



NORTHERN CHEYENNE TRIBE
ADMINISTRATION



P.O. BOX 128
LAME DEER, MONTANA 59043
(406) 477-6284
FAX (406) 477-6210

October 12, 2010

Mike Wherley
CTEP Engineer
Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

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

Reference: Federal-aid Project Number: STPE 44(26)
Federal-aid Project Name: PERIOD LIGHTING – LAME DEER
MDT Uniform Project Number: 7269

The Northern Cheyenne Nation has determined that the proposed project study will not involve unusual circumstances as described in 23 *CFR* 771.117(b). It therefore qualifies as a Categorical Exclusion under the provisions of 23 *CFR* 771.117(c), part 7. The 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).

In accordance with FHWA's letter (3/29/99) to MDT's Environmental Services, please notify FHWA that the proposed action is being processed in accordance with 23 *CFR* 771.117(c).

Janis Spear

Signature of Environmental Certifying Official or Chief Elected Official

Janis Spear, Transportation Planning Director
Type Name and Title

Concur:

Mike Wherley

CTEP Engineer

Oct. 15, 2010

Date

cc: Ray Mengel, MDT, District Administrator – Glendive
Tim Conway, MDT, Consultant Design Engineer
Tom Martin, MDT, Bureau Chief – Environmental Services Bureau
Dave Jensen, MDT, Fiscal Planning Administrator
Mike Wherley, MDT, CTEP Section Supervisor
Todd Everts, EQC
Jeff Patten, FHWA
Janis Spear, Northern Cheyenne Nation

LITTLE WOLF AND MORNING STAR - Out of defeat and exile they led us back to Montana and won our Cheyenne homeland that we will keep forever.