeKA%3Femail%3Dhlarose1%2540icloud.com%26e%3DMNW74M&data=05%7C01%7CKyle.lehto%40hdrinc.com%7C280abcfbf9a142c9b81308db05459510%7C3667e201cbdc48b39b425d2d3f16e2a9%7C0%7C0%7C638109568647200719%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTEil6lk1hYWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=lZZ%2BBfzmIUtJELZI0EnONCRMZVW7xvIQ7vvgiPhCW90%3D&reserved=0>

>

> Kyle Lehto, PE

> Civil Engineer

> HDR

> 325 Main Street (PO Box 467)

> Lander, WY 82520

> D 307.228.6063 M 307.851.8357 F 307.228.6061 kyle.lehto@hdrinc.com

>

> hdrinc.com/follow-us

>

>

> -----Original Message-----

> From: Helen La Rose <hlarose1@icloud.com>

> Sent: Wednesday, January 25, 2023 3:52 PM

> To: Lehto, Kyle <kyle.lehto@hdrinc.com>

> Subject: Hillcrest Study

>

> CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>

>

> Hello,

> Wondering if the Feb 13 Hillcrest meeting at the Community Center in Lander will be on Zoom? Can a copy of the study be emailed to me?

>

> Many thanks,

>

> Helen LaRose

> hlarose1@icloud.com

> 750 Bellvue Ave, Lander

>

Lehto, Kyle

From: jared.kail@gmail.com
Sent: Monday, February 6, 2023 9:58 AM
To: Lehto, Kyle
Subject: RE: Question, Hillcrest

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Gotcha. Thanks for the info!

From: Lehto, Kyle <Kyle.Lehto@hdrinc.com>
Sent: Monday, February 6, 2023 9:48 AM
To: jared.kail@gmail.com
Subject: RE: Question, Hillcrest

Hi Jared.

Some of the objects are shape files and images pulled from the County Map Server into CAD. Some of them are Items we've drawn in CAD.

Hope this helps...

Kyle Lehto, PE
D 307.228.6063 M 307.851.8357

hdrinc.com/follow-us

From: jared.kail@gmail.com <jared.kail@gmail.com>
Sent: Thursday, February 2, 2023 11:31 AM
To: Lehto, Kyle <Kyle.Lehto@hdrinc.com>
Subject: RE: Question, Hillcrest

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Just double-checking, this appears to be arcgis stuff?

From: Lehto, Kyle <Kyle.Lehto@hdrinc.com>
Sent: Thursday, February 2, 2023 11:02 AM
To: jared.kail@gmail.com
Subject: Re: Question, Hillcrest

No problem. Here is a link to a OneDrive folder to access the draft report and exhibits:

<https://hdrinc-my.sharepoint.com/:f:/p/klehto/EIRC-mPzprZGpEfReRUlv24BP-mWz1Gm501xkhBGPIJ6iA?email=jared.kail%40gmail.com&e=5RfWuy>

I'd also be happy to meet with you in person. I'm open next week.

Thanks,
Kyle L.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: jared.kail@gmail.com <jared.kail@gmail.com>
Sent: Thursday, February 2, 2023, 10:57 AM
To: Lehto, Kyle <Kyle.Lehto@hdrinc.com>
Subject: RE: Question, Hillcrest

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks for getting back to me, Kyle! I'm really glad that option is being discussed. I'd love to look at the report/exhibits. Please shoot them my way. I have a fair amount going on at the school board right now so time is tight; not sure about my availability to attend, but I'll see how things shake out.

Jared

From: Lehto, Kyle <Kyle.Lehto@hdrinc.com>
Sent: Thursday, February 2, 2023 10:33 AM
To: jared.kail@gmail.com
Subject: RE: Question, Hillcrest

Hi Jared.

Its nice to here from you.

Actually what you mentioned is one of the 7 alternative we will be presenting. I'd be happy to send you a link to the draft report and our exhibits if you'd like. Hoping to see you in person possible for the public meeting.

Kyle Lehto, PE
D 307.228.6063 M 307.851.8357

hdrinc.com/follow-us

From: jared.kail@gmail.com <jared.kail@gmail.com>
Sent: Wednesday, January 25, 2023 3:33 PM
To: Lehto, Kyle <kyle.lehto@hdrinc.com>
Subject: Question, Hillcrest

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Kyle,

Long time no talk. We worked together years ago on the one cent marketing plan when we still had Wyoming, Inc.

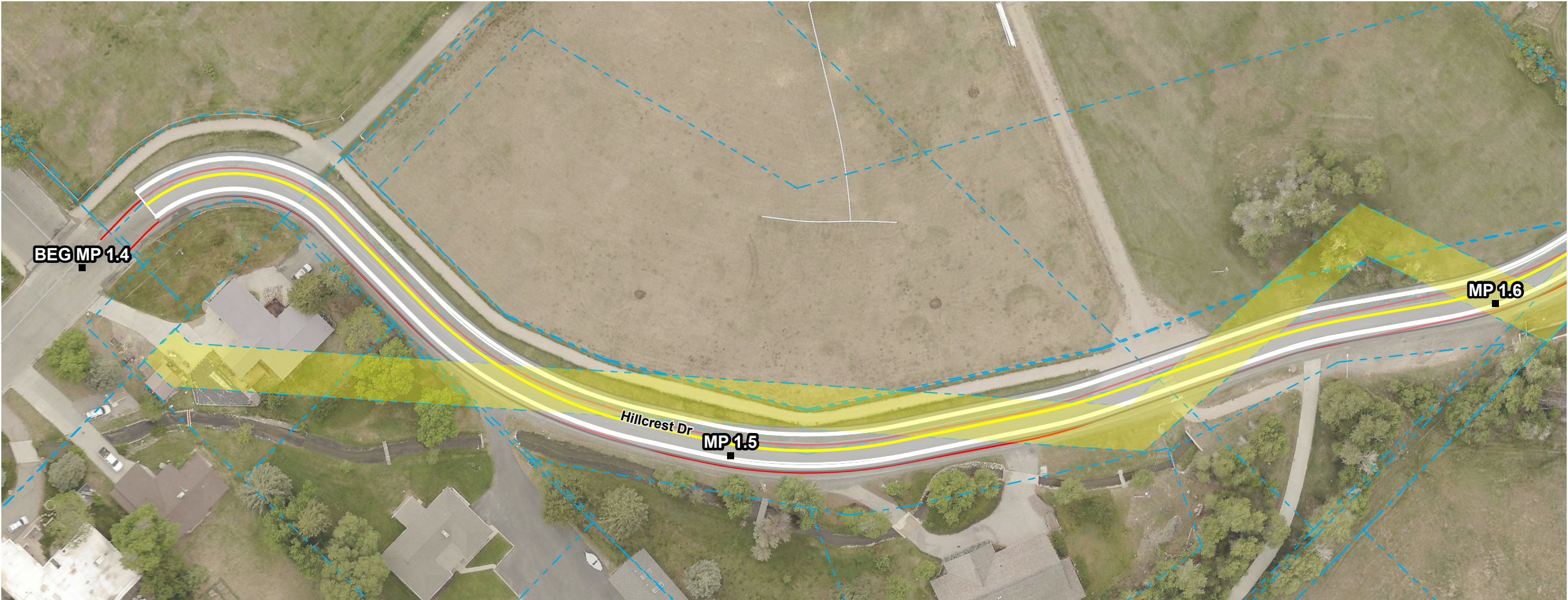
I have a quick question for you regarding the Hillcrest discussions. For years I've wondered if it would be at all possible to utilize the ditch right-away on Flat Ditch for a walking path. I know that there would be a lot of work involved with land owners around that ditch, but a trade-off of City-funded maintenance on the ditch might help alleviate some of the privacy concerns. Maybe the land owners would flat-out reject the idea, but it seems that getting walkers and bikers off of Hillcrest on the narrowest part of the road and down onto the ditch bank where the likelihood of seeing wildlife would be way better might be a win/win. It could potentially(?) even mean cost savings to the City of no additional work has to be done on Hillcrest, which might be able to be used to purchase right-aways from the landowners. (I don't know the finances here, so I don't know if that is even realistic.) Anywa, has that possibility been discussed at all?

Thanks sir. Hope all is well with you.

Jared Kail

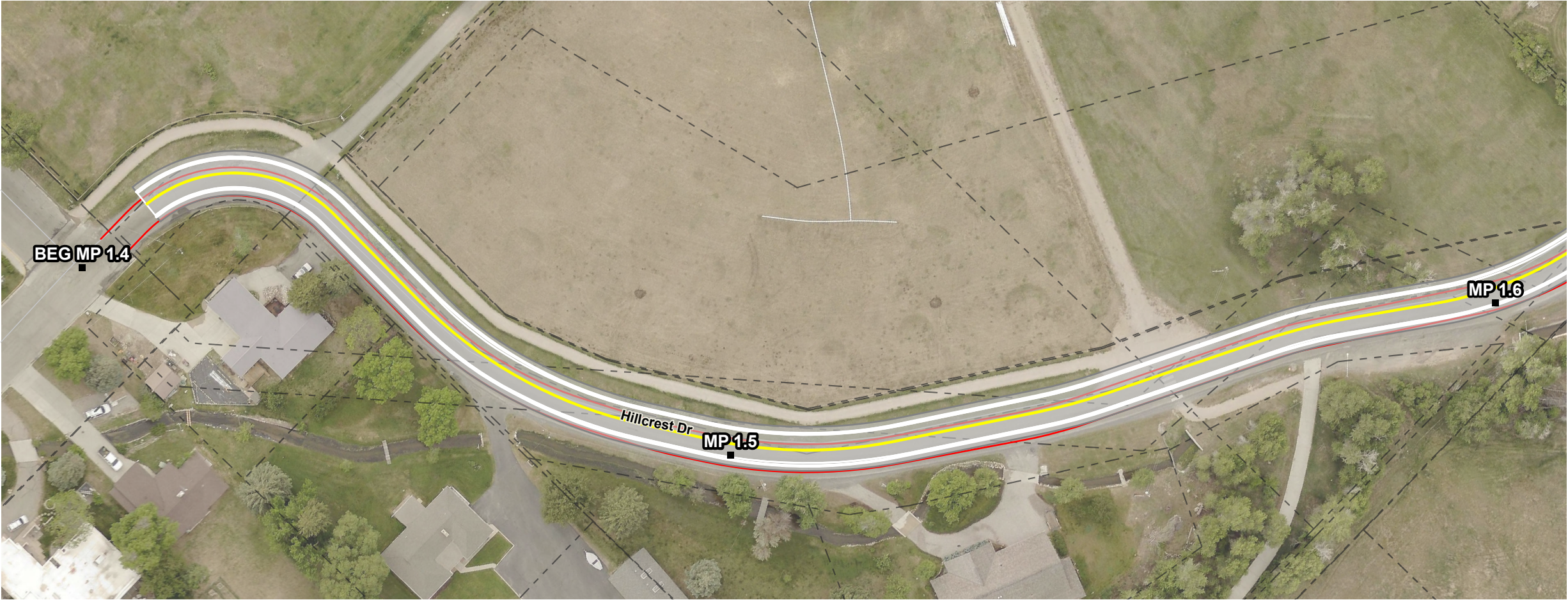


Attachment C: Alternatives Exhibits



Hillcrest Drive Alternative 1 Widen Shoulders

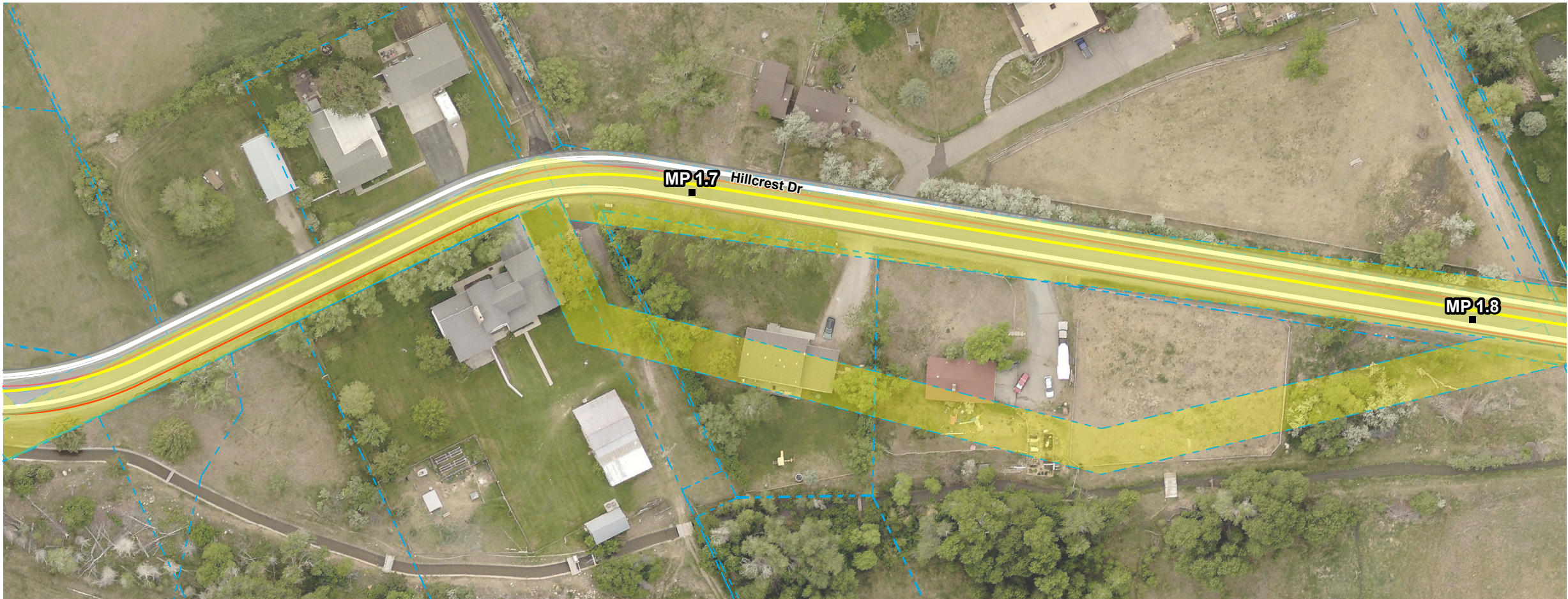
- Existing Road Edges
- Existing Property Lines
- Proposed Centerline
- Proposed Edge of Asphalt
- Shoulder Striping
- Existing ROW/Easement
- Roadway Alternative



Lander, Wyoming

0 100 Feet





Hillcrest Drive Alternative 1 Widen Shoulders

- Existing Road Edges
- Existing Property Lines
- Proposed Centerline
- Proposed Edge of Asphalt
- Shoulder Striping
- Existing ROW/Easement
- Roadway Alternative



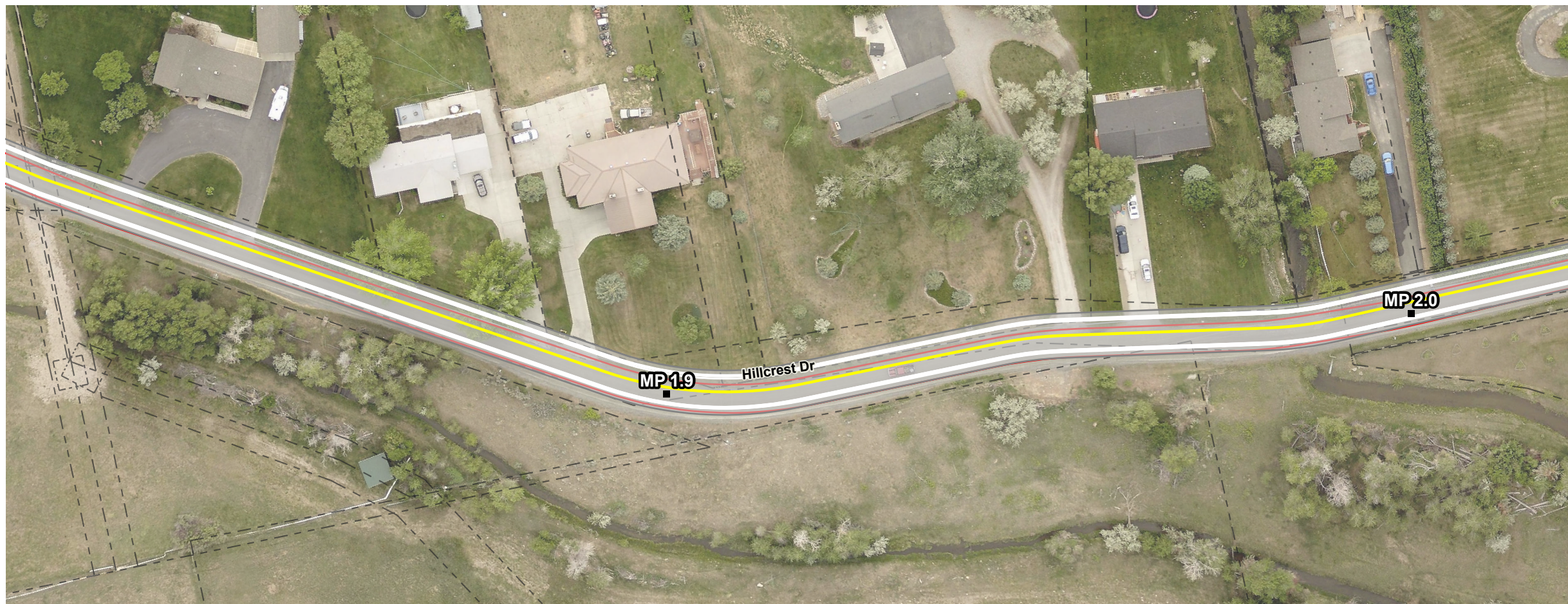
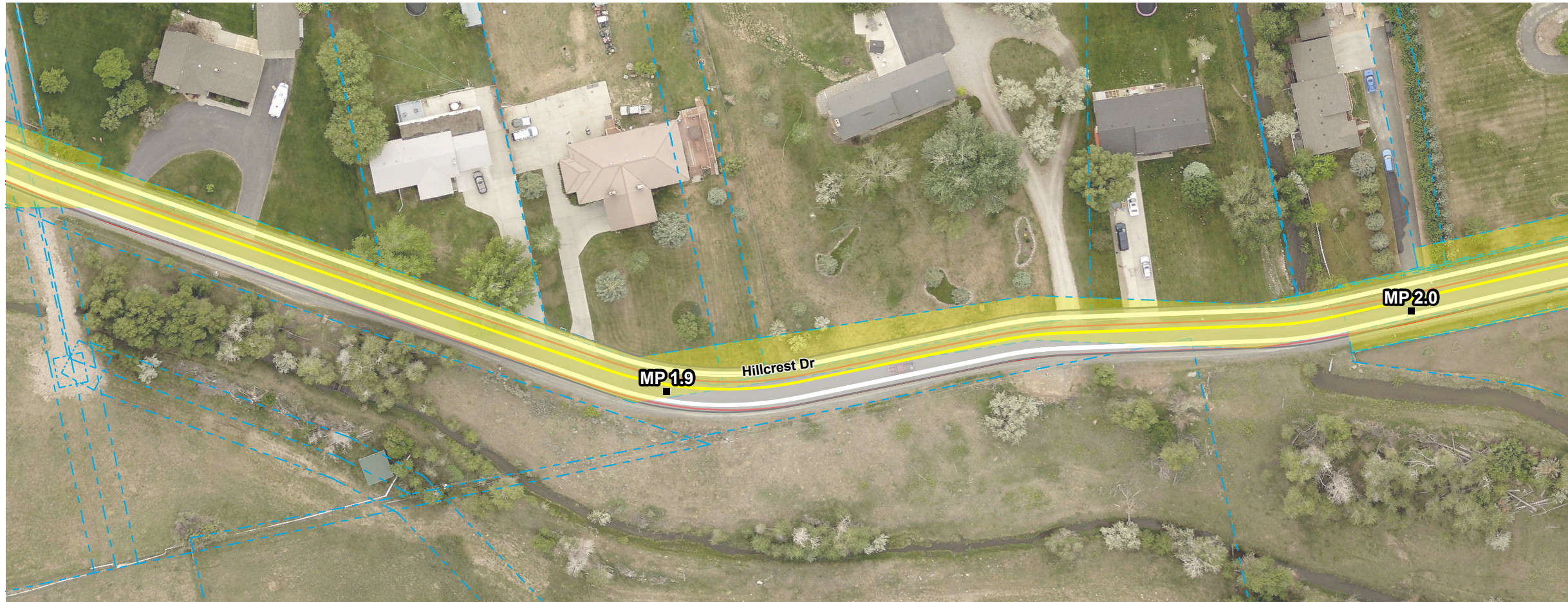
Lander, Wyoming

