



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

RECEIVED

FEB 27 2015

ENVIRONMENTAL

Memorandum

To: Tom Atkins
 Environmental Engineering Section

From: Terry Voeller *TV*
 CTEP

Date: February 26, 2015

Subject: CTEP – REQUEST FOR CONCURRENCE OF CATEGORY EXCLUSION C

Project No.: SRTS 8099(10)
 Project Name: GARFIELD SCH WALKS – MILES CITY
 Control No.: 7982

The City of Miles City has requested concurrence of their Category Exclusion C letter for subject off system project. Attached is a copy of their letter for Heidi's signature as well as a copy of their supporting documentation.

Your Determination of Appropriate Level of Environmental Documentation is dated December 17, 2012. Since that time, you were made aware via e-mail on November 28, 2014 that the project limits had changed. You indicated on that same day that you had no concerns.

If you have any questions, do not hesitate to e-mail me or call me at 9457.

Attachments

cc: File

Environmental Services					
Act	Info	Change	Date <i>3/13</i>	Attach	Initial
			Routing		
			Bureau Chief		
			Engineering Supervisor		
			Resources Supervisor		
			Haz Waste Supervisor		
			ECCP Supervisor		
<i>/</i>	<i>/</i>	<i>/</i>	<i>Tom A.T.A.</i>	<i>3/12</i>	
<i>/</i>	<i>/</i>	<i>/</i>	<i>Larry</i>	<i>3/2</i>	
<i>/</i>	<i>/</i>	<i>/</i>	<i>Jon</i>	<i>3/2</i>	
<i>/</i>	<i>/</i>	<i>/</i>	<i>Brian</i>	<i>3/2/15</i>	



CITY OF MILES CITY

17 S. 8th, P.O. Box 910
Miles City, MT 59301-0910

Telephone: 406-234-3462
Fax: 406-234-2903

February 24, 2015

Mike Wherley
CTEP Engineer
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: SRTS 8099(10)
Federal-aid Project Name: GARFIELD SCH WALKS – MILES CITY
MDT Uniform Project Number: 7982

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), part 3. 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).

K Dawn Colton

Signature of Environmental Certifying Official or Chief Elected Official

Dawn Colton, Planner-in-Training
Type Name and Title

Concur:

Heidy Bruner
Section Supervisor, Environmental Engineering

Date

3/3/15

cc: Shane Mintz, MDT, District Administrator – Glendive
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
Legislature, EQC
Lisa Applebee, FHWA – Glendive Operations Engineer
Tom Erving, MDT, Fiscal Planning
Tom Atkins, MDT, Environmental Engineering Section, Glendive Engineer
Heidy Bruner, MDT, Environmental Engineering Section, Supervisor
Dawn Colton, Miles City, Community Services and Planning
Doug Anderson, DOWL-HKM

1. Activities which do not involve or lead directly to construction, such as planning and technical studies; grants for training and research programs; research activities as defined in 23 USC 307; approval of a unified work program and any findings required in the planning process pursuant to 23 USC 134; approval of statewide programs under 23 CFR 630; approval of project concepts under 23 CFR 476; engineering to define the elements of a proposed action or alternatives so that social, economic and environmental effects can be assessed; and federal-aid system revisions which establish classes of highways on the federal-aid highway system.
2. Approval of utility installations along or across a transportation facility.
3. Construction of bicycle and pedestrian lanes, paths and facilities.
4. Activities included in the State's highway safety plan under 23 USC 402 (*section 402 funds are no longer available*).
5. Transfer of Federal lands pursuant to 23 USC 317 when the subsequent action is not an FHWA action.
6. The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.
7. Landscaping.
8. Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
9. Emergency repairs under Title 23 USC 125.
10. Acquisition of scenic easements.
11. Determination of payback under 23 CFR 480 for property previously acquired with federal-aid participation.
12. Improvements to existing rest areas and truck weigh stations.
13. Ride share activities.
14. Bus and rail rehabilitation.
15. Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
16. Program administration, technical assistance activities and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.
17. The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.
18. Track and rail bed maintenance and improvements when carried out within the existing right-of-way.
19. Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.
20. Promulgation of rules, regulations and directives.

