



May 17, 2013

Jeff Patten  
Federal Highway Administration (FHWA)  
585 Shepard Way  
Helena MT 59602

Subject: Statewide Programmatic Categorical Exclusion for Pavement Preservation Projects  
NH 62-2(23)37  
Sidney-Northwest  
CN 7946000  
Work Type: 160 Minor Rehabilitation

Dear Jeff Patten:

The MDT Environmental Services Bureau has reviewed the Preliminary Field Review/Scope of Work Report (PFR/SOW) for the subject project. Based on the completed Environmental Checklist for Pavement Preservation Projects (Checklist), we conclude that the Statewide Programmatic Categorical Exclusion for these types of projects would cover this project. For your information, I have attached a copy of the PFR/SOW and the signed Environmental Checklist. Environmental-related Special Provisions are not anticipated at this time.

If you have questions or concerns, please contact Tom Atkins or me at 444.7202. We will be pleased to assist you.

Sincerely,

Heidi Bruner, P.E.  
Environmental Services Bureau Engineering Section Supervisor

Attachments: PFR/SOW Report, Environmental Checklist

Enclosure

e-copies w/checklist encl.:

Shane Mintz, Glendive District Administrator  
Tom Martin, P.E., Environmental Service Bureau Chief  
Heidi Bruner, P.E., ESB Engineering Section Supervisor  
Paul Ferry, P.E., Highways Engineer  
Kevin Christensen, P.E., Construction Engineer  
Suzy Price, Contract Plans Bureau Chief  
Lisa Hurley, Fiscal Programming  
Tom Erving, Fiscal Programming  
Montana Legislative Branch Environmental Quality Council  
File

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Montana Department of Transportation  
PO Box 201001  
Helena, MT 59620-1001

**Memorandum**

To: Tom S. Martin, P.E, Chief, Environmental Services Bureau  
From: Paul R. Ferry, P.E., Highways Engineer  
Date: May 2, 2013  
Subject: **NH 62-2(23)37**  
**Sidney-Northwest**  
**CN 7946000**  
**Work Type: 160 Minor Rehabilitation**

Attached is the Preliminary Field Review/Scope of Work Report for the subject project. The project meets the criteria for the Statewide Programmatic Categorical Exclusion for pavement preservation projects and the environmental checklist is attached.

Please send the notification for the environmental documentation on this project to the FHWA. If you need additional information, contact Kevin Gilbert, 444-6230.

Attachments (Environmental Checklist and PFR)

copies: Damian Krings, w/attach (checklist only)  
Jim Frank, Glendive District  
Highways File

**(FOR PROJECTS WITH NO RIGHT-OF-WAY INVOLVEMENT)**

Applicant cannot be authorized to proceed with the proposed work until ALL of the conditions of the checklist have been satisfied.

**ENVIRONMENTAL CHECKLIST FOR PAVEMENT PRESERVATION PROJECTS**

(CRACK SEALING, SEAL & COVER, THIN OVERLAYS, MILL & FILL, PLANT MIX LEVELING, MILL OGFC, MICRO SURFACING, FOG SEAL)