0 100 Feet



Hillcrest Drive Alternative 1 Widen Shoulders

- Existing Road Edges
- Existing Property Lines
- Proposed Centerline
- Proposed Edge of Asphalt
- Shoulder Striping
- Existing ROW/Easement
- Roadway Alternative



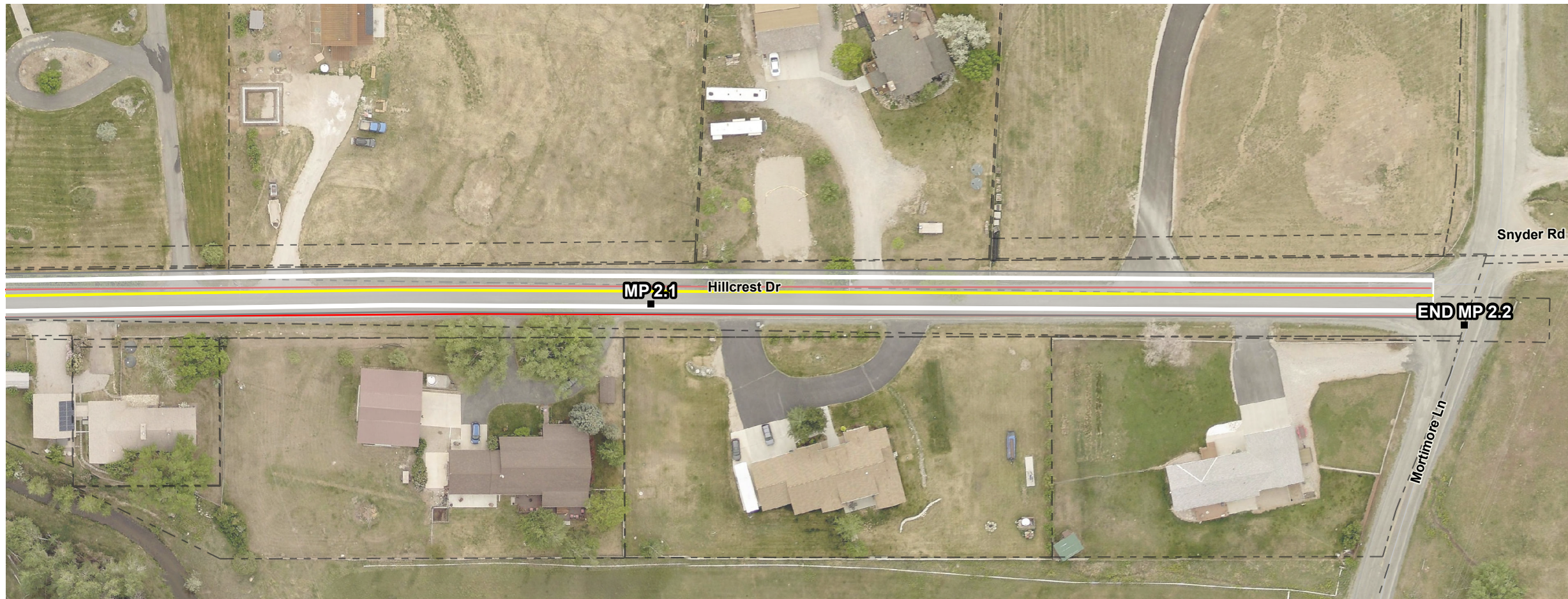
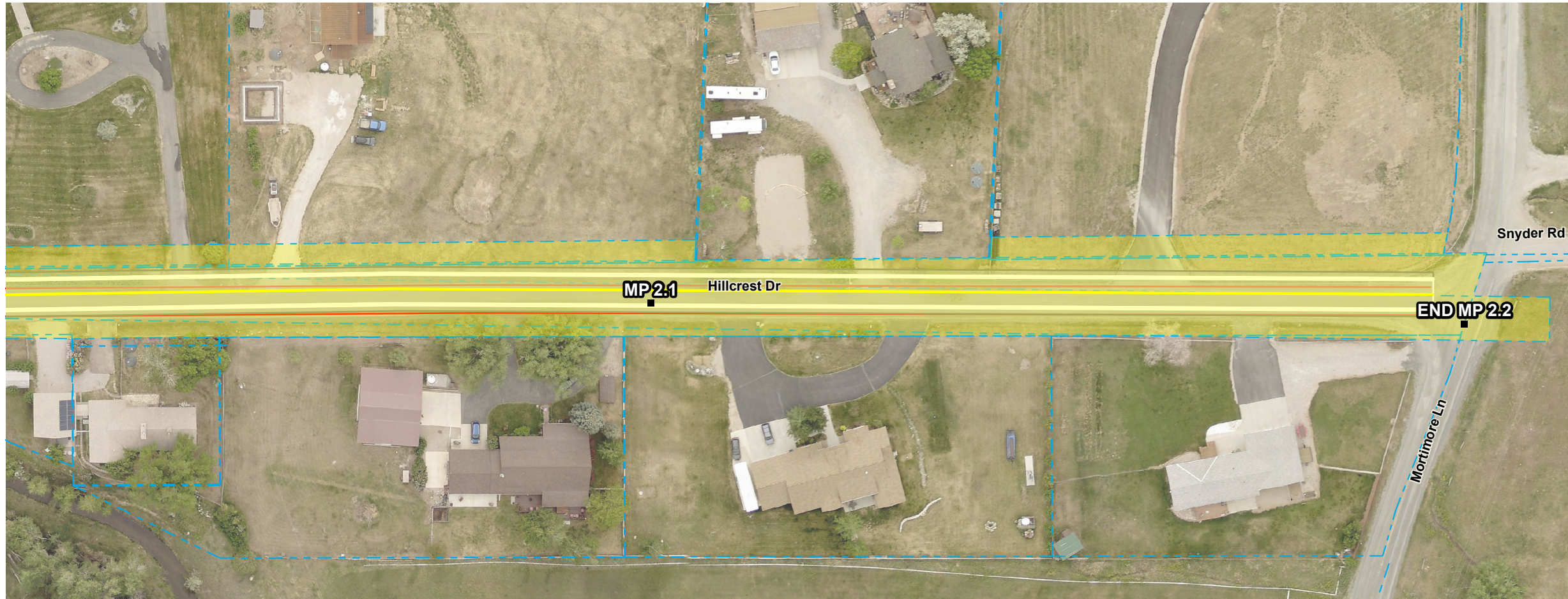
Lander, Wyoming

0 100 Feet



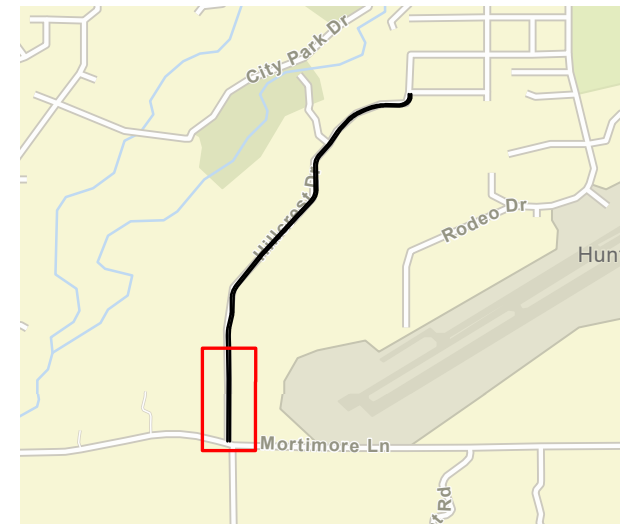
Hillcrest Drive Alternative 1 Widen Shoulders

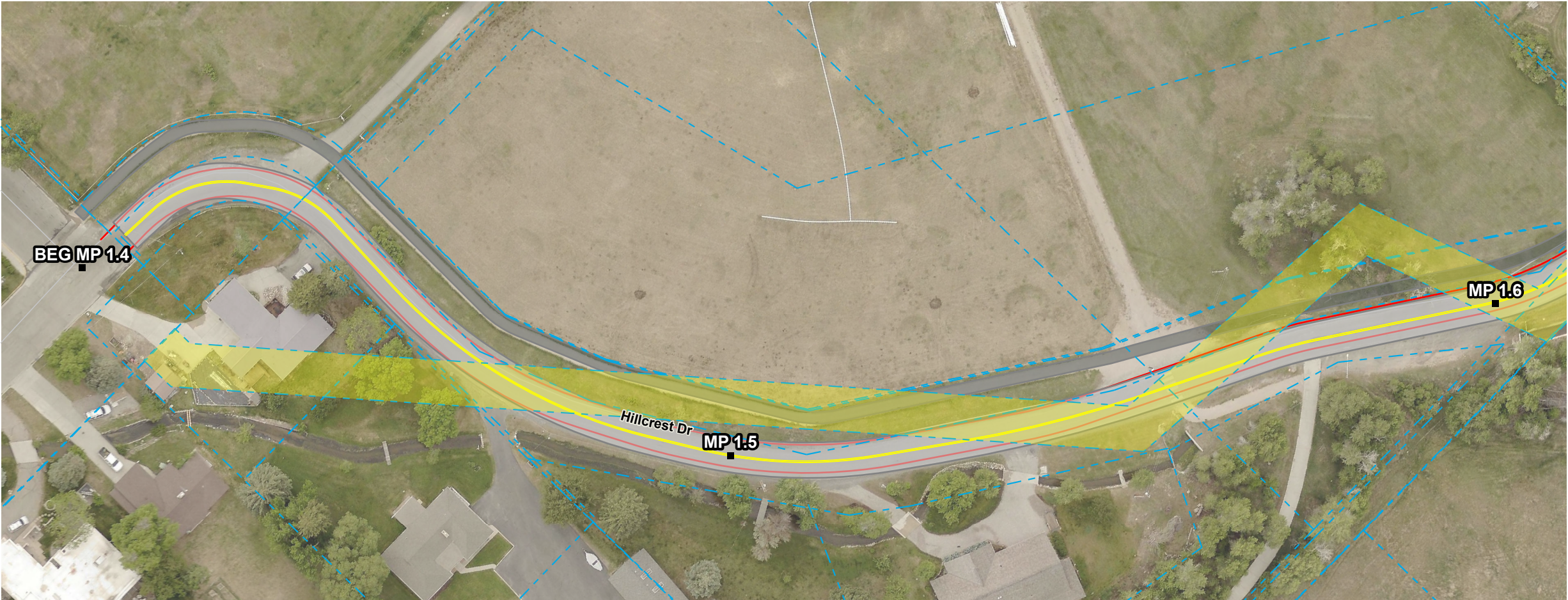
- Existing Road Edges
- Existing Property Lines
- Proposed Centerline
- Proposed Edge of Asphalt
- Shoulder Striping
- Existing ROW/Easement
- Roadway Alternative



Lander, Wyoming

0 100 Feet





**Hillcrest Drive
Alternative 2
Side Path**

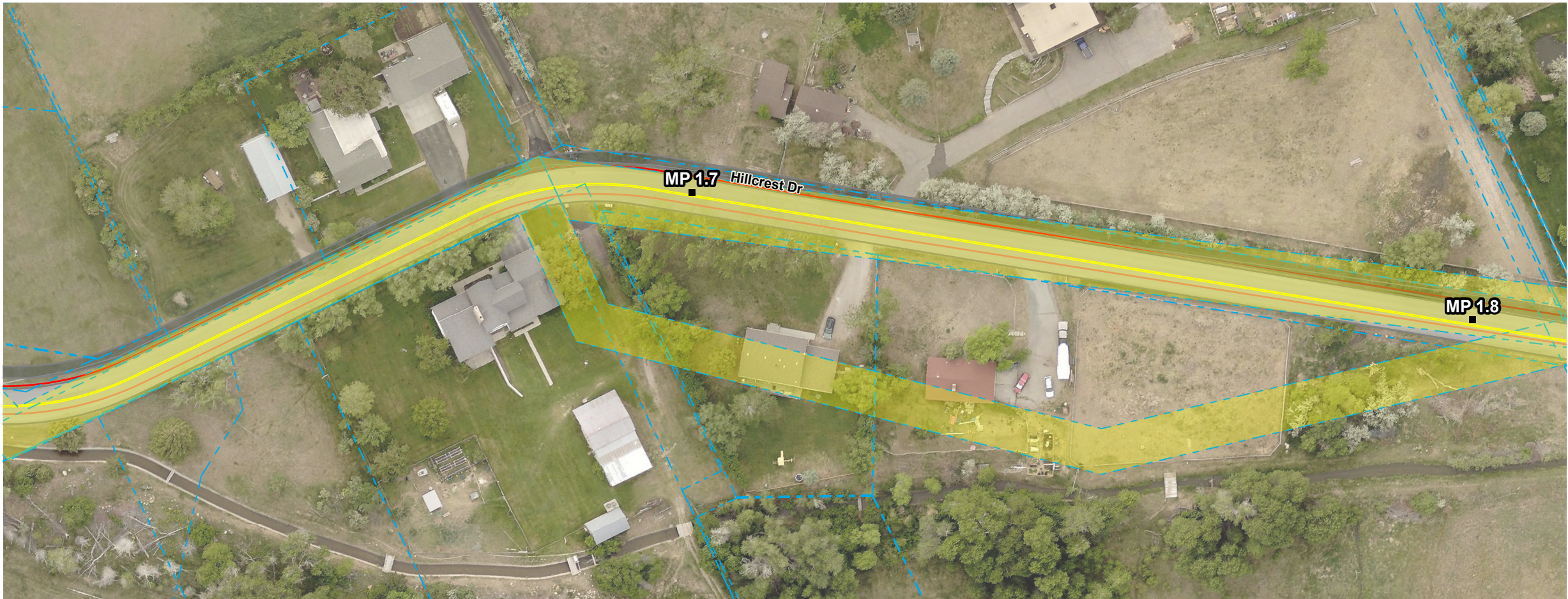
- Existing Road Edges
- Existing ROW
- Existing Property Lines
- Proposed Edge of Asphalt
- Road Centerline
- Path Alternative
- Roadway Alternative