ENVIRONMENTAL CHECKLIST

Project Name and Project Number: GARFIELD SCH WALKS - MILES CITY, SRTS 8099(10)

UPN: 7982

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)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Floodplain Management (County)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Wetlands Protection (COE)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	Noise (DEQ)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.	Air Quality (DEQ)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.	Manmade Hazards					
	Abandoned Underground Storage Tanks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Leaking Underground Storage Tanks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Possible Hazardous Waste Sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Airport Clear Zones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	Water Quality (DEQ or EPA for reservation projects)					
	Surface Water/Water Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Groundwater & Aquifers ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Farmlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	Environmental Justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	Threatened or Endangered Species, Fish & Wildlife (USF&WS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12.	Is there substantial, local, regional or other controversy on environmental grounds?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.	Section 4(f) – Would project change use of park, recreation area, wildlife refuge, or waterfowl refuge (23 CFR 771.135)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15.	List other agencies contacted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*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.

K Dawn Colton

Signature

Dawn Colton, Planner-in-Training

Type Name and Title of Environmental Certifying Official

2-26-2015

Date

Environmental Checklist
Garfield School Walks-Miles City
UPN: 7982
Documentation for Environmental Checklist

1. ~~I know from my Preservation Commission experience~~ there are no known historic properties and ~~this is not in a historic district~~. There are no known cultural resources. The area is urbanized and has been previously disturbed. There will be little site disruption with a sidewalk project. *OK*
2. Most of the project is in the floodplain. (See map) The project was discussed with our floodplain administrator and should be exempt from permits.
3. There are no wetlands. (see map)
- 4, 5. There will be construction noise of a temporary nature. Hours of operation would be controlled as this is a residential neighborhood. Dust abatement measures would be required during construction. These measures would be guaranteed by inclusion in the contract.
6. The City has downloaded the state inventory of tanks and hazards and none of the mapped sites are in the vicinity of the proposed project. This project will not impact operations of the Miles City airport.
7. No surface waters are located near the project site. One culvert may be affected and if there is reconstruction on it erosion control will be used at the time of construction and included in requirements for the contract. No ground water will be affected by this sidewalk construction.
8. There is no farmland in the vicinity of the project.
9. The public has been engaged in this process before making a decision which school and what streets were most in need of safe routes. The impact of this project is positive as children in the area of the most urgent need will no longer be walking in the street. This is also an area of town where lower income segments of the population tend to live.
- 10, 11. The only endangered species, either animal or plant in this township/range is the pallid sturgeon. (see attached report) This project does not involve any impact to the Yellowstone River. The Greater Sage Grouse is considered sensitive but once again an urban center is not habitat for this bird.
12. This project has had no comment on environmental grounds.
- 13, 14. This project is not located near any of the listed areas.
15. Most information was readily available without contacting other agencies.

The Flood Insurance Study report for this jurisdiction. Insurance is available in this community, contact your insurance agent for more information. For more information on the Flood Insurance Program at 1-800-638-6620.



