



City of Helena

Public Works Department  
Phil Hauck  
Acting Director of Public Works

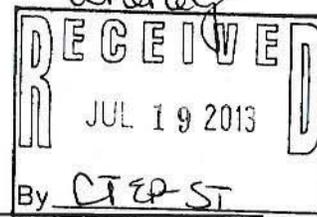
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RECEIVED

JUL 17 2013

FHWA  
MONTANA DIVISION

Wherley



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: STPE 5899(45)  
Federal-aid Project Name: Centennial Trail  
MDT Uniform Project Number: 7481

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 Bicycle & pedestrian transportation project including: approximately 4.2 miles of paved, shared-use path; 12 blocks of bike lanes, new sidewalks, crosswalks, ADA ramps, curb & gutter; signage; landscaping; irrigation; a bridge crossing of Henderson Avenue; at-grade crossings of Joslyn, Benton, National, N. Montana, Boulder, Carter and appurtenant work.

The proposed project is generally located within a 5.5-mile corridor between Lat 46°37'N/Long 112°5'W and Lat 46°36'N/Long 111°58'N. The shared-use-path will occupy: public right-of-way on the east side of Green Meadow Country Club; mainline BNSF right-of-way from Green Meadow Country Club to Benton Avenue, an abandoned RxR right-of-way between Benton Avenue and the Helena Transfer Station, abandoned RxR right-of-way immediately north of Memorial Park and Kindrick Legion Field; the east side of National Avenue's right-of-way; a "share-the-road" section of bike lanes and sidewalks on East Lyndale Avenue; a shared-use-path on the south side of Boulder Avenue (east of Interstate 15), California Street right-of-way and the south side of Billings right-of-way from California Street to Blaine Street, and; mainline BNSF right-of-way from Blaine to Nicole Street.

The intent of the proposed project is to enhance the non-motorized transportation opportunities within Helena, creating a major east-west non-motorized travel corridor that provides connectivity to existing bike and pedestrian infrastructure and other municipal features.

The proposed project has been evaluated for, and not expected to 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        |
| <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 an “unclassifiable”/attainment area of Montana for air quality under 40 *CFR* 81.327, as amended. As such, this proposed project is not covered under the EPA’s Final Rule of September 15, 1997 on Air Quality conformity. Therefore, the proposed project complies with Section 176(c) of the *Clean Air Act* as amended (42 *USC* 7521(a)). During construction, it is expected that dust will be generated. The contract documents will include provisions for the contractor to control dust.

**Floodplains** – The western end of the project is in proximity to Tenmile Creek which has established FIRM maps. The proposed project alignment does not occupy any designated floodplain – as shown by FIRM Map 300038 – Panel 1538C (attached).

**Wetlands** – there are several small designated palustrine wetlands located in proximity to the proposed project, primarily at its western end. In accordance with the identified corridor layout, it is not expected that the proposed project will impact the identified wetlands as they are located well away from the trail. These wetlands are located in Township 10N, Range 4W, Section 23. See map attached. The Army Corps of Engineers was contacted directly in order to solicit comment on the proposed project. The ACOE’s June 24, 2013 response letter is attached.

**Historical & Cultural Resources** – The proposed project occupies a segment of abandoned Great Northern Railroad right-of-way. The State Historical Preservation Office (SHPO) was contacted in order to solicit comment on the proposed project. SHPO’s June 2013 response letter is attached wherein it is suggested that any structures within the Great Northern Railroad right-of-way may be considered historic and potentially eligible for listing on the National Register of Historic Places. SHPO further asks for more detailed drawings of the proposed trail routing in an effort to refine its cultural inventory. The project engineer sent additional project maps to SHPO on June 24, 2013 and solicited further comment.

**Wildlife** - While most of the proposed trail corridor is located adjacent to railroad infrastructure and/or city streets, there is a 0.5-mile segment of proposed trail that will occupy what could be

considered suitable habitat for wildlife. Both the USFWS and MDFWP were contacted directly in order to solicit comment on the proposed project. MDFWP's response is included which indicates no expected adverse impacts from the project.

**Section 4(f)** – It has been determined that Section 4(f) does not apply since the proposed project does not involve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites. There is no “use” of a Section 4(f) resource as protected land is not permanently incorporated into a State/Federal transportation facility. There is also no “constructive use” of protected lands.

