



October 18, 2011

Gene Kaufman, PE, Operations Engineer  
Federal Highway Administration (FHWA)  
585 Shepard Way  
Helena, MT 59601

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

Reference: Federal-aid Project Number: STPE 8199(102)

Federal-aid Project Name: CROSSWALK IMPRV - MSLA

MDT Uniform Project Number: 7485

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 the re-design and construction of four intersections for the University of Montana. The project is intended to improve pedestrian safety at the intersections and will include raising of intersections, improving lighting, re-aligning pedestrian walkways, and improving crosswalks.

The location of the proposed project is the intersections of Arthur Avenue and University Avenue, Maurice Avenue and Beckwith Avenue, South Avenue and Gerald Avenue, and Arthur Avenue and Eddy Avenue all within Missoula, MT.

The intent of the proposed project is to improve pedestrian safety through use of traffic calming improvements.

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 type="checkbox"/> Stream Preservation/Water Quality               |
| <input checked="" 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 (EO 11990)                  |
| <input checked="" type="checkbox"/> USDOT – 4(f)/NL&WCF – 6(f) Acts |  |

## PROJECT IMPACTS

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

**Air Quality** – The proposed project is located in a (CO/PM10) “nonattainment” area of Montana for air quality under 40 *CFR* 81.327, as amended. However, this type of proposed project is listed in EPA’s Final Rule of September 15, 1997 on Air Quality conformity as being exempt from the requirement of a conformity determination. Therefore, the proposed project complies with Section 176(c) of the *Clean Air Act* as amended (42 *USC* 7521(a)).

## PERMITS

**Permits Required** – The following permits will be adhered to during the construction process.

- U of M currently holds an MS4 storm drainage permit for the drainage structures located within portions of this project area. Concern has been raised of cross contamination of the storm and sewer infrastructure in the area which could affect the discharge to the Clark Fork River. All regulations of the current permit will be adhered to for the entire construction process and construction will be overseen to assure cross contamination does not occur.
- A General Permit for Storm Water Discharges Associated with Construction Activity.

## PUBLIC INVOLVEMENT

**Public Involvement** – Numerous public meetings and comment periods were utilized for the selection of this project. The project has been through the Transportation Improvement Program (TIP) which utilizes public meetings. Also, the City of Missoula has classified this as a Capital Improvement Program (CIP) which is part of the annual budget and requires numerous public meetings. The CTEP funding and engineering agreement for this project also needed to be approved by Missoula City Council during a public meeting. Lastly, the University of Montana has met with the University Neighborhood Council to determine if there were any concerns from the public in the immediate area.

## EROSION CONTROL PLAN

An Erosion Control Plan will be submitted to the Montana DEQ Permitting and Compliance Division in compliance with their Montana Pollutant Discharge Elimination System Regulations (ARM 16.20.1314) for the proposed project. BMPs will be included in the design of this Plan using guidelines as established in MDT’s Highway Construction Standard Erosion Control Workplan. The objective is to minimize erosion of disturbed areas during and following construction of this proposed project.

In accordance with MCA 7-22-2152 and 60-2-208, The City of Missoula will re-establish a permanent desirable vegetation community along all areas disturbed by the proposed construction. A set of revegetation guidelines will be developed by Territorial-Landworks, Inc. that must be followed by the contractor. These specifications will include instructions on seeding methods, seeding dates, types and amounts of mulch and fertilizer, along with seed mix components. Seed mixes include a variety of species to ensure that areas disturbed by construction are immediately stabilized by vegetative cover.

## AMERICANS WITH DISABILITIES ACT

Americans with Disabilities Act – Crosswalk and sidewalk, cross-slopes, and appurtenances 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

10-24-2011

Doug Harby, Missoula City Construction Project Manager

Type Name and Title

Concur:  2/23/12  
CTEP Section Supervisor Date  
ENVIRONMENTAL ENGINEERING

Concur:  2/27/12  
Federal Highway Administration Date

Attachment: Project Location Map

Ed Toavs

cc: Doug Moeller – MDT Missoula District Administrator  
Tim Conway, PE – MDT Consultant Design Engineer  
Tom Martin, PE – MDT Environmental Bureau Chief  
Susan Kilcrease – MDT Environmental Project Engineer  
Brad Burns – MDT Fiscal Planning  
Michael Wherley, P.E. – MDT CTEP Section Supervisor  
Maureen Theisen – Environmental Quality Council  
Gene Kaufman, PE – FHWA Operations Engineer  
Zane Johnson, EI – Territorial-Landworks, INC.

Nicole Pallister

Mike Day

Heidi Bruner - MDT Environmental Engineering Section Supervisor  
Tom Erving - MDT Fiscal Programming, Financial Specialist