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Lewis and Clark County

Administrative and Financial Services Department

June 14, 2011

Alan Woodmansey, Operations Engineer
Federal Highway Administration (FHWA)
585 Shepard Way
Helena, MT 59601

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

Reference: Federal-aid Project Number:

Federal-aid Project Name: Courthouse Square Rehab - Helena

MDT Uniform Project Number: 7394

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 rehabilitation project.

The location of the proposed project is 222 Broadway, Helena, Montana.

The intent of the proposed project is to make improvements to the building located at 222 Broadway and an entry into the courthouse facility. The 222 building, historically known as the Pateneau House and the courthouse are contributing properties to the Helena Historic District

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 |

Changes in Land Use

Wetlands (EO 11990)

USDOT – 4(f)/NL&WCF – 6(f) Acts

PROJECT IMPACTS

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

Historic/Cultural Resources – The Pateneau House and the courthouse are contributing properties to the Helena Historic District. 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) on May 26, 2011. A copy of their concurrence letter is attached.

Section 4(f) – It has been determined that Section 4(f) does not apply to restoration, rehabilitation or maintenance of historic facilities when there is a “No Adverse Effect” determination, and when SHPO and the advisory council have been consulted and have not objected to this finding.

PERMITS

- **Permits Required** – No permits are required as part of project development.

PUBLIC INVOLVEMENT

Public Involvement – A public hearing was held on June 1, 2010 to discuss the project. There was no public comment opposing the project. The Board of County Commission voted unanimously to approve the proposal.

AMERICANS WITH DISABILITIES ACT

Americans with Disabilities Act – A ramp to access the front entrance 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.

"ALTERNATIVE ACCESSIBLE FORMATS OF THIS DOCUMENT WILL BE PROVIDED ON REQUEST"



Signature of Environmental Certifying Official or Chief Elected Official

Laura Erikson, Grants Coordinator

Type Name and Title

Concur: *Mike Whely* _____ Date *6/15/11* _____
CTEP Section Supervisor

Concur: *[Signature]* _____ Date *27 June 2011* _____
Federal Highway Administration

Attachment: Project Location Map

- cc: Michael Johnson, MDT, District Administrator – Great Falls
- Tim Conway, MDT, Consultant Design Engineer
- Tom Martin, MDT, Bureau Chief – Environmental Services Bureau
- Brad Burns, MDT, Fiscal Planning Administrator
- Mike Wherley, MDT, CTEP Section Supervisor
- Maureen Theisen, Legislature
- Laura Erikson, Lewis and Clark County
- Heidy Bruner, MDT, Section Supervisor – Environmental Services Bureau
- Eric Thunstrom, MDT, Environmental Services Bureau

Proposed Project Location - 222 Broadway Street Helena, MT 59601



PROJECT LOCATION -
222 BROADWAY STREET

LEWIS & CLARK
COUNTY COURTHOUSE

