



Montana Department of Transportation

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Jim Lynch, Director
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March 12, 2009

Kevin McLaury
Division Administrator
Federal Highway Administration
585 Shepard Way
Helena, MT 59601-9785

Subject: Request for Concurrence of Continued Validity of CE Designation
Tenmile Creek – 2 KM W of HLNA
BR 9025(39)
Control Number: 4910

Dear Kevin McLaury:

As the design phase of the subject project has progressed, some new information has become available. Lewis and Clark County proposed new sidewalk and agreed to utilize CTEP funds to construct sidewalk, curb, and gutter from the intersection with US-12 to the bridge over Tenmile Creek as part of the subject project. The proposed sidewalk will be located on the east side (RT) of Williams Street.

The original categorical exclusion was signed by your agency on October 6, 2003, and re-evaluated on September 12, 2007.

The Montana Department of Transportation (MDT) has reviewed this new information in regard to NEPA/MEPA applicability. MDT concludes that the proposed action will still not have a significant environmental impact, will still qualify as a CE under 23 CFR 771.117(d), and will still qualify as a CE under ARM 18.2.261. At this time, we request the FHWA's concurrence that the proposed action is still properly classified as a CE under 23 CFR 771.117(d).

Eric Thunstrom

Eric Thunstrom
Environmental Services Bureau
Great Falls District Project Development Engineer

Date: 3/12/09

Heidy Bruner

Heidy Bruner, P.E.
Environmental Services Bureau
Engineering Section Supervisor

Date: 3/12/09

[Signature]

Federal Highway Administration

Date: 18 MAR 2009

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