Lander, Wyoming

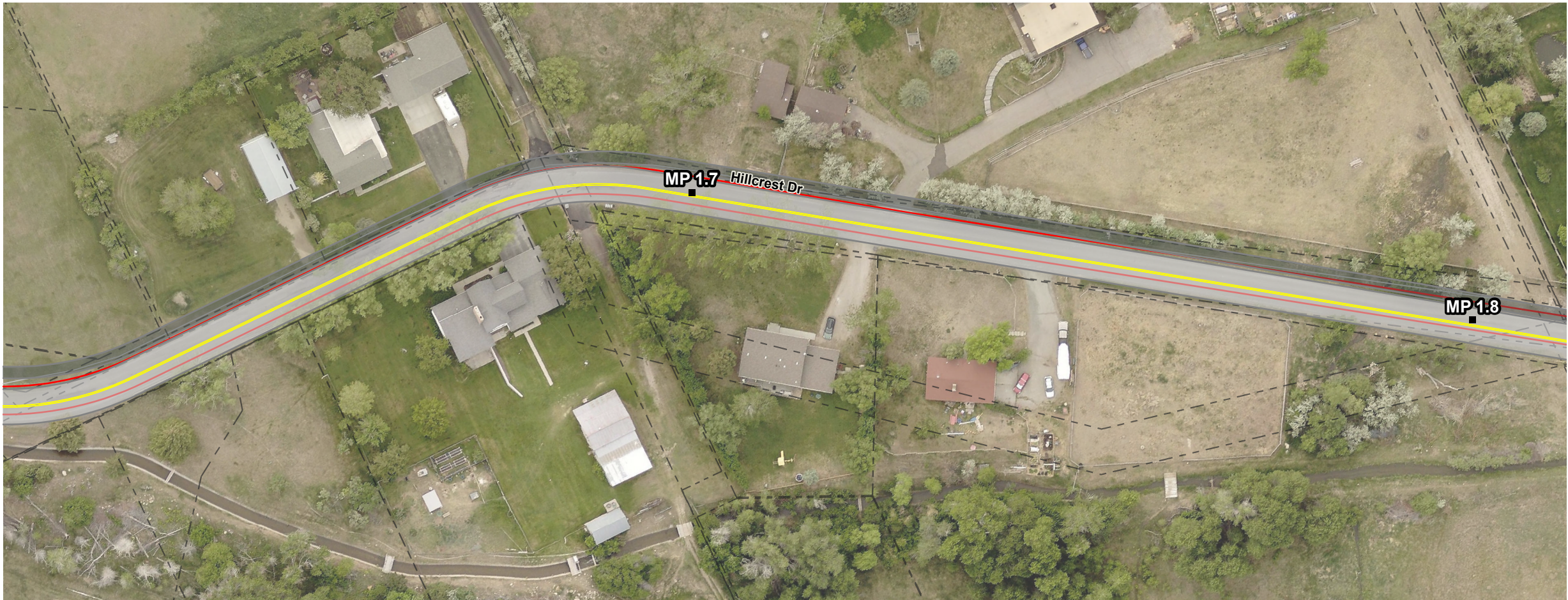
0 100 Feet





Hillcrest Drive Alternative 2 Side Path

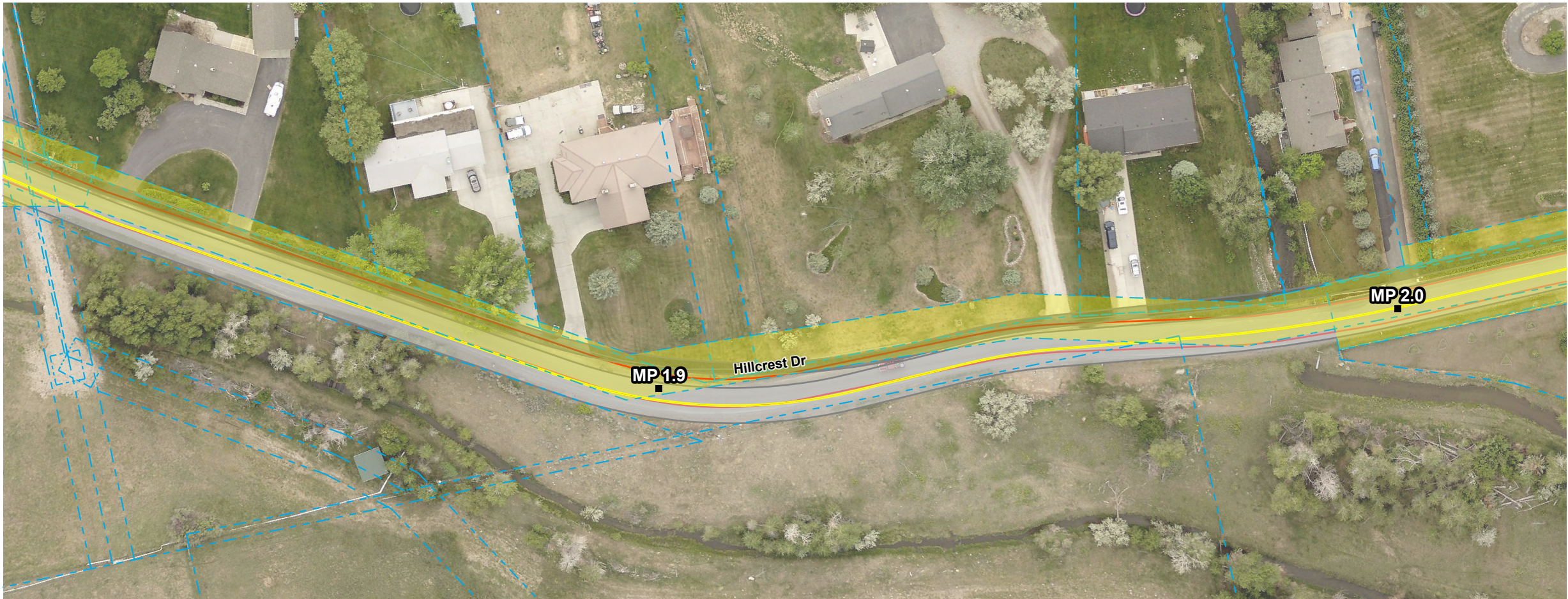
- Existing Road Edges
- Existing ROW
- Existing Property Lines
- Proposed Edge of Asphalt
- Road Centerline
- Path Alternative
- Roadway Alternative



Lander, Wyoming

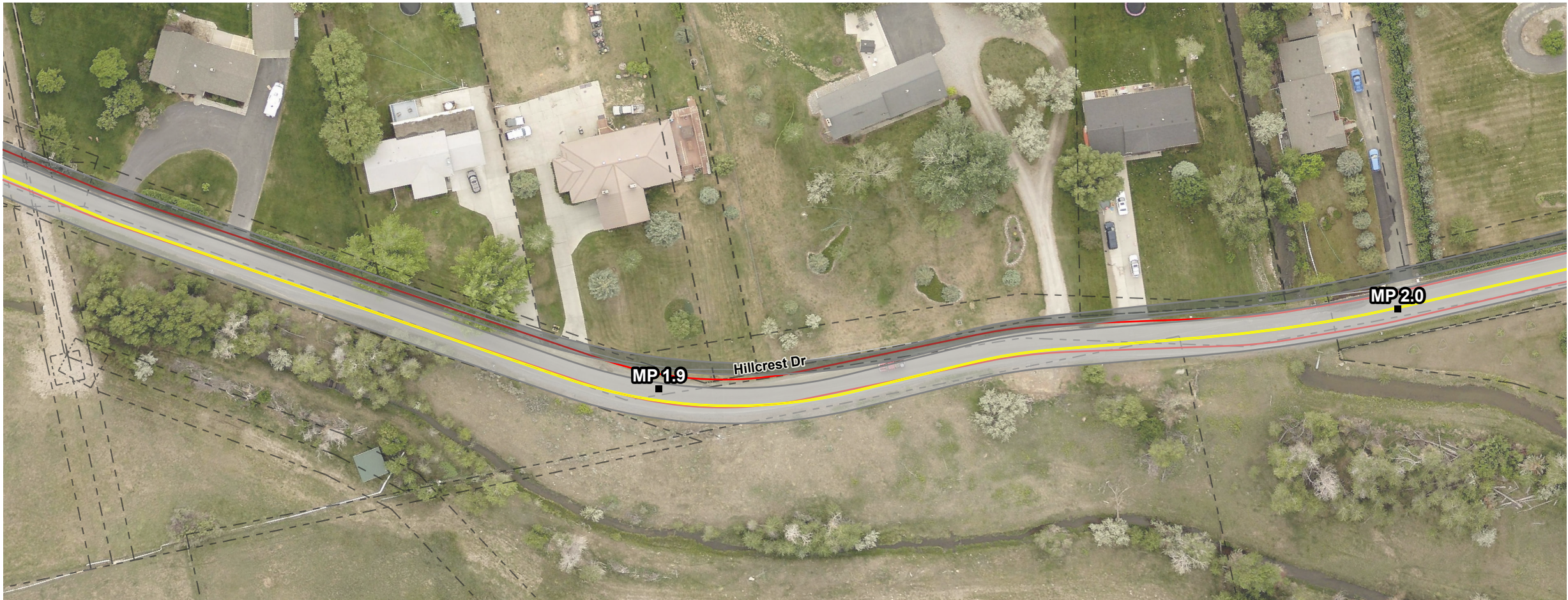
0 100 Feet





Hillcrest Drive Alternative 2 Side Path

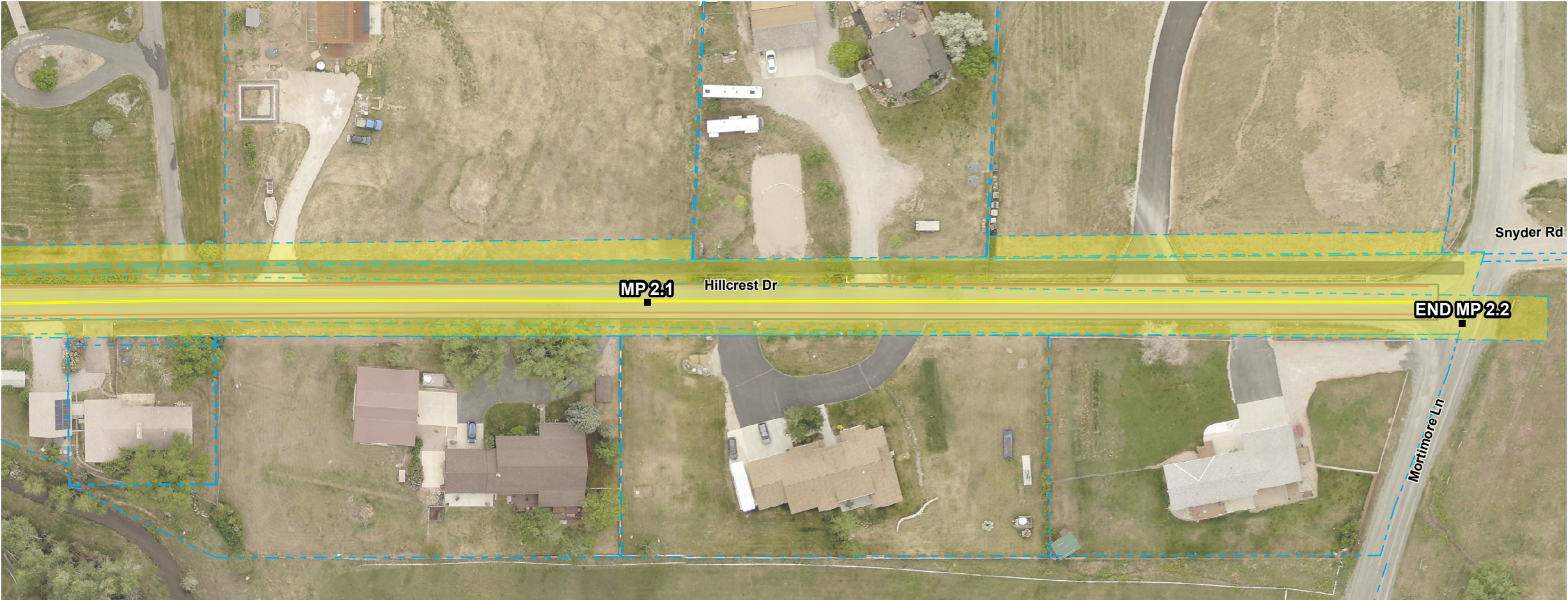
- Existing Road Edges
- Existing ROW
- Existing Property Lines
- Proposed Edge of Asphalt
- Road Centerline
- Path Alternative
- Roadway Alternative



Lander, Wyoming

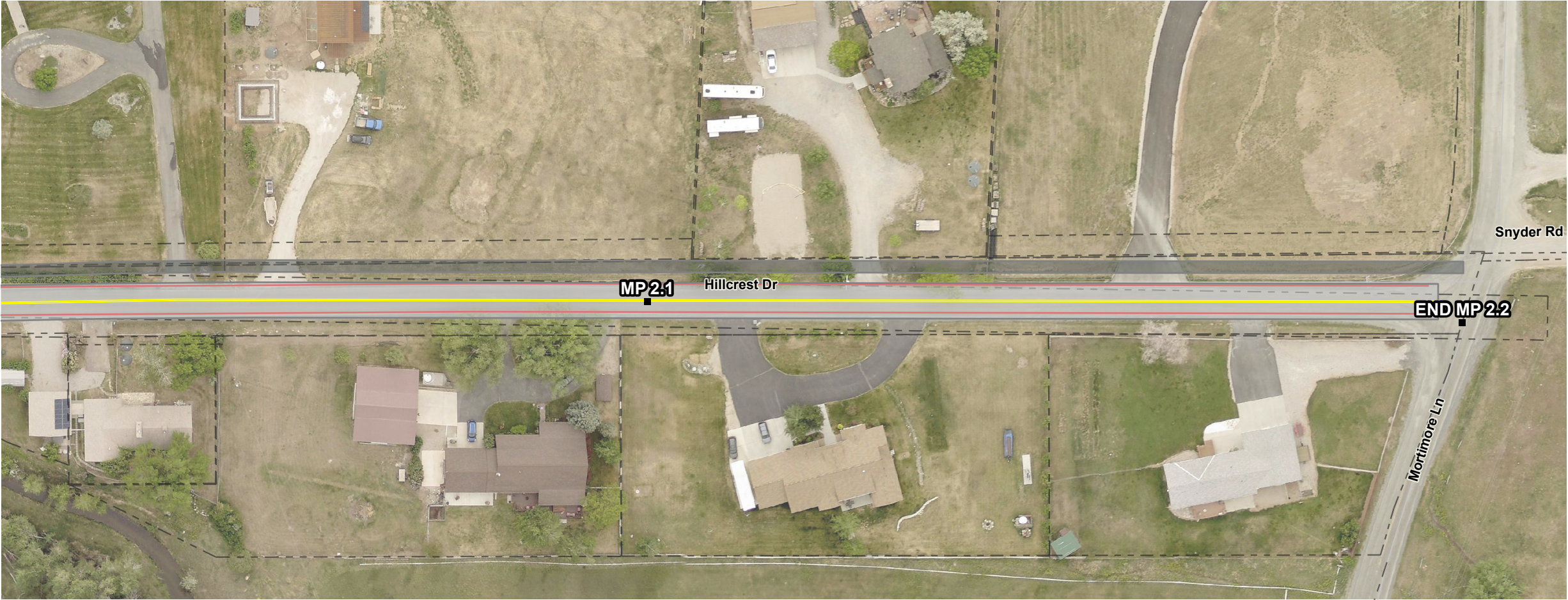
0 100 Feet





Hillcrest Drive Alternative 2 Side Path

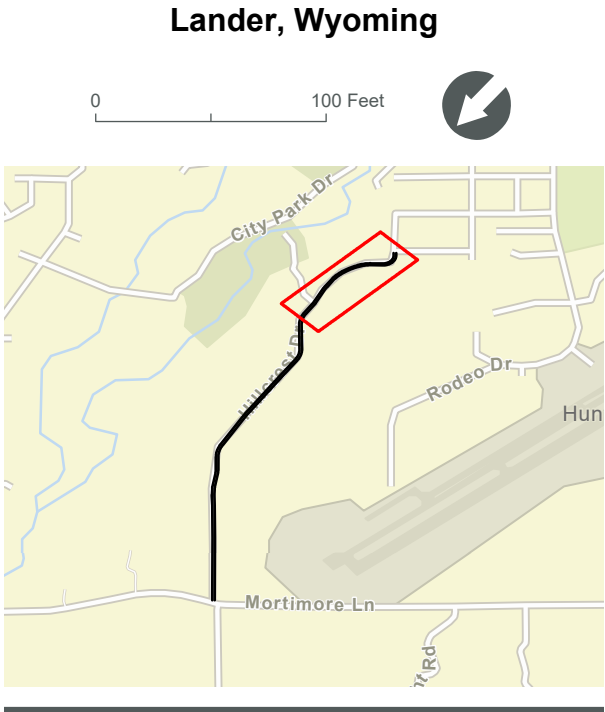
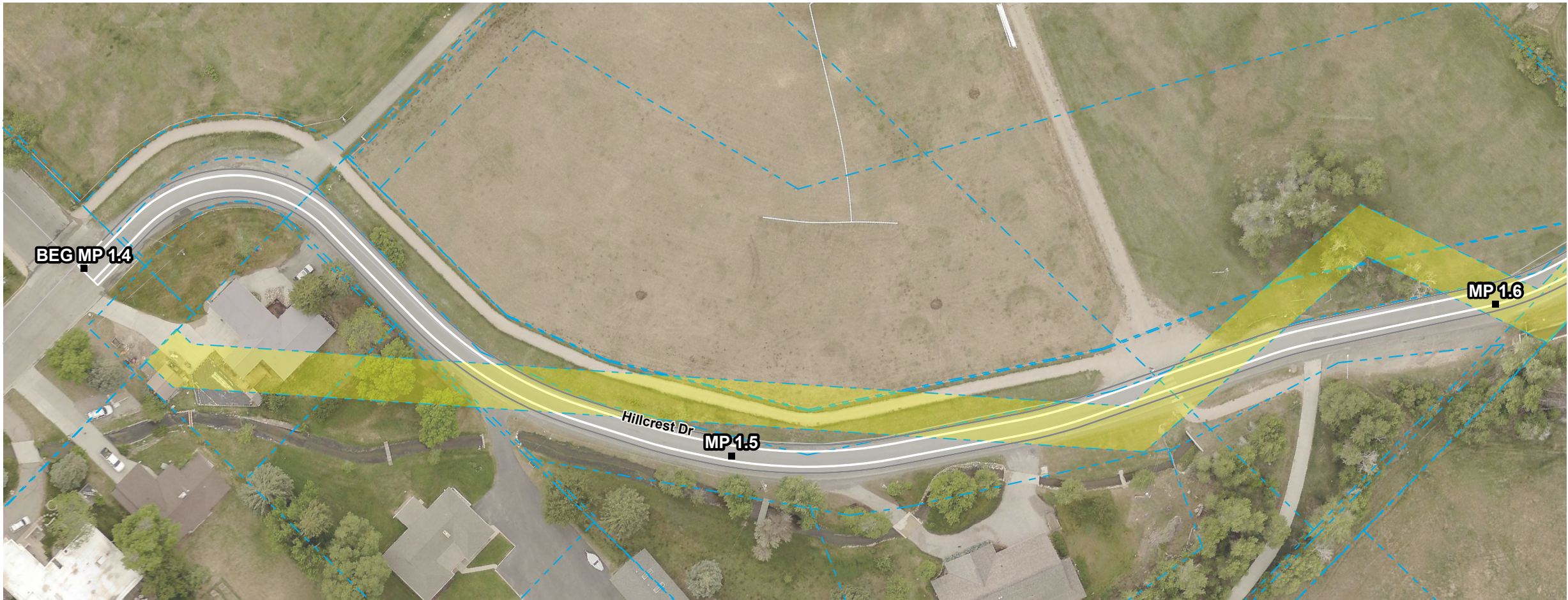
- Existing Road Edges
- Existing ROW
- Existing Property Lines
- Proposed Edge of Asphalt
- Road Centerline
- Path Alternative
- Roadway Alternative