PANEL 0662D

FIRM
FLOOD INSURANCE RATE MAP
CUSTER COUNTY,
MONTANA
AND INCORPORATED AREAS

PANEL 662 OF 2275

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

NUMBER	PANEL SHEET
3001A7	0662 D
3001A4	0662 D

Project Site

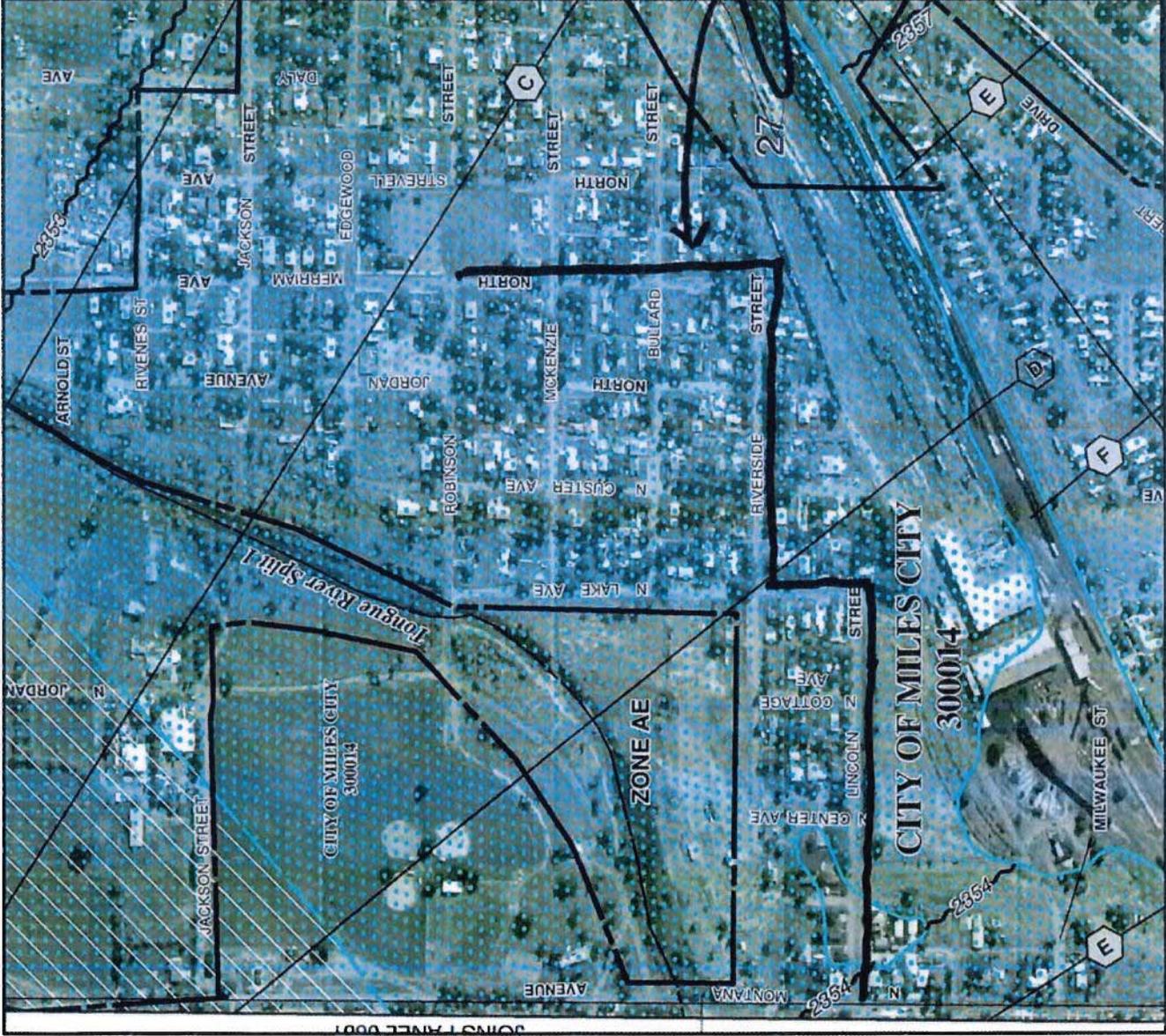
Note to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



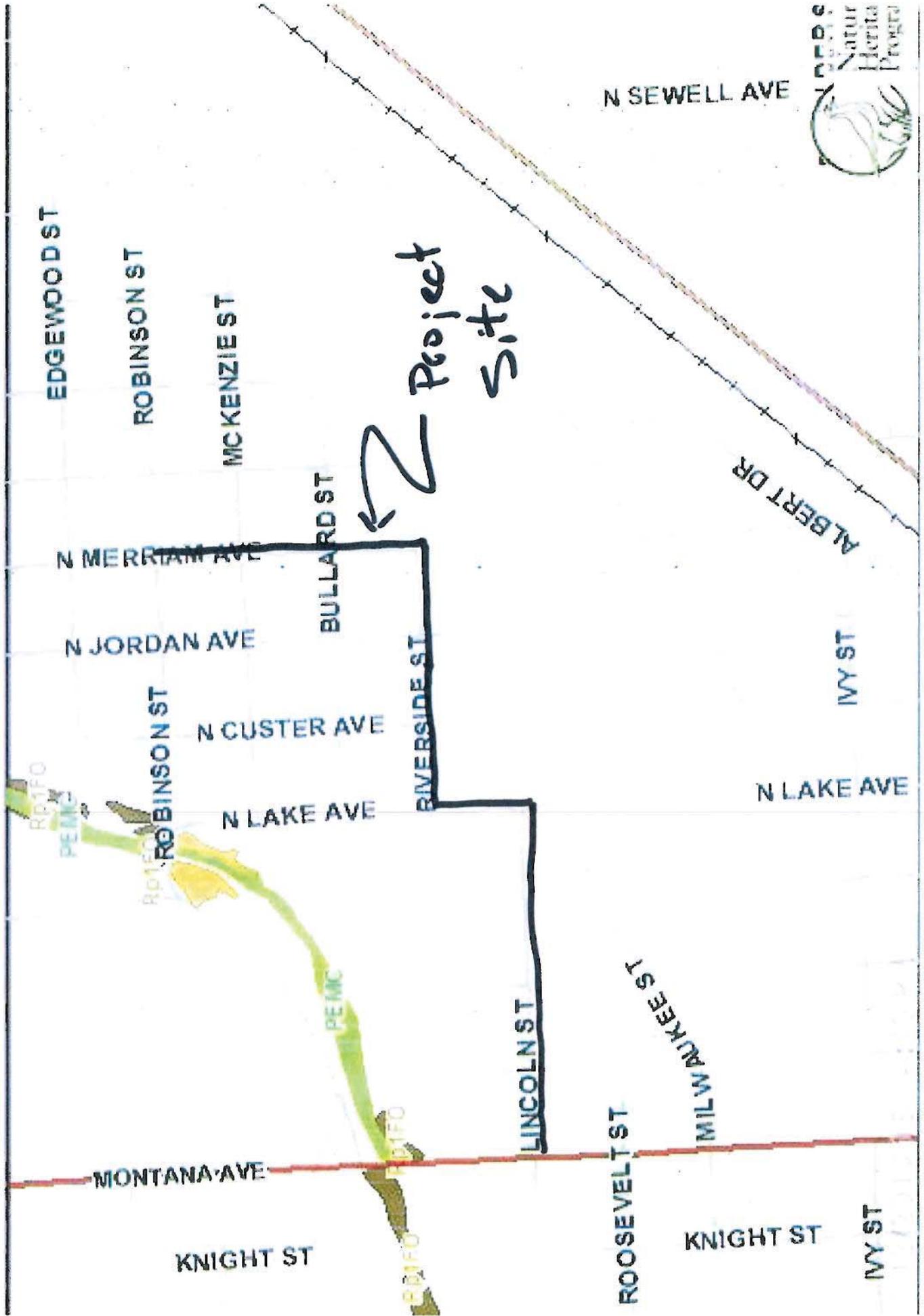
MAP NUMBER
30017C0662D
 EFFECTIVE DATE
JULY 22, 2010

