November 25, 2011

CTEP Supervisor, CTEP Section
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 1099(75)
Federal-aid Project Name: Central Avenue Sidewalks
MDT Uniform Project Number: 7543

This is a request for the Montana Department of Transportation concurrence 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), parts 3 & 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).

Lora Mattox
Signature of Environmental Certifying Official or Chief Elected Official

Lora Mattox, Transportation Planner
Type Name and Title

Concur:

CTEP Engineer Date

cc: Stefan Streeter, MDT, District Administrator – Billings
Tim Conway, MDT, Consultant Design Engineer
Tom Martin, MDT, Bureau Chief – Environmental Services Bureau
Nicole Pallister, MDT, Fiscal Planning Administrator
Brad Burns, MDT, Fiscal Planning
Michael Wherley, MDT, CTEP Section Supervisor
Maureen Theisen, Environmental Quality Council
Alan Woodmansey - FHWA – Helena
Lora Mattox, Yellowstone County CTEP Coordinator - Billings
Debi Meling, City Engineer - Billings
Heidi Bruner, MDT, Environmental Engineering Section Supervisor
Tom Gocksh, MDT, Environmental Engineering Section

ENVIRONMENTAL CHECKLIST

Project Name and Project Number: Central Avenue Sidewalks/STPE 1099(75)

UPN: 7543

Area of Statutory-Regulatory Compliance (Provide precise citations for applicable statutes and regulations at the end of this Checklist.)		N/A	Review Required*	Permits Required*	Conditions and/or Mitigation Actions Required*	Note and Attach Documentation
1.	Historic Properties (SHPO)	☒	☐	☐	☐	☐
2.	Floodplain Management (County)	☒	☐	☐	☐	☐
3.	Wetlands Protection (COE)	☒	☐	☐	☐	☐
4.	Noise (DEQ)	☒	☐	☐	☐	☐
5.	Air Quality (DEQ)	☒	☐	☐	☐	☐
6.	Manmade Hazards					
	Abandoned Underground Storage Tanks	☒	☐	☐	☐	☐
	Leaking Underground Storage Tanks	☒	☐	☐	☐	☐
	Possible Hazardous Waste Sites	☒	☐	☐	☐	☐
	Airport Clear Zones	☒	☐	☐	☐	☐
7.	Water Quality (DEQ or EPA for reservation projects)					
	Surface Water/Water Quality	☒	☐	☐	☐	☐
	Groundwater & Aquifers[1]	☒	☐	☐	☐	☐
8.	Farmlands	☒	☐	☐	☐	☐
9.	Environmental Justice	☒	☐	☐	☐	☐
10.	Threatened or Endangered Species, Fish & Wildlife (USF&WS)	☒	☐	☐	☐	☐

Area of Statutory-Regulatory Compliance (Provide precise citations for applicable statutes and regulations at the end of this Checklist.)		N/A	Review Required*	Permits Required*	Conditions and/or Mitigation Actions Required*	Note and Attach Documentation
11.	Biological Resources - Habitat containing sensitive species; either nesting, foraging, or inhabiting (MDFW&P/MSL)	☒	☐	☐	☐	☐
12.	Is there substantial, local, regional or other controversy on environmental grounds?	☒	☐	☐	☐	☐
13.	Section 4(f) – Would project change use of park, recreation area, wildlife refuge, or waterfowl refuge (23 *CFR* 771.135)?	☒	☐	☐	☐	☐
14.	Section 6(f) – Would project change use of protected properties acquired or developed with Land and Water Conservation Funds administered by the Department of Fish, Wildlife and Parks?	☒	☐	☐	☐	☐
15.	List other agencies contacted.	☒	☐	☐	☐	☐
*Attach evidence that required actions have been taken.						
[1] Including the Missoula Sole Source Aquifer; contact the CTEP Section for further information regarding Missoula area projects.						

Certification

I certify that the findings on the proceeding Environmental Checklist accurately reflect the status of compliance with applicable laws and regulations for the proposed transportation project.

Lora J Mattox

Signature

Lora Mattox, Transportation Planner

Type Name and Title of Environmental Certifying Official

11/25/2011

Date