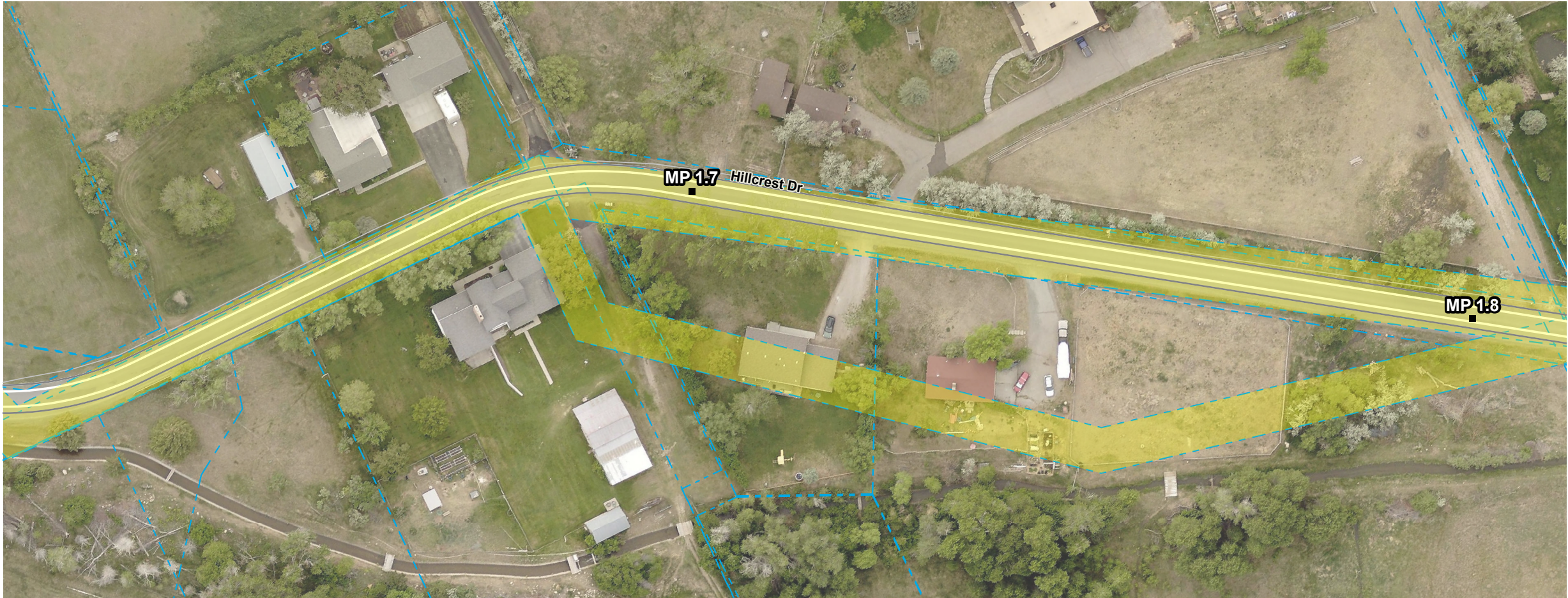


Lander, Wyoming

0 100 Feet







Hillcrest Drive Alternative 3 Advisory Shoulder

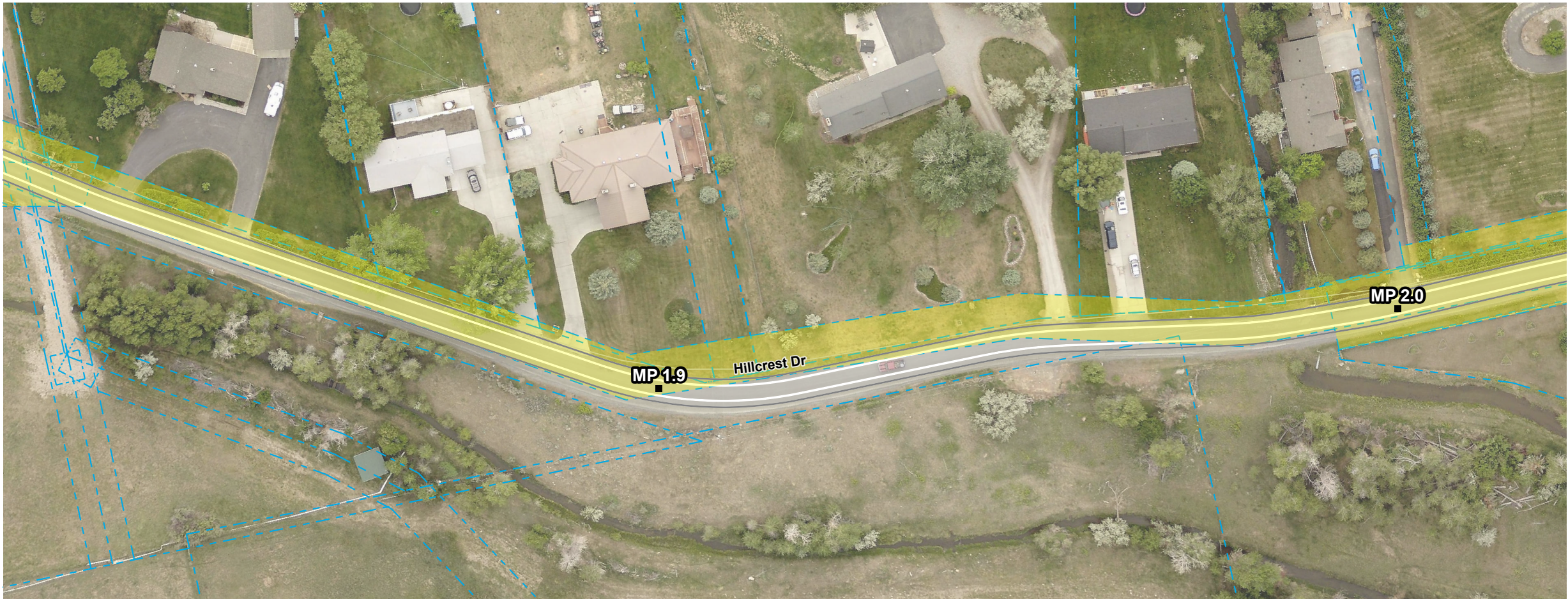
- Edge of Asphalt
- - - Existing Property Lines
- Advisory Shoulder
- Existing ROW/Easement
- Roadway Alternative



Lander, Wyoming

0 100 Feet





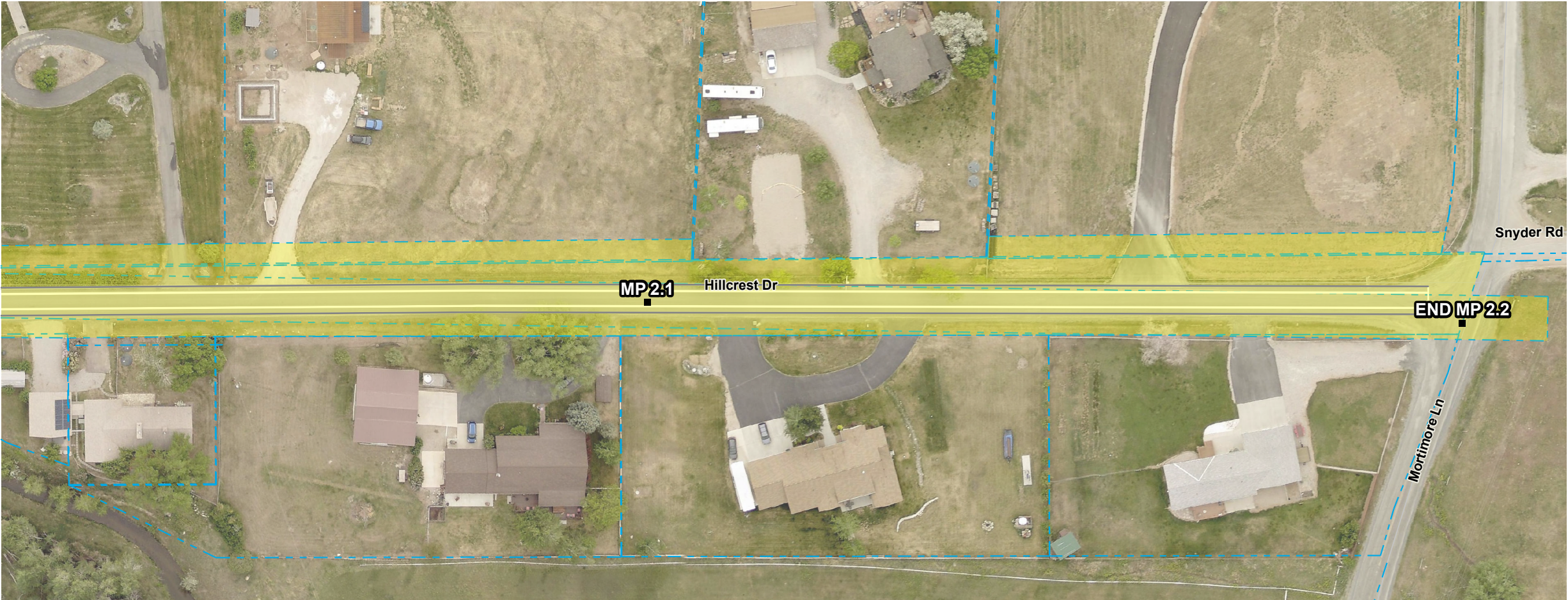
Hillcrest Drive Alternative 3 Advisory Shoulder

- Edge of Asphalt
- - - Existing Property Lines
- Advisory Shoulder
- Existing ROW/Easement
- Roadway Alternative



Lander, Wyoming



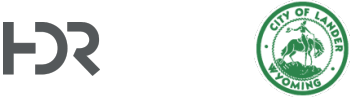
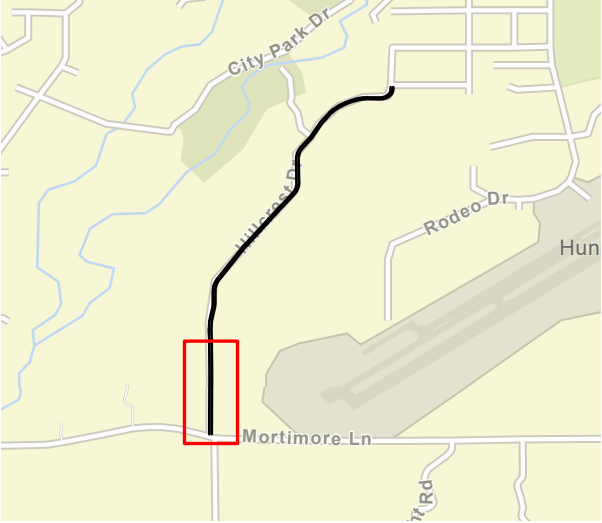


Hillcrest Drive Alternative 3 Advisory Shoulder

- Edge of Asphalt
- Existing Property Lines
- Advisory Shoulder
- Existing ROW/Easement
- Roadway Alternative



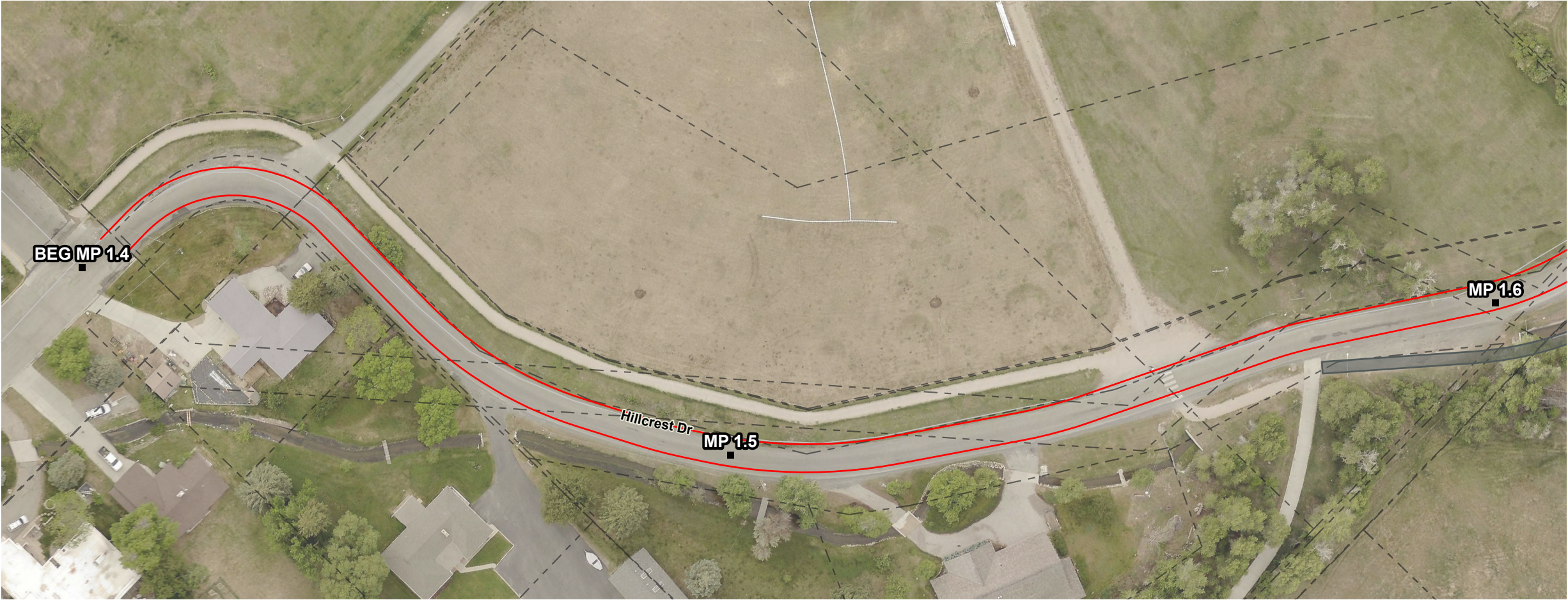
Lander, Wyoming





Hillcrest Drive Alternative 4 Shared Use Path

- Existing Road Edges
- Existing Property Lines
- Existing ROW/Easement
- Shared Use Path Alternative



Lander, Wyoming

0 100 Feet





Hillcrest Drive Alternative 4 Shared Use Path

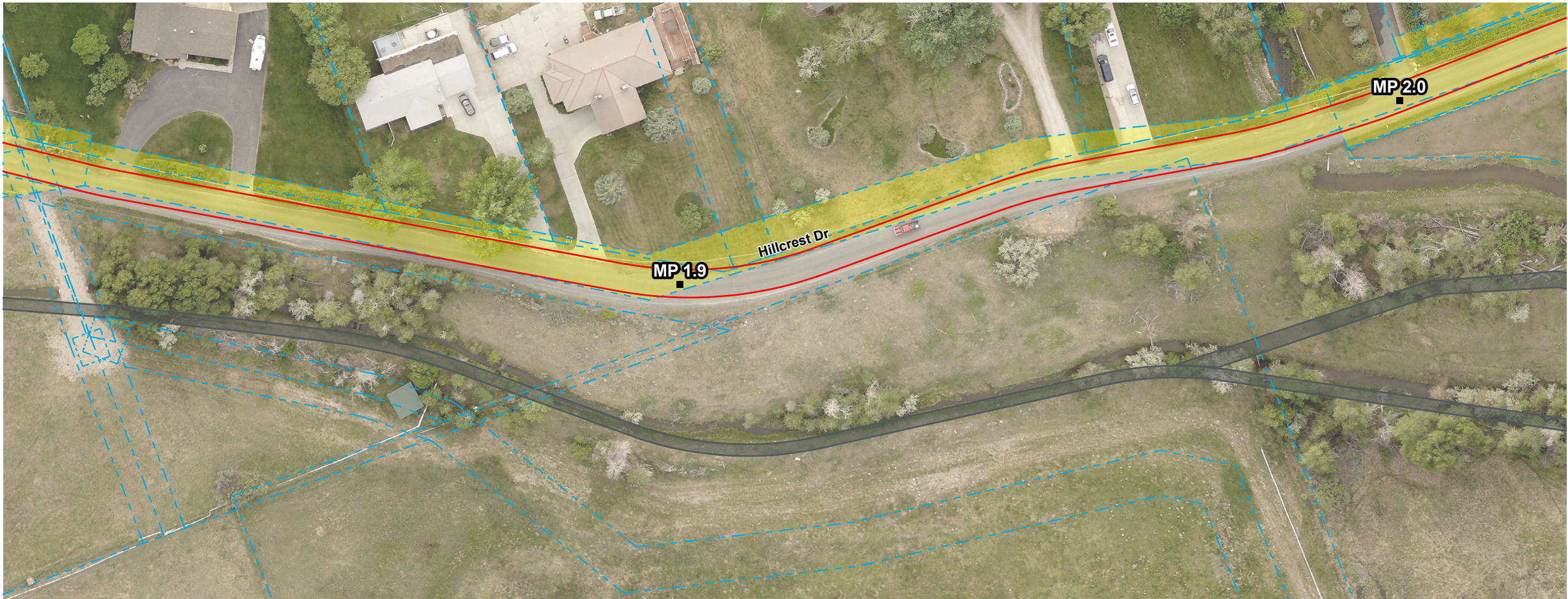
- Existing Road Edges
- Existing Property Lines
- Existing ROW/Easement
- Shared Use Path Alternative



