

August 12, 2009

Jeff Patten, Operations Engineer
Federal Highway Administration (FHWA)
585 Shepard Way
Helena, MT 59601

Subject: **Categorical Exclusion Group (d) Action Letter**

Reference: Federal-aid Project Number: STPE 16(74)
Federal-aid Project Name: 2009 Manhattan Sidewalk Project #2 –
Gallatin County
MDT Uniform Project Number: 6775

This is a request for FHWA concurrence that the 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 (*MCA* Sections 75-1-103 and 75-1-201). A project location map is attached.

This proposed project is a new sidewalk project within a residential area. The project length is 865 feet of which 305 feet would be existing sidewalk replacement.

The location of the proposed project is the east side of Broadway Street, between Gallatin and Lexington Avenues, in the Town of Manhattan, Montana. If funding is available, the project could include the south side of Main Street between 7th Street and Manhattan South Road, as well.

The intent of the proposed project is to provide a sidewalk through an existing residential neighborhood.

The 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 and Unique Farmlands | <input checked="" type="checkbox"/> Section 404 – <i>Clean Water Act</i> |
| <input checked="" type="checkbox"/> Floodplains (EO 11988/FEMA) | <input checked="" type="checkbox"/> Social/Economic |
| <input checked="" type="checkbox"/> Hazardous Waste | <input checked="" type="checkbox"/> Stream Preservation/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 (EO 11990) |
| <input checked="" type="checkbox"/> USDOT – 4(f)/NL&WCF – 6(f) Acts | |

PROJECT IMPACTS

The proposed project will have a minor effect on the following environmental area(s):

Cumulative Impacts – MDT currently has two active and two proposed projects in the vicinity of the proposed project. Resurfacing of the Trident Road and improvement to a bridge structure east of Manhattan are scheduled for 2009. Turnbays at the Three Forks/Interstate interchange are scheduled for 2011. Safety improvements for the east Three Forks interchange are scheduled for 2013.

Therefore, none of the above projects, in conjunction with the proposed project, will have any significant cumulative environmental impacts.

PERMITS

- All work will be in accordance with the *Water Quality Act of 1987* (PL 100-4), as amended.
- Approximately no acreage of new ROW/construction permits will be needed for the proposed project. There will be no utility involvement.

PUBLIC INVOLVEMENT

Public Involvement – County conducted CTEP public hearings to solicit proposals.

EROSION CONTROL PLAN

An Erosion Control Plan will not be required for this project.

AMERICANS WITH DISABILITIES ACT

Americans with Disabilities Act – Handicap access will be installed in compliance with the *Americans with Disabilities Act* (PL 101-336).

CONCLUSION

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

Anthony M Haag
Signature of Environmental Certifying Official or Chief Elected Official

Anthony M. Haag Mayor
Type Name and Title

Concur: Mike Whely Aug. 17, 2009
CTEP Section Supervisor Date

Concur: Jeffrey Patten Aug 20, 2009
Federal Highway Administration Date

Attachment: Project Location Map

- cc: Jeff Ebert, PE, MDT, District Administrator – Butte
Tim Conway, PE, MDT, Consultant Design Engineer
Tom Martin, PE, MDT, Bureau Chief – Environmental Services Bureau
David Jensen, MDT, Fiscal Planning Administrator
Michael Wherley, PE, MDT, CTEP Section Supervisor
Environmental Quality Council
Jeff Patten, PE, FHWA Project Engineer
Larry Watson, Gallatin County Grants Administrator
Tony Haag, Mayor, Town of Manhattan, Montana