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov.



NHP Wetland and Riparian Mapping



Animal Species of Concern

Species List Last Updated 05/10/2013



A program of the Montana State Library's
Natural Resource Information System
operated by the University of Montana.

- 1 Special Status Species
- 13 Species of Concern
- 8 Potential Species of Concern
- Filtered by the following criteria:
- Township = 8 N Range = 47 E

Species of Concern
13 Species
Filtered by the following criteria:
Township = 8 N Range = 47 E

MAMMALS (MAMMALIA)

2 SPECIES
FILTERED BY THE FOLLOWING CRITERIA:
TOWNSHIP = 8 N RANGE = 47 E

SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	CFWCS TIER ID	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT
Lasiorus cinereus Hoary Bat	Vespertilionidae Bats	G5	S3				2	2%	100%	Riparian and forest
Myotis thysanodes Fringed Myotis	Vespertilionidae Bats	G4	S3			SENSITIVE	2	0%	64%	Riparian and dry mixed conifer forests
<p>Species verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Cascade, Custer, Deer Lodge, Fergus, Garfield, Granite, Jefferson, Judith Basin, Lewis and Clark, Lincoln, Madison, Meagher, Missoula, Petroleum, Powder River, Powell, Prairie, Ravalli, Sanders, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wibaux, Yellowstone</p> <p>Species verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Cascade, Custer, Deer Lodge, Fergus, Garfield, Granite, Jefferson, Judith Basin, Lewis and Clark, Lincoln, Madison, Meagher, Missoula, Petroleum, Powder River, Powell, Prairie, Ravalli, Sanders, Silver Bow, Stillwater, Teton</p>										

BIRDS (AVES)

3 SPECIES
FILTERED BY THE FOLLOWING CRITERIA:
TOWNSHIP = 8 N RANGE = 47 E

SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	CFWCS TIER ID	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT
Ardea herodias Great Blue Heron	Ardeidae Bitterns / Egrets / Herons / Night-Herons	G5	S3				3	3%	100%	Riparian forest
Centrocercus urophasianus Greater Sage-Grouse	Phasianidae Upland Game Birds	G3G4	S2	C	SENSITIVE	SENSITIVE	1	17%	75%	Sagebrush
Coccyzus americanus Yellow-billed Cuckoo	Cuculidae Cuckoos	G5	S3B	PS:C		SENSITIVE	2	1%	50%	Prairie riparian forest
<p>Species verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Chouteau, Custer, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Lincoln, Madison, McCone, Meagher, Mineral, Missoula, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Sheridan, Silver Bow, Stillwater, Sweet Grass, Teton, Treasure, Valley, Wheatland, Wibaux, Yellowstone</p> <p>State Rank Reason: Small breeding population size, evidence of recent declines, and declining regeneration of riparian cottonwood forests due to altered hydrology and grazing.</p> <p>Species verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Chouteau, Custer, Deer Lodge, Fallon, Fergus, Gallatin, Garfield, Golden Valley, Hill, Liberty, Madison, McCone, Meagher, Musselshell, Park, Petroleum, Phillips, Powder River, Prairie, Roosevelt, Rosebud, Silver Bow, Stillwater, Sweet Grass, Treasure, Valley, Wheatland, Wibaux, Yellowstone</p> <p>Species verified in these Counties: Big Horn, Carbon, Carter, Custer, Gallatin, Madison, Rosebud, Stillwater, Yellowstone</p>										