Lander, Wyoming

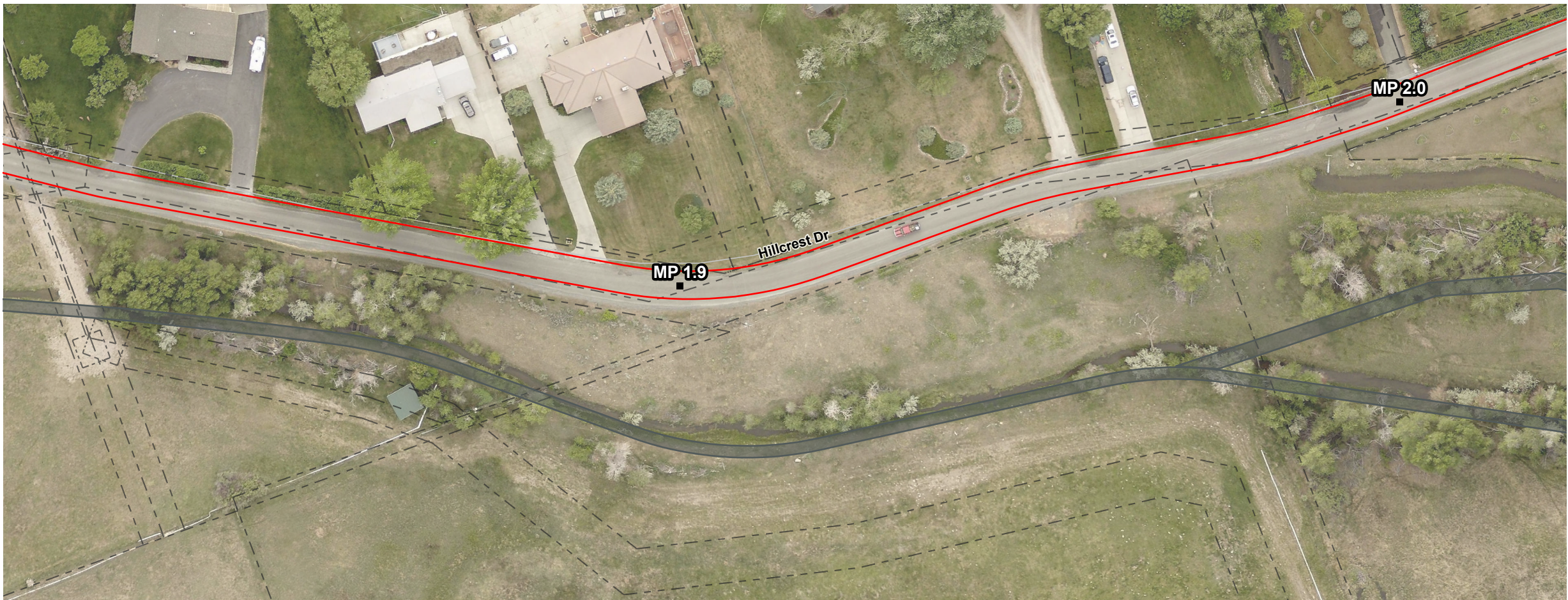
0 100 Feet





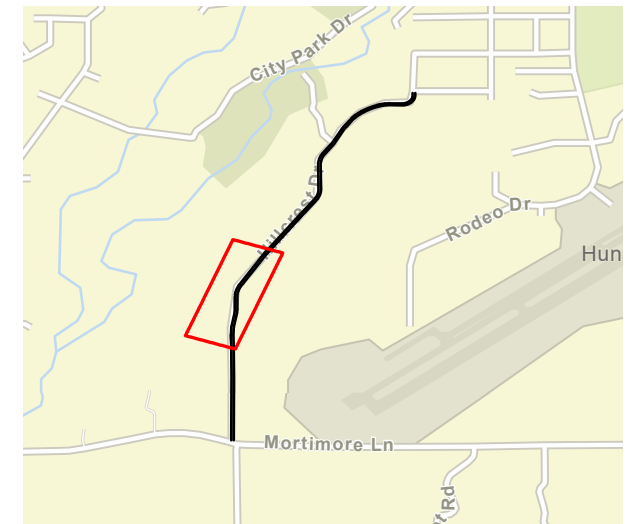
Hillcrest Drive Alternative 4 Shared Use Path

- Existing Road Edges
- - - Existing Property Lines
- Existing ROW/Easement
- Shared Use Path Alternative



Lander, Wyoming

0 100 Feet





Hillcrest Drive Alternative 4 Shared Use Path

- Existing Road Edges
- Existing Property Lines
- Existing ROW/Easement
- Shared Use Path Alternative



Lander, Wyoming

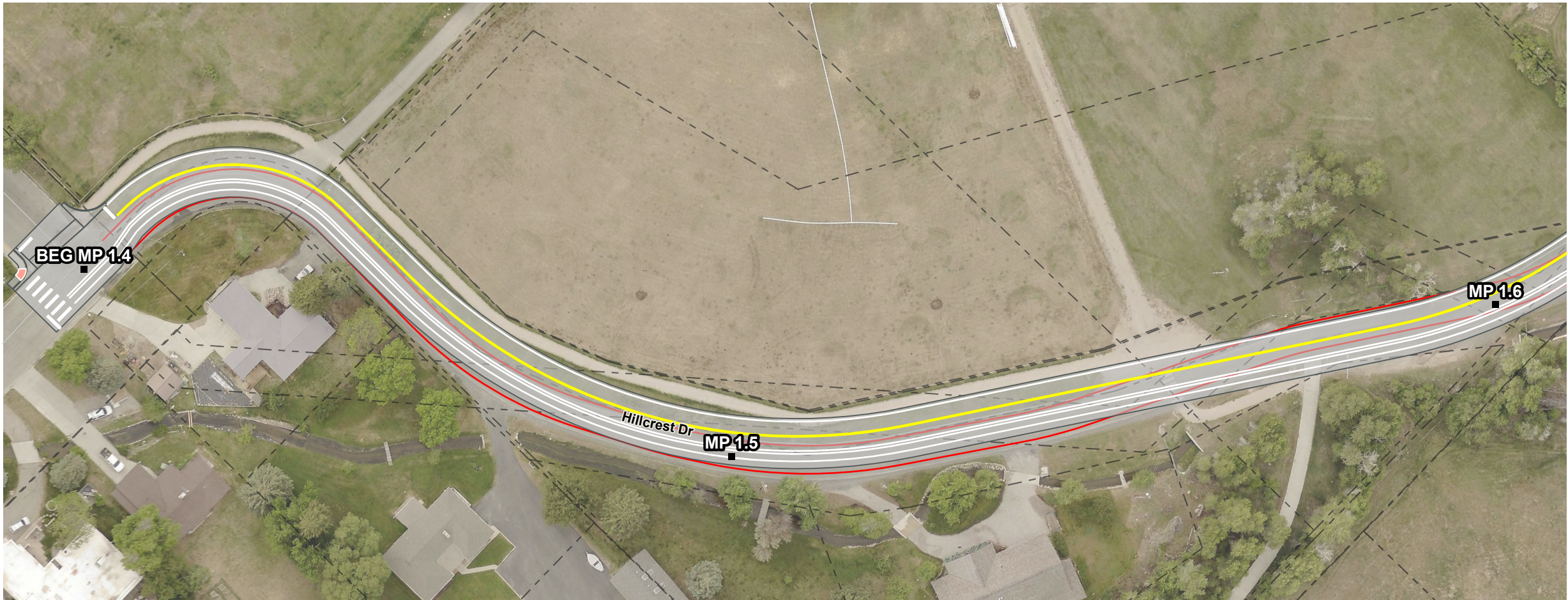
0 260 Feet





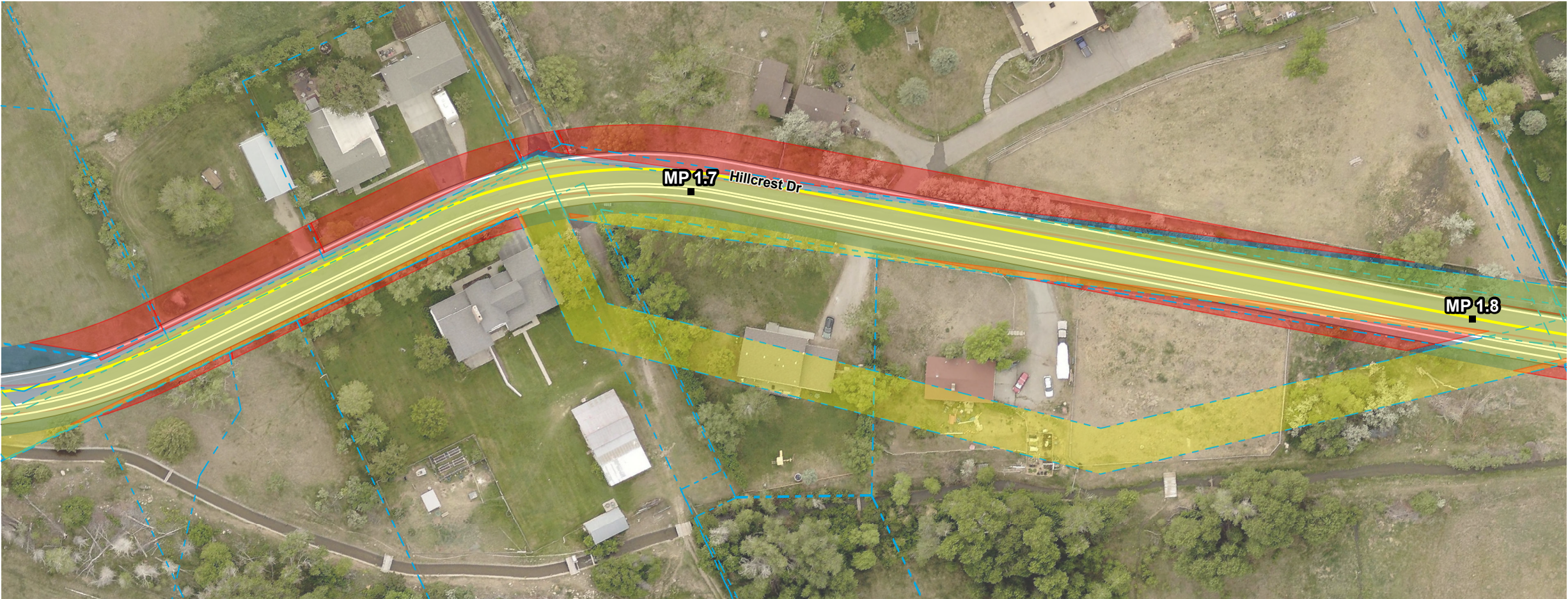
Hillcrest Drive Alternative 5 Mortimore Ln

- Existing Road Edges
- Existing Property Lines
- Proposed Centerline
- Proposed Edge of Asphalt
- Shoulder Striping
- Existing ROW/Easement
- Probably Property Impacts
- 60' ROW Based on CL of Pavement
- Roadway Alternative



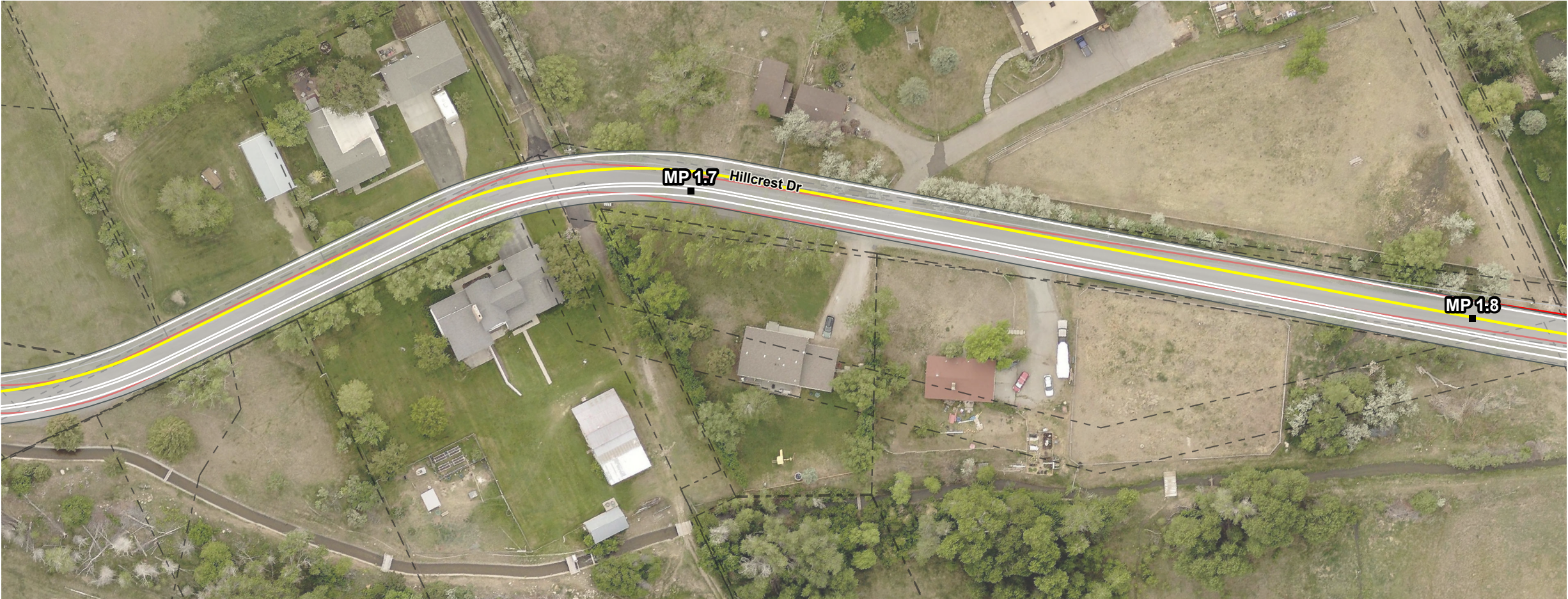
Lander, Wyoming





Hillcrest Drive Alternative 5 Mortimore Ln

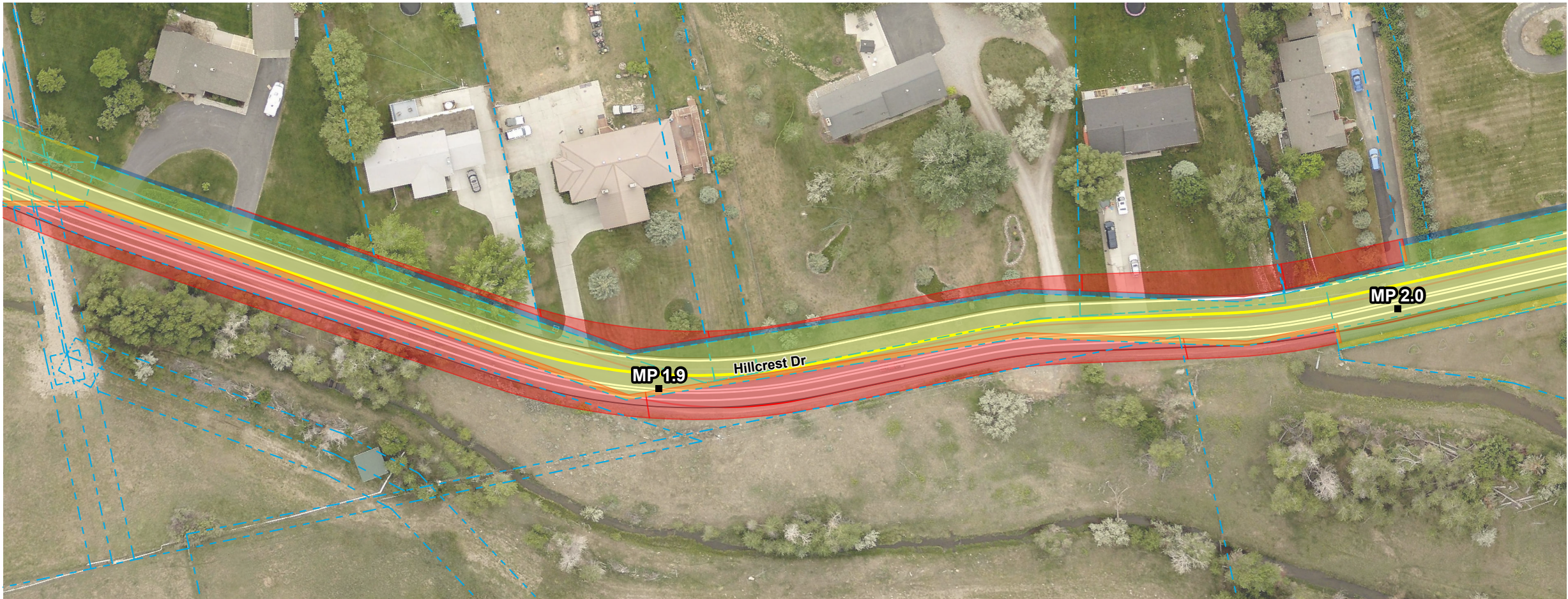
- Existing Road Edges
- Existing Property Lines
- Proposed Centerline
- Proposed Edge of Asphalt
- Shoulder Striping
- Existing ROW/Easement
- Probably Property Impacts
- 60' ROW Based on CL of Pavement
- Roadway Alternative



Lander, Wyoming

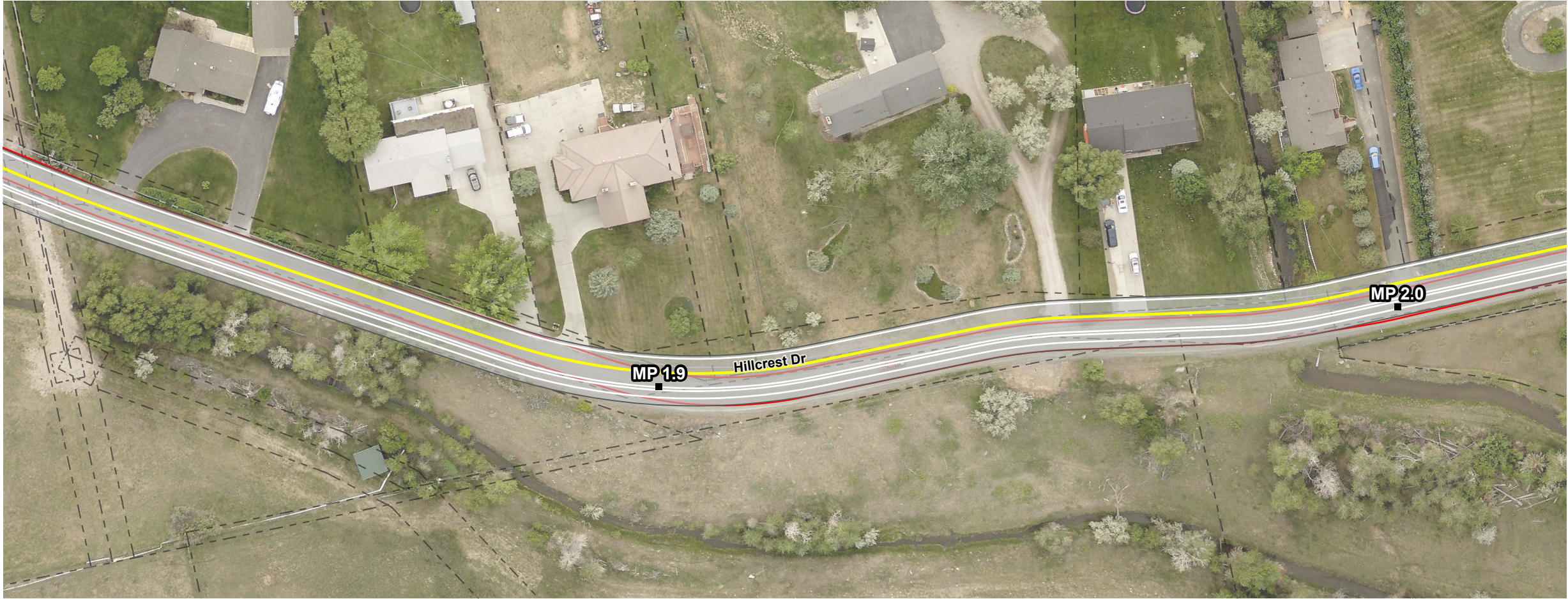
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Hillcrest Drive Alternative 5 Mortimore Ln

