



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

County PARK

July 8, 2005

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LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

To Whom It May Concern:

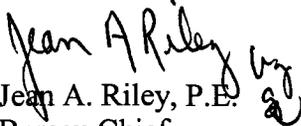
Subject: Cooperating Agency Environmental Documentation

As a Cooperating Agency under the provisions of 23 CFR 771.111 the Montana Department of Transportation (MDT) is providing you a copy of this project's environmental documentation.

This environmental documentation complies with the provisions of 23 CFR 771.117(a) and (d) for categorically excluding this proposed project from further National Environmental Policy Act (NEPA) (42 U.S.C. 4321, et seq.) documentation requirements. The attached also complies with the provisions of 75-1-103 and 75-1-201, MCA (see ARM 18.2.237 and 18.2.261, MEPA "Actions that qualify for a Categorical Exclusion" as applicable to the MDT).

If you have any questions concerning the attached environmental documentation please call the MDT Environmental Services Division at (406) 444-7228.

Sincerely,


Jean A. Riley, P.E.
Bureau Chief
Environmental Services Division

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Attachment

BQC



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

June 29, 2005

RECEIVED
JUN 29 2005
FHWA
MONTANA DIVISION

Janice W. Brown, Division Administrator
Federal Highway Administration (FHWA)
2880 Skyway Drive
Helena, MT 59602

**MASTER FILE
COPY**

**Subject: MT -04(001)
Shoofly Historical Center Land Acquisition
Control Number - 5993**

This is a request for the FHWA's concurrence that this proposed project meets the criteria for classification as a Categorical Exclusion under the provisions of 23 CFR 771.117(d). This proposed action also qualifies as a Categorical Exclusion under the provisions of ARM 18.2.261 (Sections 75-1-103 and 75-1-201, M.C.A.). A map showing the site locations is attached.

The Cooke City/Silver Gate/Colter Pass Chamber of Commerce applied for and received FY 2004 National Scenic Byway Discretionary Funds through the FHWA National Scenic Byways Program.

The Chamber of Commerce intends to utilize the funding fro the purchase of land in Cook City and develop the design and engineering specification for construction of the Shoofly Historical Center.

This Categorical Exclusion only covers the protective purchase of property and the development of design and engineering specifications for construction, all other actions associated with this project will be covered in subsequent approval requests and an appropriate level of environmental documentation on further actions will be completed.

The proposed work plan for the funds includes purchase of the land in the original town site of Cooke City, and the development of a Request For Proposal (RFP) to hire an architect to produce final design drawings and construction specifications for the Shoofly Historical Center. The design portion of this task will use the conceptual design and facility model developed by the Montana State University's Community Design Center.

The property the Chamber of Commerce wants to purchase resides in Cook City at Township 9 South, Range 14 East, Section 25. The right-of-way to be purchased is denoted as 206 West Main Street, Block 5, Lots 6,7 and 8 (See attached map).

Areas of No Impact and Impact Areas with No Adverse Effect

This proposed project has been evaluated for, and does not have any adverse effect on the following environmental areas of concern:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Stormwater Runoff | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Prime & Unique Farmlands | <input checked="" type="checkbox"/> <i>Section 404 - Clean Water Act</i> |
| <input checked="" type="checkbox"/> Floodplains(E.O. 11988/FEMA) | <input checked="" type="checkbox"/> Social/Economic |
| <input checked="" type="checkbox"/> Hazardous Waste | <input checked="" type="checkbox"/> Stream Preserv./Water Quality |
| <input checked="" type="checkbox"/> Historical/Cultural Resources | <input checked="" type="checkbox"/> Threatened/Endangered Species |
| <input checked="" type="checkbox"/> Changes in Land Use | <input checked="" type="checkbox"/> Wetlands(E.O. 11990) |
| <input checked="" type="checkbox"/> <i>USDOT - 4(f)/NL&WCF - 6(f) Acts</i> | <input checked="" type="checkbox"/> Air Quality |

Impact Areas with Minor Effect – None

Permit Required and Regulatory Compliance

There will be no Permits Required for this work.

Cumulative Impacts

The proposed types of projects will also have no significant cumulative environmental impacts on these other MDT projects in the vicinity of the work being completed.

Coordination & Public Involvement

A news release will be submitted to the appropriate news agency if there will be an impact to the public in conjunction with this project.

Janice W. Brown
June 27, 2005
Page 3

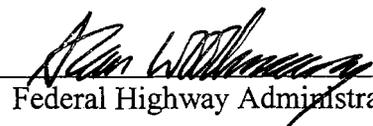
MT -04(001)
Shoofly Historical Center
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Summary

These projects will not induce significant land use changes or promote unplanned growth. There will be no significant effects on access to adjacent properties or present traffic pattern. These projects will not create disproportionately high and adverse human health or environmental effects on minority and low-income populations (**E.O. 12898**) and complies with Title VI of the *Civil Rights Act* of 1964 (**42 U.S.C. 2000d**). In accordance with 23 CFR 771.117(a), these actions will neither individually nor cumulatively, have any significant environmental impacts. Therefore, we are requesting FHWA's concurrence that this proposed project is properly classified as a Categorical Exclusion.