REPTILES (REPTILIA)										
2 SPECIES FILTERED BY THE FOLLOWING CRITERIA: TOWNSHIP = 8 N RANGE = 47 E										
SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	CFWCS TIER ID	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT
<i>Apalone spinifera</i> Spiny Softshell	Trionychidae Softshell Turtles	G5	S3			SENSITIVE	1	2%	26%	Prairie rivers and larger streams
Species verified in these Counties: Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Dawson, Fergus, Garfield, Golden Valley, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Rosebud, Teton, Toole, Treasure, Wheatland, Wibaux, Yellowstone										
<i>Phrynosoma hernandesi</i> Greater Short-horned Lizard	Phrynosomatidae Sagebrush / Spiny Lizards	G5	S3			SENSITIVE	2	19%	66%	Sandy / gravelly soils
Species verified in these Counties: Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Dawson, Gallatin, Garfield, Glacier, Golden Valley, Hill, Liberty, McCone, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Rosebud, Stillwater, Sweet Grass, Teton, Toole, Valley, Wheatland, Wibaux, Yellowstone										

FISH (ACTINOPTERYGII)										
6 SPECIES FILTERED BY THE FOLLOWING CRITERIA: TOWNSHIP = 8 N RANGE = 47 E										
SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	CFWCS TIER ID	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT
<i>Cyprinus elongatus</i> Blue Sucker	Catostomidae Suckers	G3G4	S2S3			SENSITIVE	1	1%	7%	Large prairie rivers
Species verified in these Counties: Blaine, Cascade, Chouteau, Custer, Dawson, Fergus, Garfield, Hill, Liberty, McCone, Petroleum, Phillips, Powder River, Prairie, Richland, Rosevelt, Rosebud, Treasure, Valley, Wibaux										
<i>Macrhybopsis gelida</i> Sturgeon Chub	Cyprinidae Minnows	G3	S2S3			SENSITIVE	1	17%	7%	Large prairie rivers
Species verified in these Counties: Blaine, Cascade, Chouteau, Custer, Dawson, Fergus, McCone, Petroleum, Phillips, Powder River, Prairie, Richland, Rosevelt, Rosebud, Valley, Wibaux										
<i>Macrhybopsis meeki</i> Sicklefin Chub	Cyprinidae Minnows	G3	S1				1	16%	3%	Large prairie rivers
Species verified in these Counties: Blaine, Custer, Dawson, Fergus, McCone, Petroleum, Phillips, Prairie, Richland, Rosevelt, Valley, Wibaux										
<i>Polyodon spathula</i> Paddiefish	Polyodontidae Paddiefishes	G4	S2			SENSITIVE	1	1%	5%	Large prairie rivers
Species verified in these Counties: Blaine, Chouteau, Custer, Dawson, Fergus, Garfield, Hill, Liberty, McCone, Petroleum, Phillips, Prairie, Richland, Rosevelt, Rosebud, Valley, Wibaux										
<i>Sander canadensis</i> Sauger	Percidae Perches	G5	S2			SENSITIVE	1	1%	15%	Large prairie rivers
Species verified in these Counties: Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Dawson, Fallon, Fergus, Garfield, Hill, Liberty, McCone, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Rosevelt, Rosebud, Stillwater, Teton, Treasure, Valley, Wibaux, Yellowstone										
<i>Scaphirhynchus albus</i> Pallid Sturgeon	Acipenseridae Sturgeons	G2	S1	LE	ENDANGERED	SPECIAL STATUS	1	10%	1%	Large prairie rivers
Species verified in these Counties: Blaine, Cascade, Chouteau, Custer, Dawson, Fergus, Garfield, McCone, Petroleum, Phillips, Prairie, Richland, Rosevelt, Rosebud, Valley, Wibaux										

Plant Species of Concern

Filtered by the following criteria:
Species = Vascular Plants, Bryophytes, Lichens
USFS = ENDANGERED
Township = 8 N Range = 47 E

Species List Last Updated 06/10/2013



A program of the Montana State Library's
Natural Resource Information System
operated by the University of Montana.

Species of Concern

0 Species
Filtered by the following criteria:
Species = Vascular Plants, Bryophytes, Lichens
USFS = ENDANGERED
Township = 8 N Range = 47 E