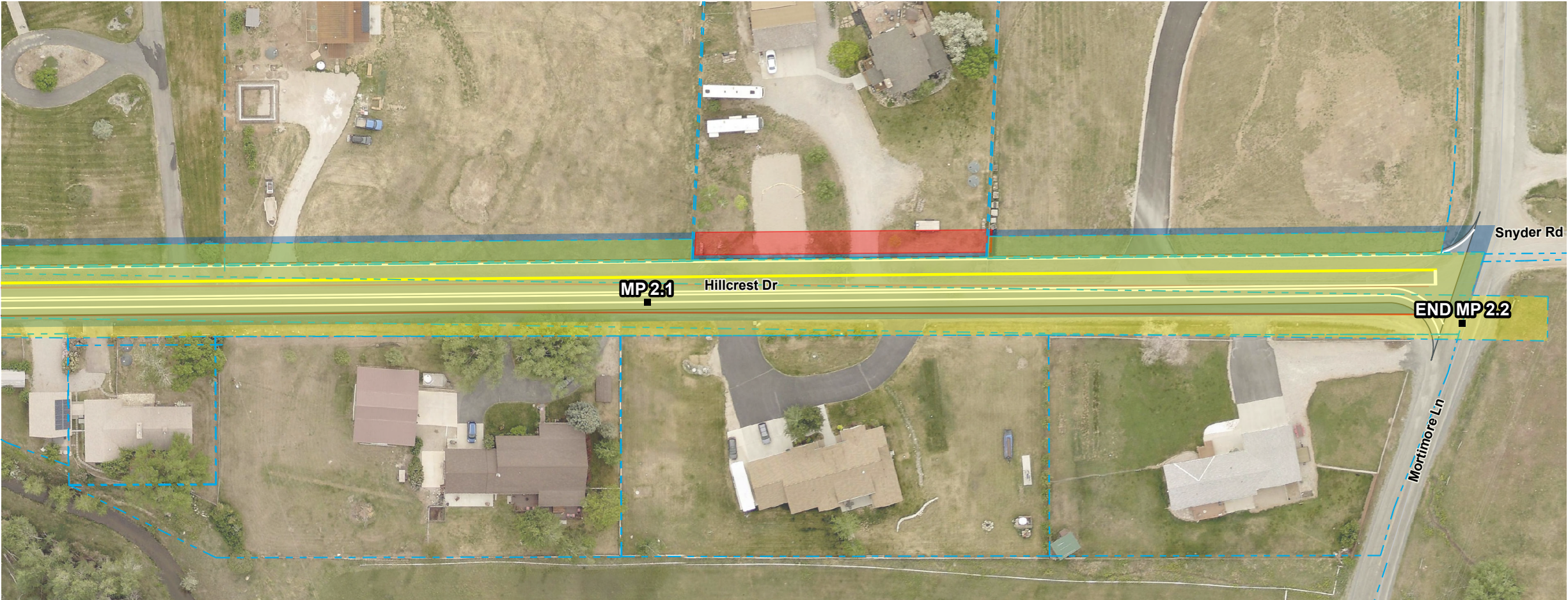
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Lander, Wyoming

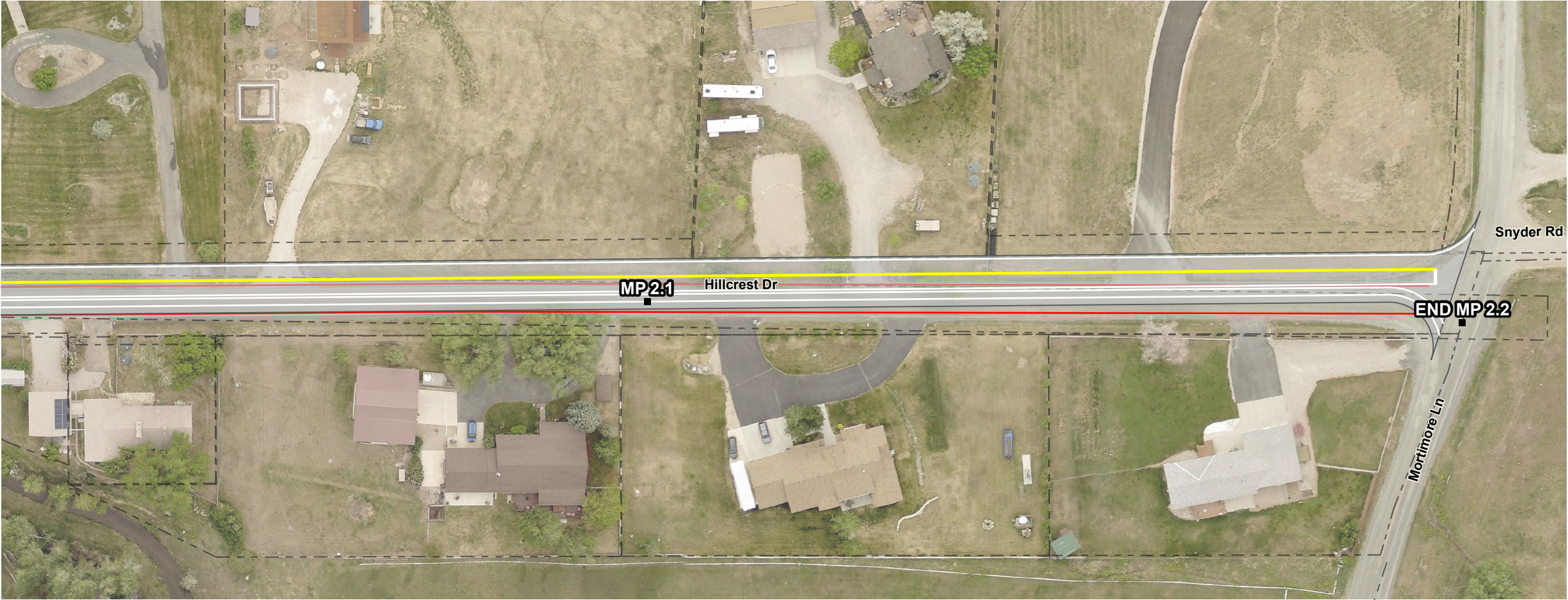
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Hillcrest Drive
Alternative 5
Mortimore Ln

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Lander, Wyoming

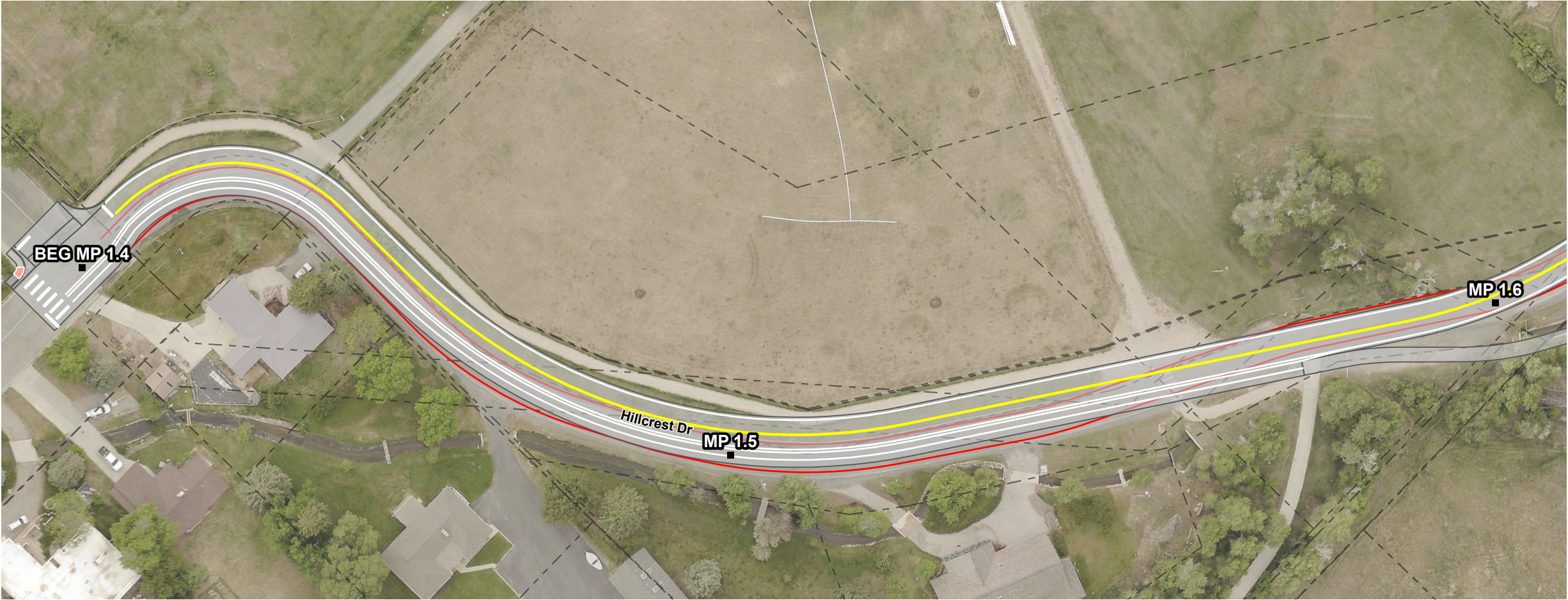
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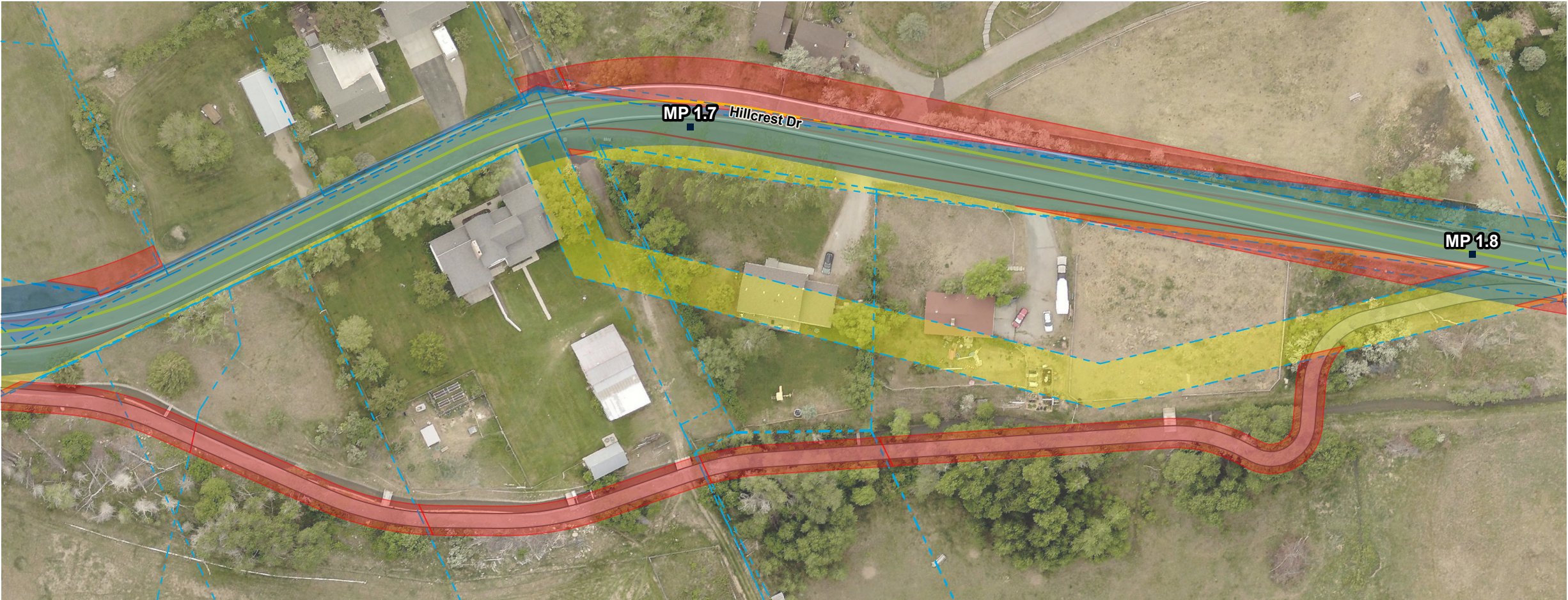
Hillcrest Drive Alternative 6 Mortimore Ln Shared Use Path

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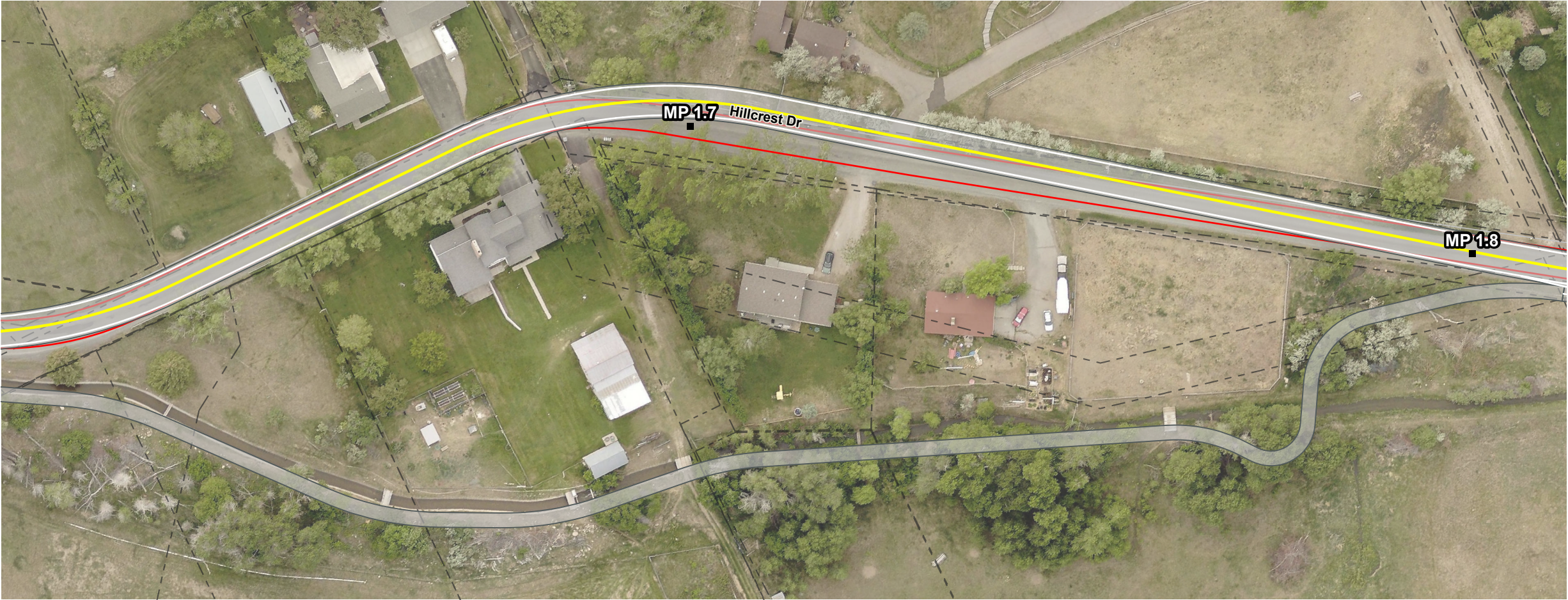
Lander, Wyoming





**Hillcrest Drive
Alternative 6
Mortimore Ln
Shared Use Path**

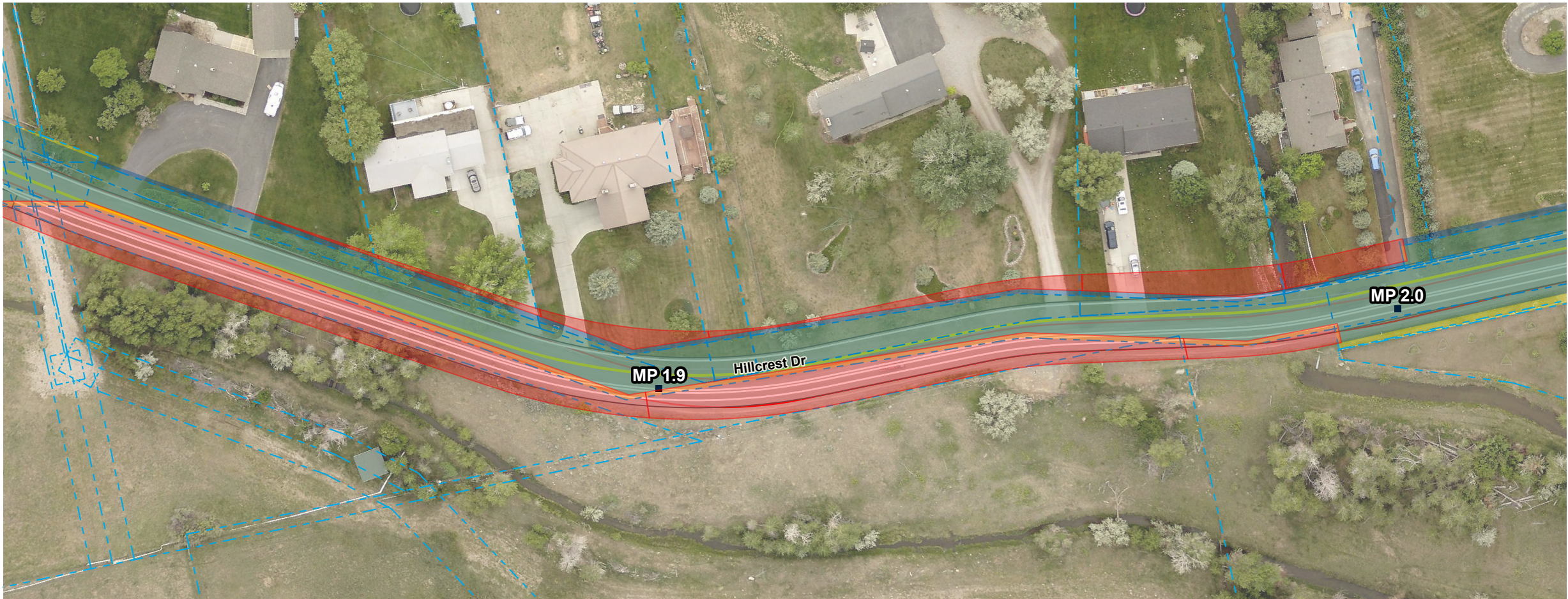
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Lander, Wyoming

