



Montana Department of Transportation

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Jim Lynch, Director  
Brian Schweitzer, Governor

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March 28, 2011

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

Attention: Jeff Patten

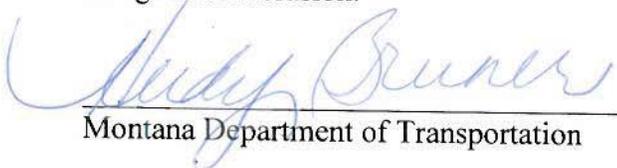
Subject: Concurrence Request for Continued Validity of Programmatic Categorical Exclusion  
Hammond-SE  
NH 23-1(14)109  
Control Number: 6970 000

Dear Kevin McLaury:

The Montana Department of Transportation (MDT) Environmental Services Bureau has reviewed the subject project in accordance with the provisions of 23 CFR 771.129(c) and concluded that the previously approved programmatic categorical exclusion remains valid for the subject project. The categorical exclusion was signed by your agency October 2, 2009.

It has been requested that additional state funded paving work be added to the contract via change order. This additional work involves rut fill and seal and cover starting in Hammond and continuing 3.9 miles northwest on US 212 (N23) between Reference Posts 104.54 to 108.50. Most of this additional work has been previously evaluated under a maintenance environmental checklist to demonstrate compliance with the Montana Environmental Policy Act (MEPA). However, the project limits have extended slightly from RP 108.4 to 108.5. Please see the attached maintenance environmental checklist and project plans.

MDT has reviewed the proposed additional work and concludes that this action will neither individually or cumulatively have a significant environmental impact. Therefore, MDT requests the FHWA's concurrence that the proposed subject project is still appropriately classified as a categorical exclusion.

  
Montana Department of Transportation

Date 3/29/11

Concur   
Federal Highway Administration

Date 4/4/2011

Attachment: Maintenance Environmental Checklist  
Project Plans, N-23 RP 104.54 to 108.50

March 28, 2011  
Kevin McLaury  
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Hammond-SE  
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e-copies:

Ray Mengel	Glendive District Administrator
Jim Frank, P.E.	Glendive District Preconstruction Engineer
Clay Blackwell, P.E.	District Construction Engineer
Dawn Stratton	Fiscal Programming
Suzy Price	Contract Plans Bureau Chief
Tom Martin, P.E.	Environmental Services Bureau Chief
Heidy Bruner, P.E.	ESB Engineering Section Supervisor
Gail Faber	Glendive District Environmental Engineering Specialist
Larry Sickerson	Glendive District Biologist
Moriah Thunstrom, P.E.	Glendive District Project Development Engineer
File	Environmental Services Bureau
Montana Legislative Branch	Environmental Quality Council (EQC)

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