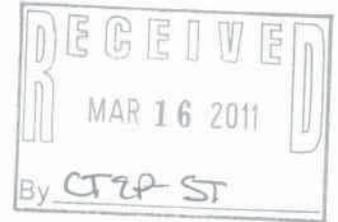
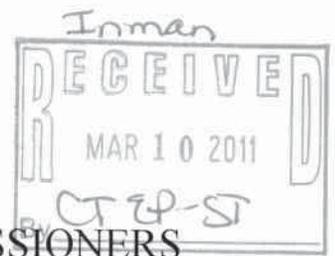




COMMISSIONERS
James O'Hara, Chairman
Daren J. Schuster
Stan Klimas

CHOUTEAU COUNTY COMMISSIONERS

P.O. Box 459 1308 Franklin Street
Fort Benton, MT 59442
Phone (406) 622-3631



CLERK
Lana K. Claassen
REGULAR MEETINGS
Every Monday and first
and third Tuesday
following first Monday
of the month

March 8, 2011

Alan Woodmansey, PE – Field Project Operations Engineer
Federal Highway Administration (CTEP)
585 Shepard Way
Helena, MT 59601

Subject: Categorical Exclusion Group (d) Action Letter

Federal-aid Project Number: STPE 8 (25)

Federal-aid Project Name: Courthouse Windows – Fort Benton

MDT Uniform Project Number: 6452

This is a request for the FHWA's concurrence that this proposed project meets the criteria for classification as a Categorical Exclusion under the provision of 23 *CFR* 771.117 (d). This proposed action also qualifies as 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 historic preservation project at the Chouteau County Courthouse that includes the following work: restoration of the exterior of the historic Courthouse, which includes the removal and replacement of the extant modern windows with historically accurate double-hung windows.

The location of the proposed project is the Chouteau County Courthouse, 1308 Franklin Street,

Fort Benton, Montana 59442.

The intent of this proposed project is to restore the historical architecture and integrity of the Chouteau County Courthouse by removing the building's existing modern double-hung windows units, and replacing them with new, historically accurate windows.

This proposed action has been evaluated for and does not have any adverse effect on the following environmental concern:

<input checked="" type="checkbox"/> Storm Runoff	<input checked="" type="checkbox"/> Noise
<input checked="" type="checkbox"/> Prime & Unique Farmlands	<input checked="" type="checkbox"/> Section 404 – <i>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 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"/> US DOT – 4(f)/NL&WCF – 6(f) Acts	

PROJECT IMPACTS

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

Historical/Cultural Resources – The Chouteau County Courthouse, built in 1884, is the second oldest operating Courthouse in the State of Montana. It is listed on the National Register of Historic Places. It is one of the County's most significant public buildings. A section 106 Determination of Effect has resulted in a finding of "No Adverse Effect," which has been reviewed and concurred with by the State Historic Preservation Office (SHPO). A copy of their concurrence letter is attached.

PUBLIC INVOLVEMENT

Public Involvement – Public participation is an essential element in Chouteau County's selection of projects for Community Transportation Enhancement Program (CTEP) funding. The County held a public hearing on October 23, 2006 to accept CTEP project ideas from the community. The hearing was advertised for two consecutive weeks in the Fort Benton River Press, as well as the Big Sandy Mountaineer.

AMERICANS WITH DISABILITIES ACT

Americans with Disabilities Act – the construction will comply with the Americans with Disabilities Act (PL 101-336).

CONCLUSION

This 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. This 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 this proposed project is properly classified as Categorical Exclusion.

James O'Hara

Environmental Certifying Official or Chief Elected Official

James O'Hara, Chair – Chouteau County Commission

Name and Title

Concur Nike Whely
CTEP Section Supervisor

Mar. 11, 2011
Date

Concur [Signature]
Federal Highway Administration

16 MAR 11
Date

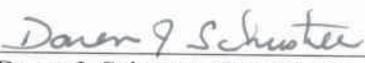
Attachment: Project Location Map

- cc: Mick Johnson – MDT Great Falls District Administrator
- Tim Conway, PE – MDT Consultant Design Engineer
- Tom Martin, PE – MDT Environmental Bureau Chief
- Eric Thunstrom – MDT Environmental Project Engineer
- Brad Burns – MDT Fiscal Planning
- Justin Greve – MDT Fiscal Planning

Michael Wherley, PE – MDT CTEP Supervisor
Todd Everts – Environmental Quality Council
Hill County

Chouteau County Commissioners:


James O'Hara, Chairman


Daren J. Schuster, Commissioner


Stan Klimas, Commissioner

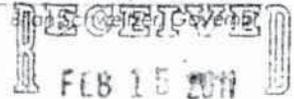


Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena, MT 59601-0001

2011021502

Jim Lynch, Director



RECEIVED

FEB 18 2011

ENVIRONM.....

BY:.....

February 10, 2011

Mark Baumler, Ph.D.
State Historic Preservation Office
1410 8th Avenue
P O Box 201202
Helena, MT 59620-1202

CONCUR
MONTANA SHPO
DATE 2/16/11 SIGNED [Signature]

EP
24CH337
24CH241

Subject: STPE 8(25)
Courthouse Windows – Fort Benton
UPN 6452

Dear Mark:

Enclosed is the preliminary bid package for the above CTEP project in Chouteau County. The proposed project would involve the replacement of windows at the Chouteau County Courthouse (24CH337) in Fort Benton. The courthouse is listed on the National Register of Historic Places and is a contributing component of the Fort Benton National Historic Landmark District (24CH241). In addition to the replacement of the existing windows (which do not appear to be original to the building), the project would also include selected demolition of GWB ceiling and suspended ACP ceiling, and some work to the panel sections associated with the windows. Based on our review of the preliminary bid package, we have determined that the proposed project would have **No Adverse Effect** to the Chouteau County Courthouse. We request your concurrence.

If you have any questions, please contact me at 444-6258.

Jon Axline
Jon Axline, Historian
Environmental Services

Enclosure

Copies: Mike Wherley, P.E., Consultant Design
Phil Inman, P.E., Consultant Design
Bonnie Gundrum, Resources Section