**Section 6(f)** – There is no Conversion of Use involvement as protected property acquired or developed with Land and Water Conservation Funds (LWCF) are not within the project limits.

**Cumulative Impacts** – The City of Helena currently has no active and no proposed projects in the direct vicinity of the proposed project.

Therefore, none of the above projects, in conjunction with the proposed project, are expected to result in any significant cumulative environmental impacts.

## PERMITS

**Permits Required** – The following permits will be acquired prior to any relevant disturbance: (also see the FEMA Floodplain Development Permit, following):

- This proposed project will be in compliance with the provisions for both Water Quality under MCA 75-5-401(2) for Section 3(a) authorizations, and 124 SPA Stream Protection Notification under MCA 87-5-501 through 509, inclusive.
- A 124 SPA Stream Protection Notification will not be required by the MDFW&P.
- A Notice of Intent for Storm Water Discharges under the National Pollutant Discharge Elimination System General Permit (PL 92-500) will be required with the MDEQ for the control of water pollution for both specific and non-point sources.
- The proposed project will require the following permit(s) under the *Clean Water Act*.
  - A Section 402/Montana Pollutant Discharge Elimination System permit from the Montana Department of Environmental Quality (DEQ) Permitting and Compliance Division.
- All work will be in accordance with the *Water Quality Act of 1987* (PL 100-4), as amended.
- Approximately 1 new ROW/construction permits will be needed for the proposed project. This will likely be for the Roun's property located in the southwest quadrant of the intersection of Boulder Avenue and the California Street R.O.W. There will be moderate utility involvement.

## **PUBLIC INVOLVEMENT**

**Public Involvement** – There have been a number of public meetings during the planning phase of the Centennial Trail Project (9/10/09 and NMTAC meetings 2009 thru 2013) as well as during production of the 2004 Update of the Helena Area Transportation Plan. The City's Consultant has provided presentations on the Trail Project at annual events (including Ales for Trails) 2011, 2012, 2013 and provided project updates for Friends of Centennial Trail publications.

## **EROSION CONTROL PLAN**

An Erosion Control Plan will be prepared for this proposed project. Best Management Practices (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.

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 Helena and its project contractor will re-establish a permanent desirable vegetation community along all areas disturbed by the proposed construction. A set of revegetation guidelines has been developed by the City's Engineering Consultant that must be followed by the contractor. These specifications 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. The Seeding Special Provisions developed for this proposed project have been forwarded to the responsible County Weed Board for approval.

## **AMERICANS WITH DISABILITIES ACT**

**Americans with Disabilities Act** – All facilities including sidewalks, access ramps, detectable warning devices, and crosswalks will be installed in compliance with the Americans with Disabilities Act (PL 101-336).

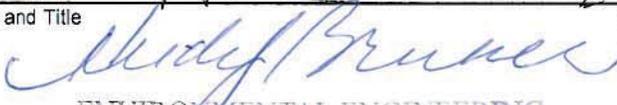
## **CONCLUSION**

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"

Phil Hauck, Acting City of Helena Public Works Director  
Signature of Environmental Certifying Official or Chief Elected Official

 Acting P.W. Director  
Type Name and Title

 8/15/13  
Concur: ENVIRONMENTAL ENGINEERING Date  
CTEP Section Supervisor SECTION SUPERVISOR

 26 AUG 2013  
Concur: Federal Highway Administration Date

Attachments:

- A. Project Location Map
- B. Agency Response Letters
  - Department of Army Response
  - Montana Fish, Wildlife and Parks
  - State Historic Preservation Office
  - DNRC Response
  - United States Department of Interior – Fish and Wildlife Services
- C. FIRM Map 300038 – Panel 1538C
- D. Wetlands Map
- E. Environmental Checklist
- F. Wildlife Spreadsheet

cc: Dave Hand, MDT, District Administrator – Great Falls  
Ryan Dahlke, MDT, Consultant Design Engineer  
Tom Martin, MDT, Bureau Chief – Environmental Services Bureau  
Lisa Hurley, MDT, Fiscal Planning Administrator  
Mike Wherley, MDT, CTEP Section Supervisor  
Maureen Theisen, Legislature, EQC  
Tom Erving, MDT, Fiscal Planning  
Eric Thunstrom, MDT, Environmental Engineering Section – Great Falls  
Heidy Bruner, MDT, Section Supervisor – Environmental Section  
Ryan Leland, City of Helena, City Engineer