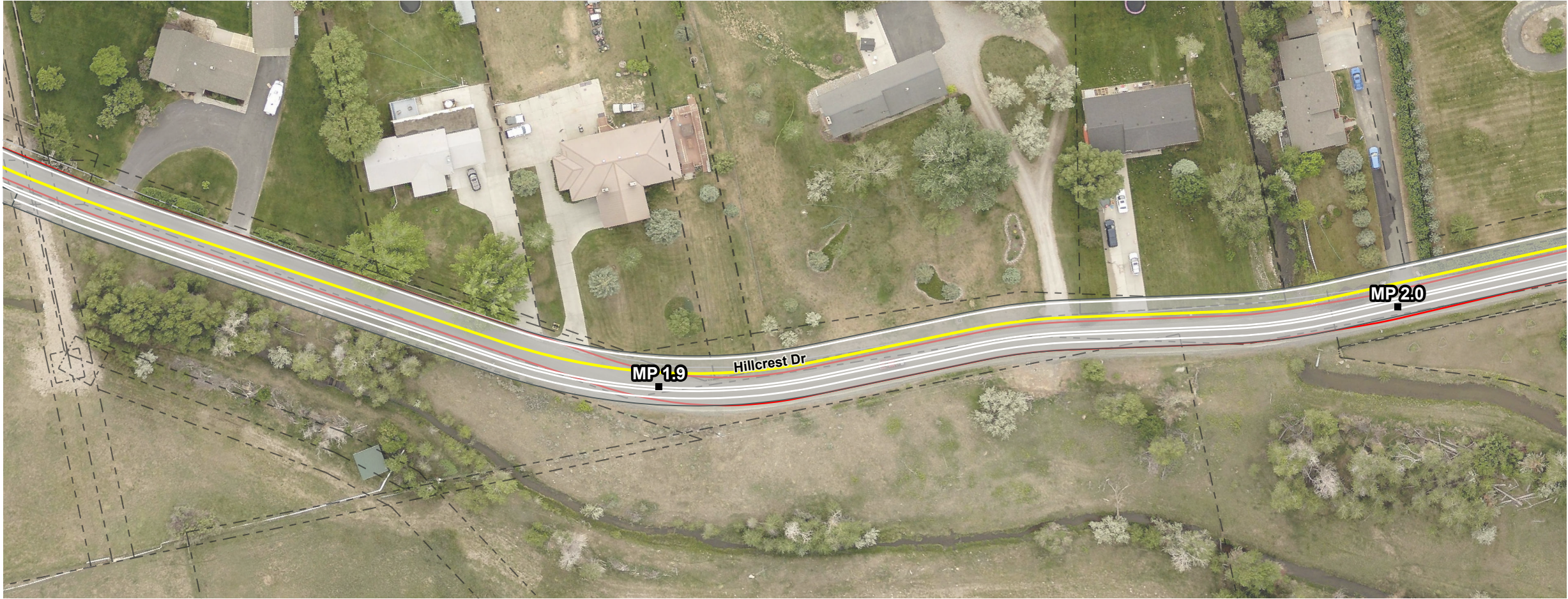
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Hillcrest Drive Alternative 6 Mortimore Ln Shared Use Path

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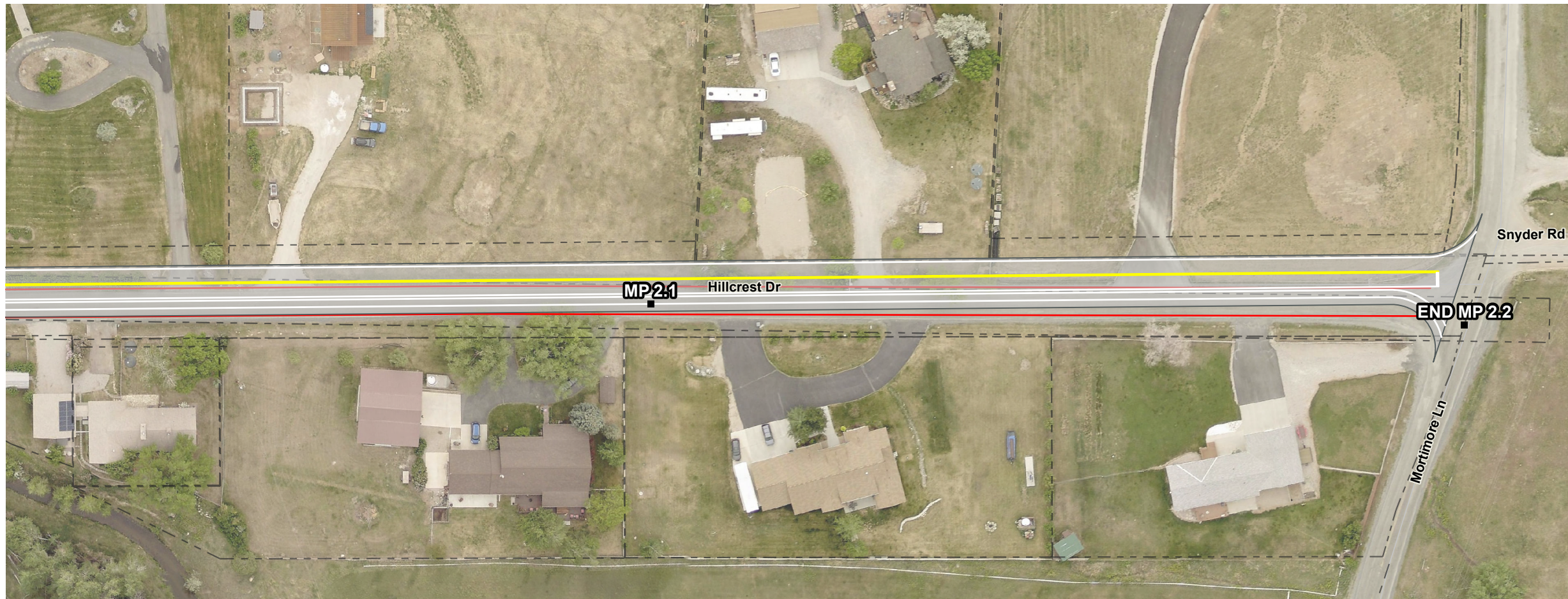
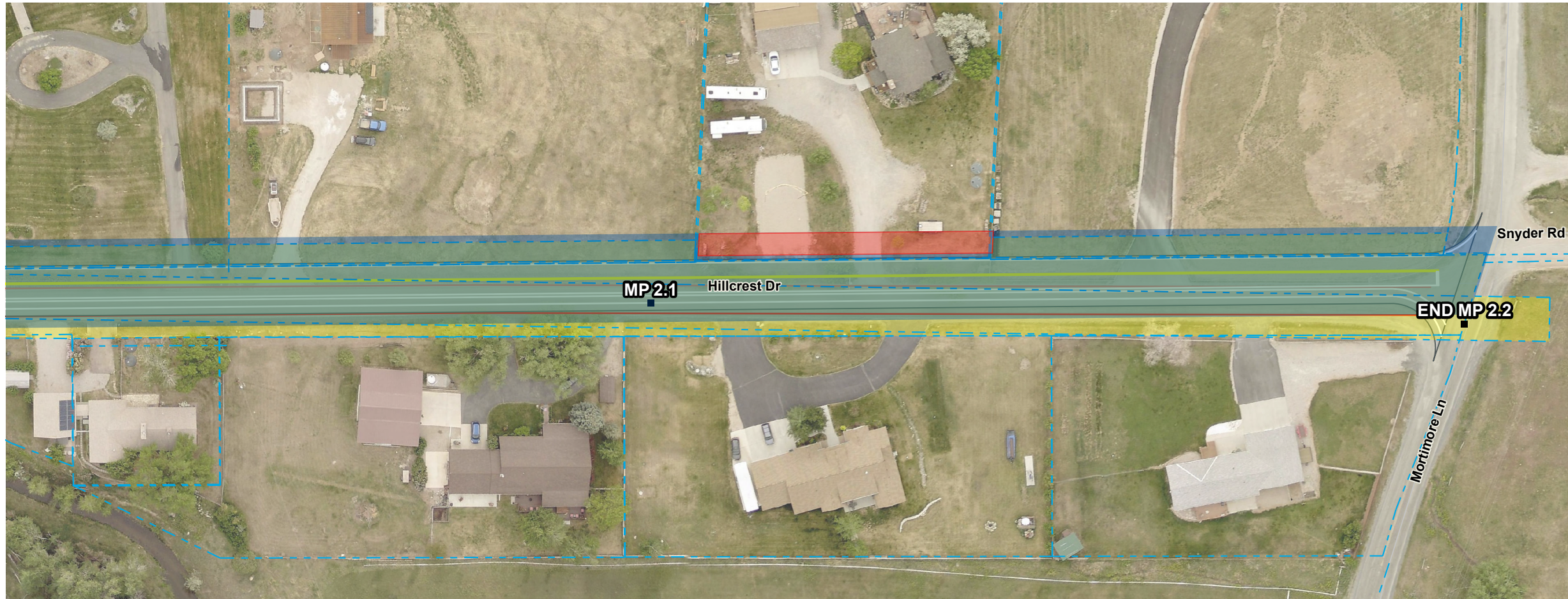
Lander, Wyoming

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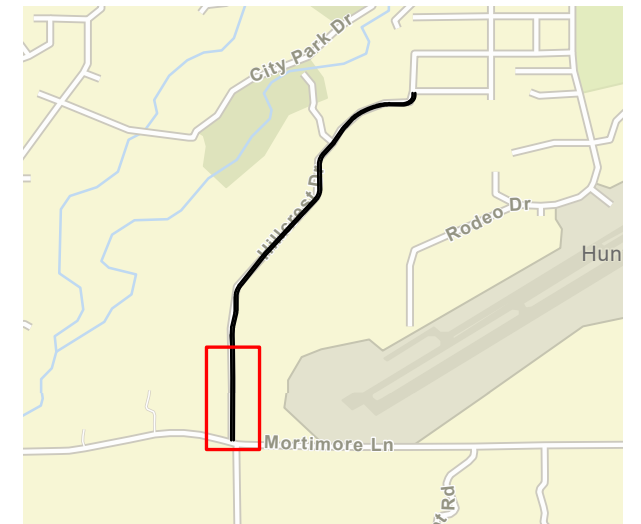
Hillcrest Drive Alternative 6 Mortimore Ln Shared Use Path

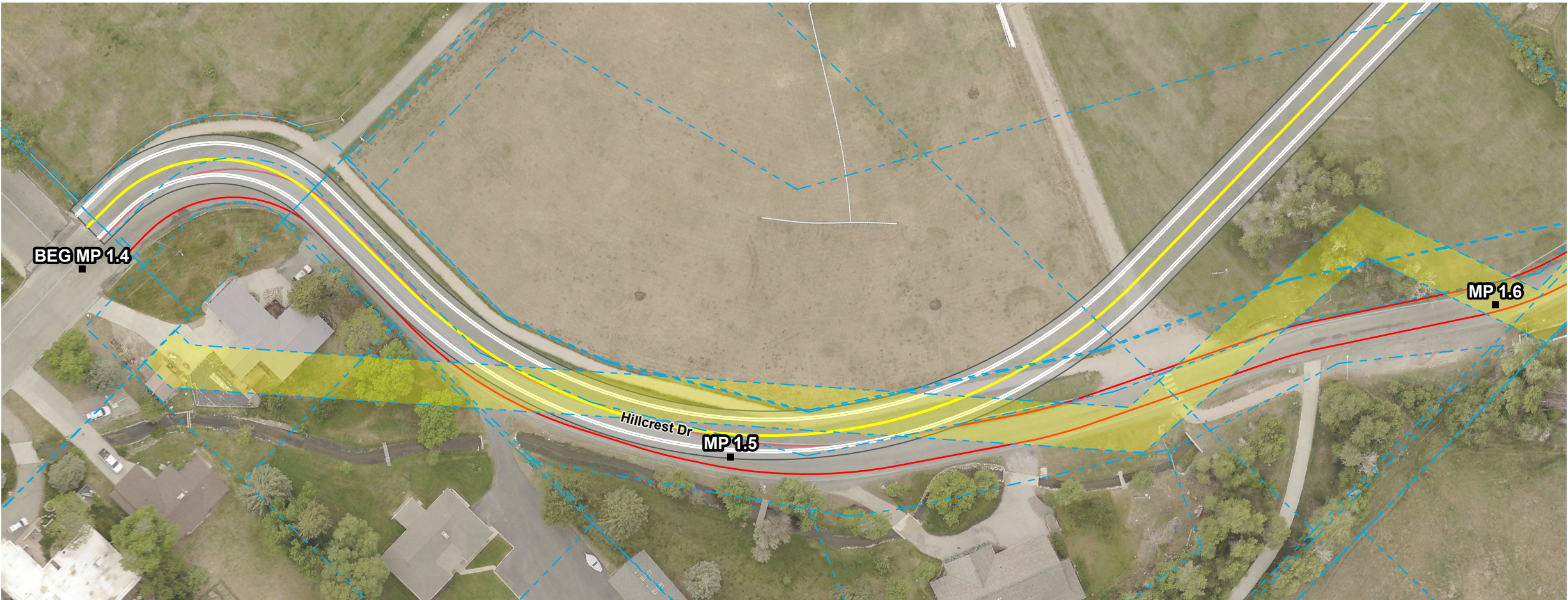
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Lander, Wyoming

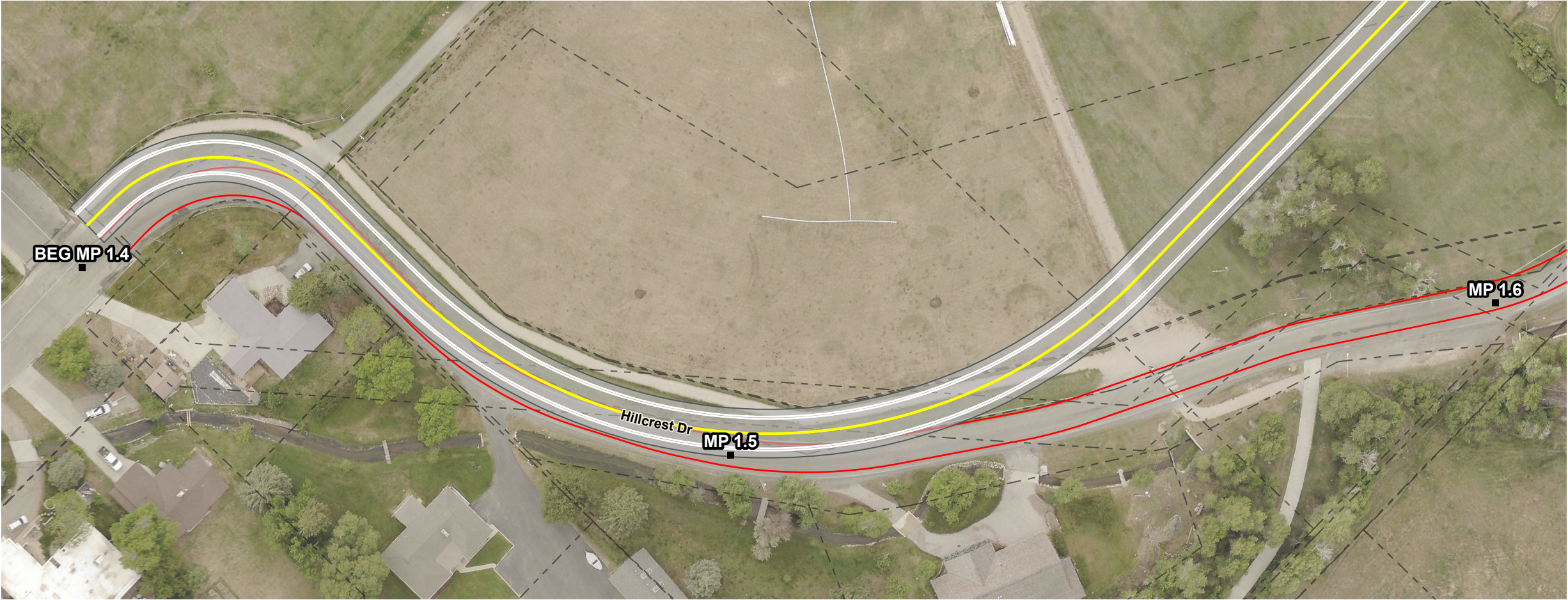
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Hillcrest Drive Alternative 7 Realignment Widened Shoulders