**Project Number:** NH 62-2(23)37      **Control No** 7946000      **Project Name:** Sidney-Northwest

**Reference Post (Station):** RP 38.1 (125+43)      **To Reference Post (Station):** RP 36.6 (71+52)

**Applicant's Name:** Montana Department of Transportation      **Address:** PO Box 201001; Helena, MT 59620-1001

**Type of Proposed Pavement Preservation Activity:** Mill/Fill plant mix surfacing, ADA

**IMPACTS ON THE PHYSICAL ENVIRONMENT (TO BE COMPLETED BY APPLICANT)**

Impact Questions	[Y/N] There are Potential Impacts; or Item Requires Documentation, Evaluation, Mitigation Measures, and/or (a) Permit(s).		
	Yes	No	Comment (Use attachments if necessary)
1. Does the proposed action require work in, across, and/or adjacent to a listed or proposed Wild or Scenic River? (See <a href="http://www.rivers.gov/wildriverslist.html">http://www.rivers.gov/wildriverslist.html</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2a. Are there any listed or candidate threatened or endangered species in the vicinity of the proposed activity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Unknown
2b. Will the proposed action adversely affect listed or candidate threatened or endangered species, or adversely modify critical habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Unknown
3. Will the proposed action have potential to affect water quality? If 'Yes', an environment-related permit or authorization may be required. If 'No', go to question 4.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3a. If the answer to question 3 is yes, is a Clean Water Act Section 402 permit (i.e., MPDES or NPDES permit) required? (Need for an MPDES or NPDES is generally triggered by a disturbance area equal to or greater than one acre.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> N/A
3b. Is the proposed project within an MS4 Permit Area? (See <a href="http://deg.mt.gov/wqinfo/MPDES/StormWater/ms4.mcp.x">http://deg.mt.gov/wqinfo/MPDES/StormWater/ms4.mcp.x</a> ). (Billings, Great Falls, and Missoula Urbanized areas, and Butte, Bozeman, and Helena)	<input type="checkbox"/>	<input type="checkbox"/>	
4. Does the proposed project have impacts to wetlands, streams, or other water bodies? If 'No', go to question 5.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4a. If the answer to question 4 is 'Yes', is a Clean Water Act Section 404 permit authorization required?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> N/A
4b. If the answer to question 3 or 4 is 'Yes', is a Stream Protection Act 124SPA consultation required?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> N/A
5. Are solid wastes, hazardous materials or petroleum products likely to be encountered? (For example, project occurs in or adjacent to Superfund sites, known spill areas, underground storage tanks, or abandoned mines.) (See <a href="http://nris.mt.gov/deg/remsitequery/portal.aspx">http://nris.mt.gov/deg/remsitequery/portal.aspx</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Is the proposed activity on and/or within approximately 1 mile of an Indian Reservation? If answer is 'No', go to question 7.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6a. Are any Tribal water permits required?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> N/A
7. Is the proposed project in a "Class I Air Shed" or a nonattainment area? (See <a href="http://deg.mt.gov/AirQuality/Planning/AirNonattainment.mcp.x">http://deg.mt.gov/AirQuality/Planning/AirNonattainment.mcp.x</a> ) (Class I Air Sheds include the Northern Cheyenne, Flathead, and Fort Peck Reservations; Glacier and Yellowstone National Parks; Anaconda-Pintlar, Bob Marshall, Cabinet Mountains, Gates of the Mountains, Medicine Lake, Mission Mountain, Red Rock Lakes, Scapegoat, Selway-Bitterroot, and U.L Bend Wilderness Areas)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Checklist prepared by:

Kevin Gilbert

Applicant

Project Design Engineer

Title

5/2/2013

Date

Approved by:

Environmental Services

ENVIRONMENTAL ENGINEERING  
SECTION SUPERVISOR

Title

5/20/13

Date

**Project Number: NH 62-2(23)37 Control No.: 7946000 Project Name: Sidney-Northwest**

(When any of the above questions are checked "Yes")

The Applicant is **not** authorized to proceed with the proposed work until the checklist has been reviewed and approved, as necessary, and any requested conditions of approval have been incorporated.

- A. Complete the checklist items 1 through 7, indicating "Yes" or "No" for each item. Include comments, explanations, information sources, and a description of the magnitude/importance of potential impacts in the right hand column. Attach additional and supporting information as needed. The checklist preparer, by signing, certifies the accuracy of the information provided.
- B. When "Yes" is indicated on any item, the checklist preparer must explain why and provide the appropriate documentation, evaluation, permit, and/or mitigation measures required to satisfy environmental concerns for the project. Use attachments if necessary. **Any proposed mitigation measures will become a condition of approval.**
- C. If the applicant checks "Yes" for any one item, the checklist and MDT's mitigation proposal, documentation, evaluation and/or permit shall be submitted to MDT Environmental Services Bureau. Electronic format is preferred. Contact Number 444-7228.
- D. When the applicant checks a "Yes" item, MDT cannot be authorized to proceed with the proposed work until Environmental Services Bureau reviews the information and signs the checklist.
- E. MDT will obtain all necessary permits or authorizations from other entities with jurisdiction prior to beginning the Pavement Preservation Activity.
- F. The links above are provided as a starting point for potential sources of information for completing the checklist. The Applicant is encouraged to consult Environmental Services Bureau and/or other information sources.