Thomas L. Hansen, P.E.
Environmental Engineering
Section Supervisor

Concur 
Federal Highway Administration

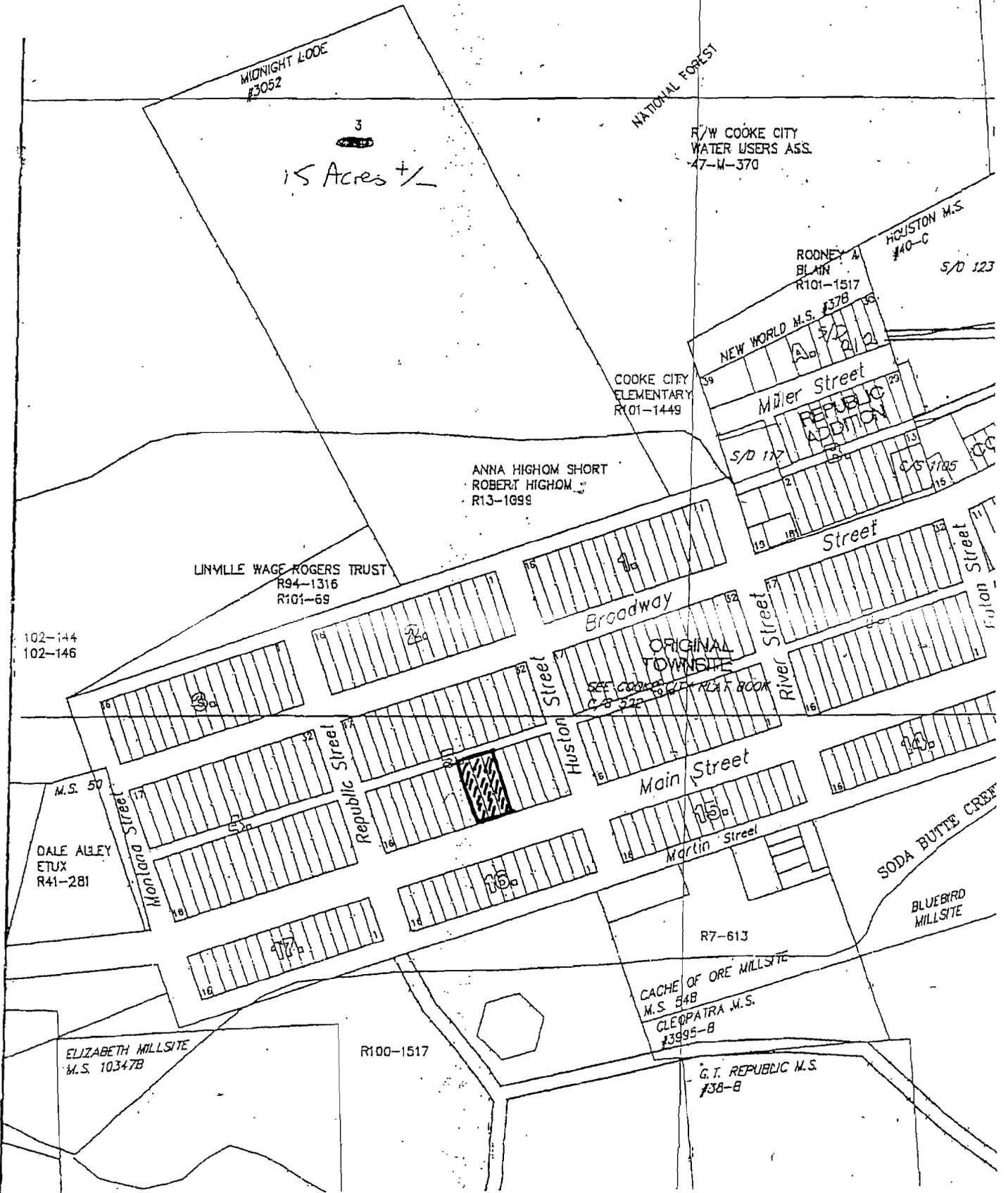
Date 6 July 2005

Attachments

**"ALTERNATIVE ACCESSIBLE
FORMATS OF THIS DOCUMENT
WILL BE PROVIDED ON REQUEST."**

cc: Sandra S. Straehl, Administrator, Rail, Transit and Planning Division
Lynn Zanto, Supervisor – Statewide & Urban Planning
Jean Riley, P.E. - Environmental Services Bureau Chief
David Jensen, Supervisor – Fiscal Programming Section
Bruce Barrett – Billings District Administrator
File

SHOOFLY HISTORICAL CENTER
LAND ACQUISITION CATEGORICAL EXCLUSION
MT - 04 (7001)
UPN # 5993



COOKE CITY ORIGINAL TOWN SITE
PLAN
ATTACHMENT # 1