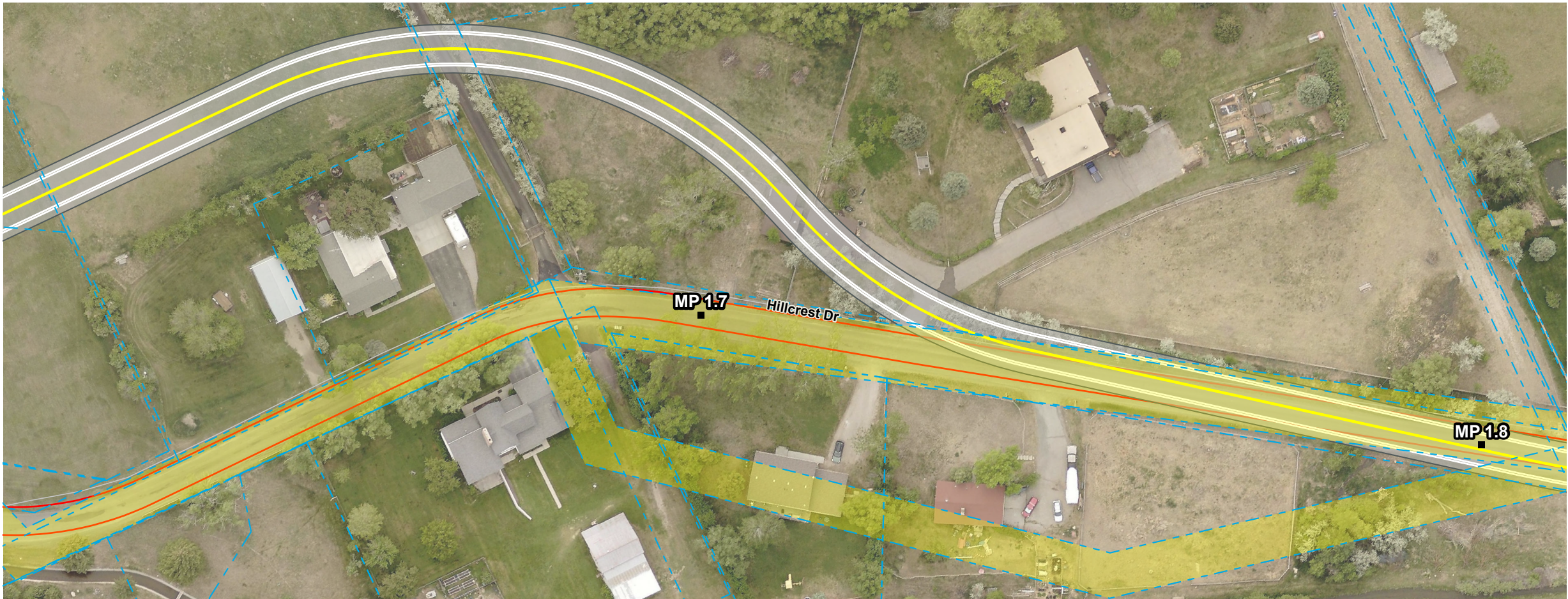
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Lander, Wyoming

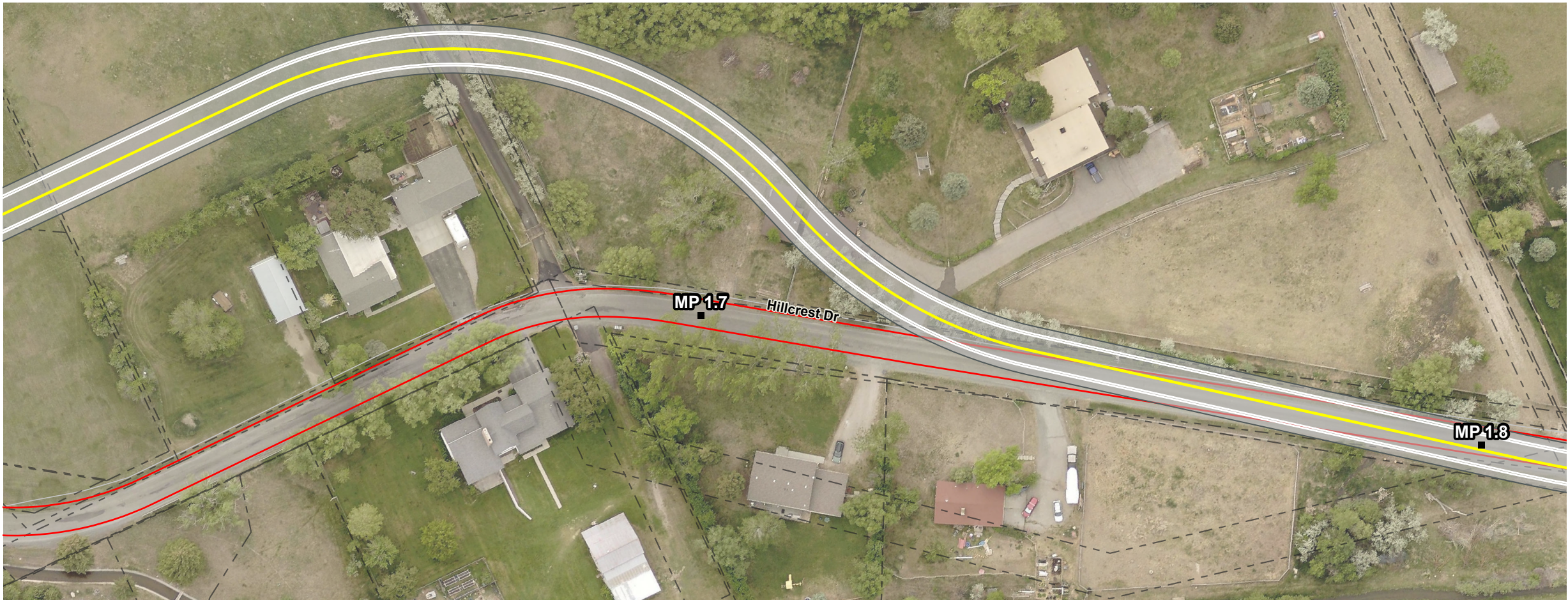
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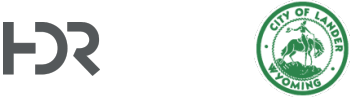
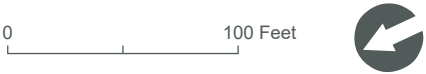


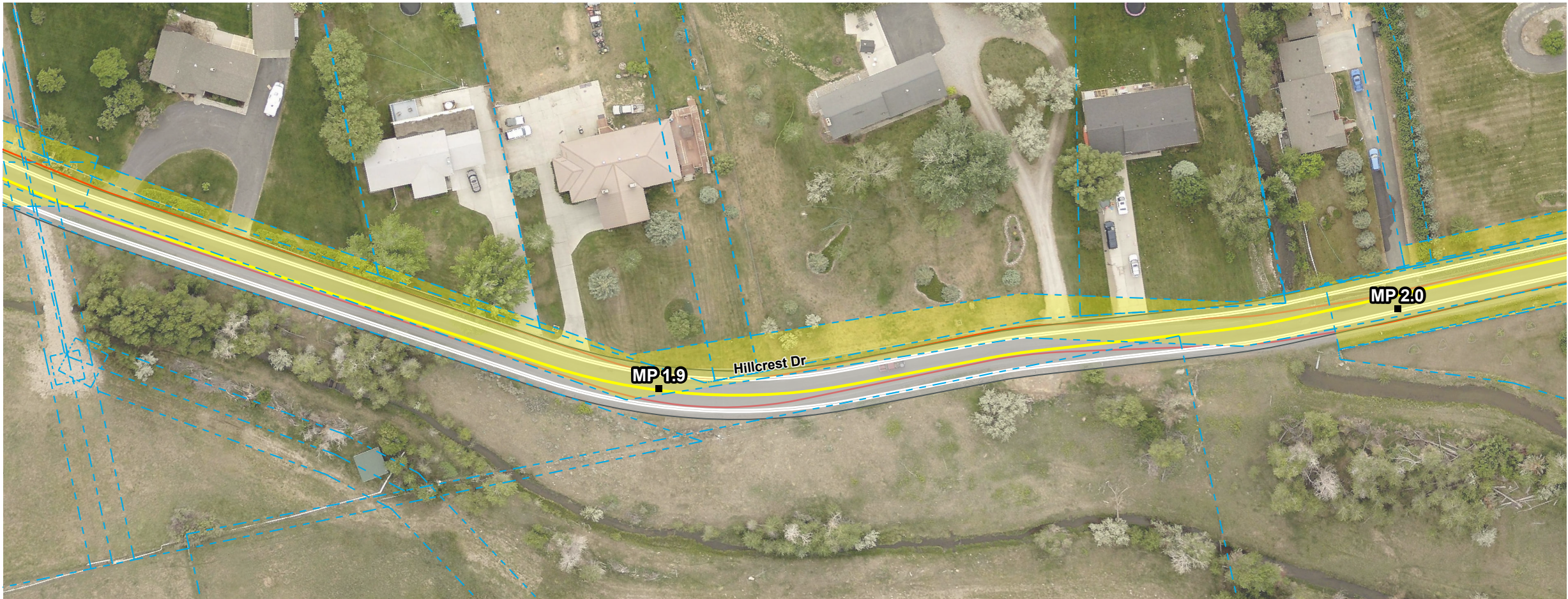
Hillcrest Drive Alternative 7 Realignment Widened Shoulders

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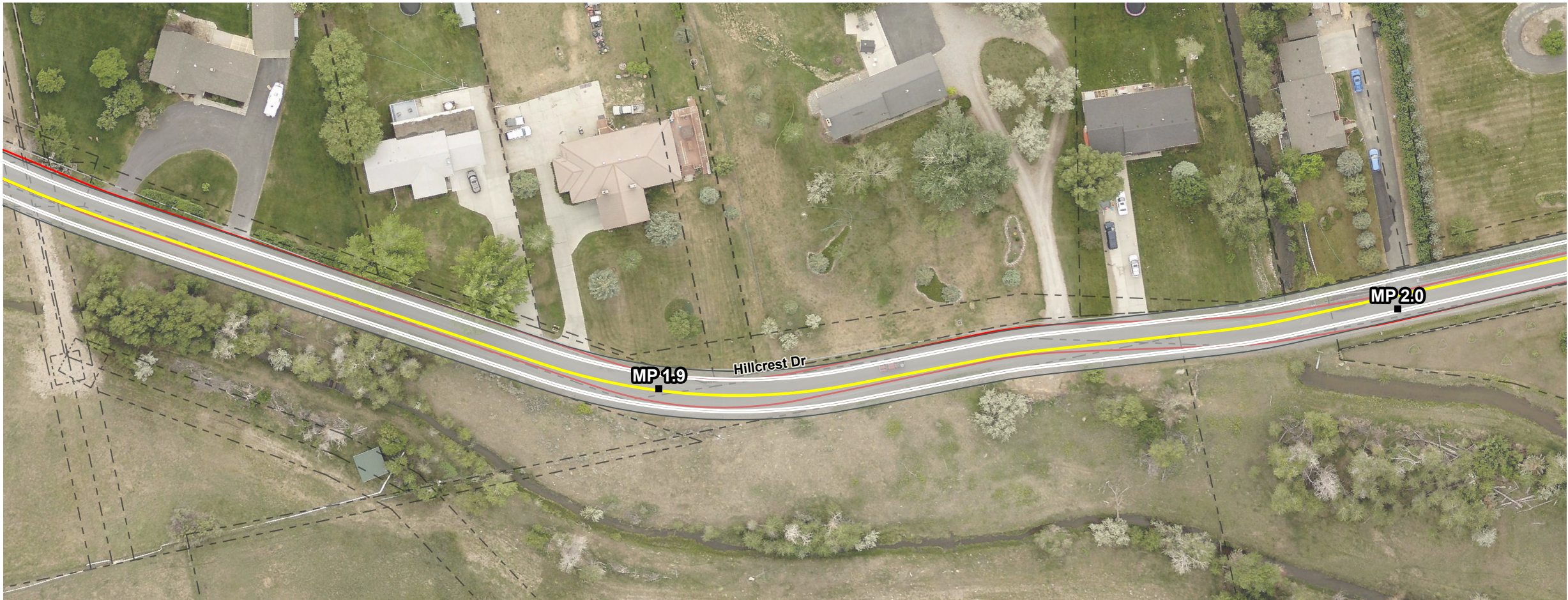
Lander, Wyoming



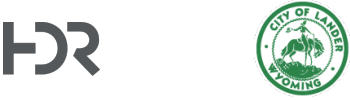


Hillcrest Drive Alternative 7 Realignment Widened Shoulders

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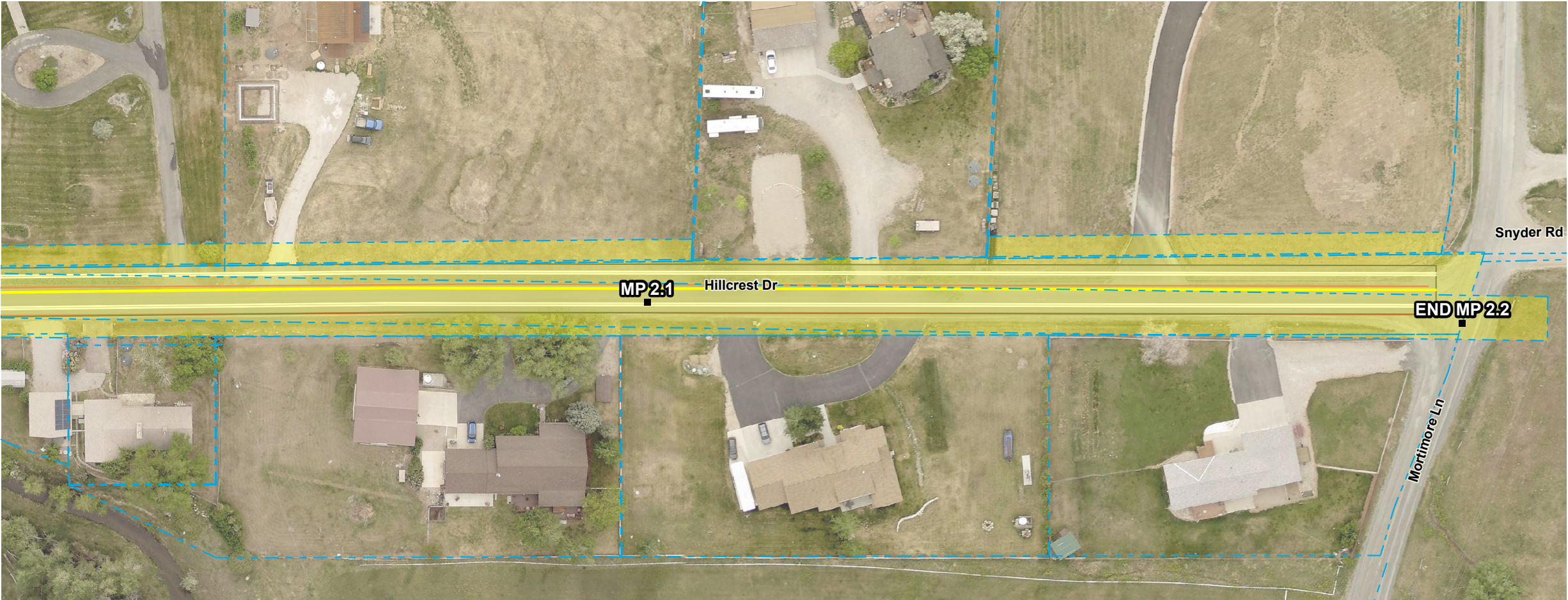


Lander, Wyoming

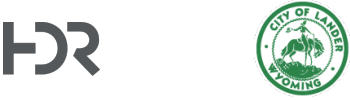
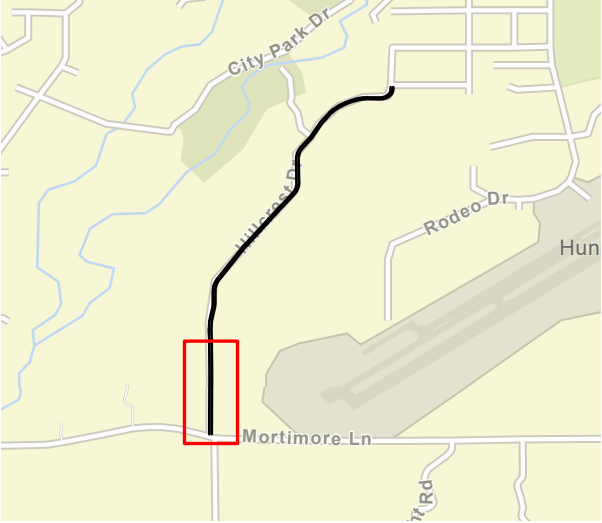


**Hillcrest Drive
Alternative 7
Realignment
Widened Shoulders**

- Existing Road Edges
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Lander, Wyoming





Attachment D: Cost Estimates

PRELIMINARY OPINION OF PROBABLE PROJECT COSTS

Project: Hillcrest Drive - Alternative 5 - Mortimore Lane Inspired Section
Assuming Road Reconstruct

Date: July 2023

Estimate By: HDR Engineering, Inc.

Item	Description	Unit	Quantity	Unit Cost	Total Cost
109.70000	MOBILIZATION	LS	1	\$125,000.00	\$ 125,000
201.03205	CLEARING/GRUBBING/TREE REMOVAL/PROPERTY IMPACTS	LS	1	\$40,000.00	\$ 40,000
202.03305	MILLING PLANT MIX	SY	9300	\$5.00	\$ 46,500
301.01080	CRUSHED BASE	TON	11300	\$40.00	\$ 452,000
405.03005	PLANT MIX (COMMERCIAL)	TON	3650	\$300.00	\$ 1,095,000
603.20048	RCP 48 in	FT	70	\$650.00	\$ 45,500
603.22048	RCP FE SECT 48 in	EA	2	\$5,000.00	\$ 10,000

Construction Costs Subtotal	\$ 1,814,000
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Construction Contingency (50%)	\$ 907,000
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Total Non Construction Costs	\$ 2,721,000
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Total Non Construction Costs (Rounded)	\$ 2,720,000
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Non Construction Costs

Land Surveying/Negitiaions/Legal Fees (3%)	\$ 81,630
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Land Purchase/Right-of-Way	\$ 210,000
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Relocaiton of Utilties (5%)	\$ 136,050
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Engineering Design (12%)	\$ 326,520
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Engineering Construction Monitoring (10%)	\$ 272,100
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Total Non Construction Costs	\$ 1,026,300
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Total Non Construction Costs (Rounded)	\$ 1,030,000
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TOTAL ESTIMATED PROJECT COST	\$ 3,747,300
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TOTAL ESTIMATED PROJECT COST (ROUNDED)	\$ 3,750,000
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