



U.S. Department of Transportation

Federal Railroad Administration

**GLACIER RAIL PARK/ KALISPELL CORE
AREA DEVELOPMENT AND TRAIL PROJECT**

**FINDING OF NO SIGNIFICANT IMPACT
and
Section 4(f) Determination**

July 2017

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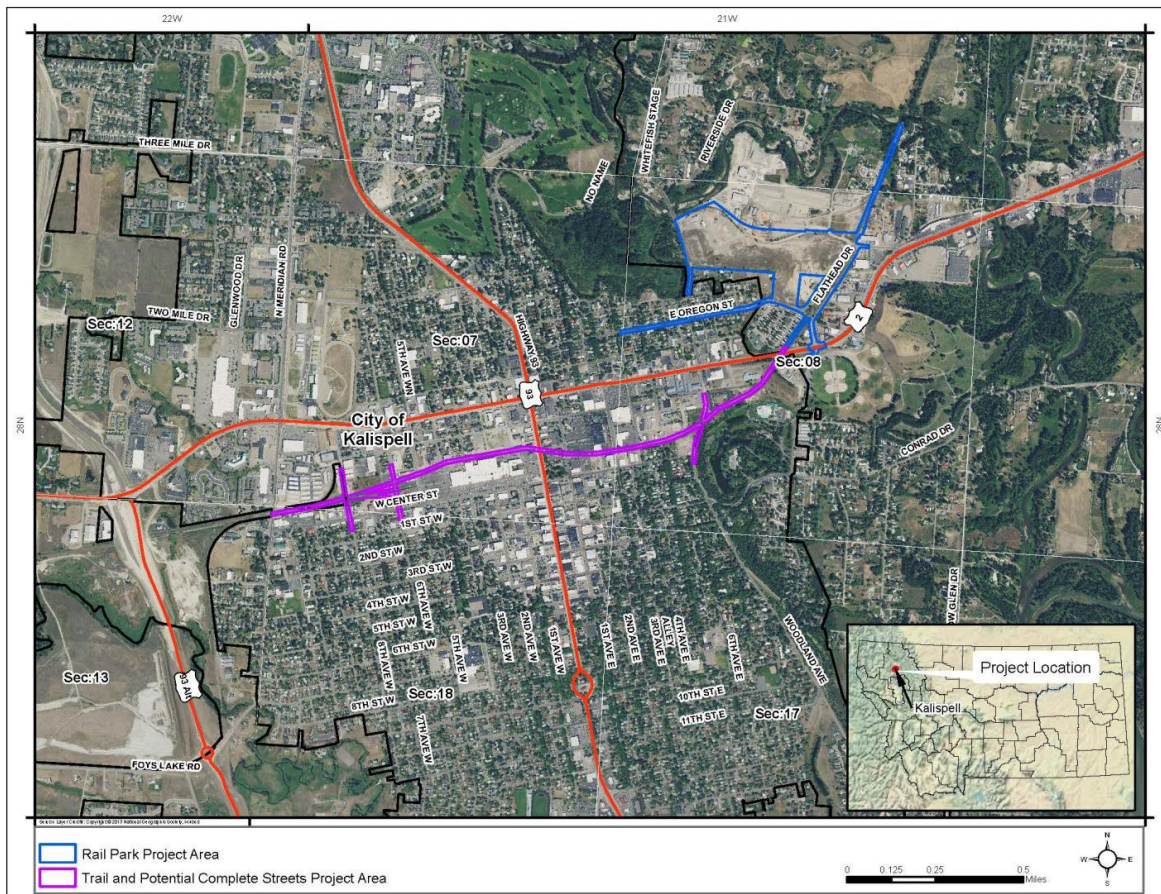
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1.0 INTRODUCTION

The US Department of Transportation (USDOT) selected the City of Kalispell, Montana (City) to receive Fiscal Year (FY) 2015 Transportation Investment Generating Economic Recovery (TIGER) funding for construction of the Glacier Rail Park/Kalispell Core Area Development and Trail Project (Project). The Project is located in northwest Montana. The USDOT's Federal Railroad Administration (FRA) is administering the TIGER grant. The Project is also receiving non-federal financial contributions from local government and private sources.

The Project consists of two phases: construction of a new rail-served industrial park (Rail Park) and associated infrastructure improvements (Phase I); and removal of 1.6 miles of existing railroad track and conversion of the railroad right-of-way to a public-use trail (Kalispell Trail), and construction of up to three north-south street connections (complete streets) (Phase II). Details regarding the various components of Phase I and Phase II are provided in Section 3.3, and a map of the Project location is provided below.

Figure 1 Project Location Map



The proposed Rail Park would serve existing businesses that would relocate from their current locations in the Kalispell Core Area (Core Area) as well as any new businesses that may move into the new Rail Park. The Rail Park would provide current and future rail-served businesses an appropriately zoned, sized, designed, and located facility that is buffered from residences and other non-rail land

uses. Once constructed and operational, the new Rail Park would allow for the abandonment and removal of the existing railroad tracks, which currently bisects the community and has created safety and traffic issues owing to the number of rail/roadway at-grade crossings. Furthermore, these existing traffic and safety issues, combined with vacant and abandoned lots, have discouraged new businesses from moving into the Core area. Once abandoned, the railroad, which is currently owned by BNSF Railway Company, would be converted to an Americans with Disabilities Act (ADA)-compliant public-use trail. The proposed Kalispell Trail would provide community connectivity and benefit all residents, including those that are economically disadvantaged and elderly, by providing improved and safer access to business districts, grocery stores, schools, child and elder care, healthcare, workforce training, and employment assistance, and would provide a safe option for non-motorized transportation (e.g., pedestrian, bicycle) for residents and visitors. The Project would allow for the redevelopment and economic revitalization in the center historic downtown area of Kalispell.

FRA and the City prepared an Environmental Assessment (EA) to analyze the potential impacts of the Project on the human and natural environment. The EA was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, 42 U.S.C. §§ 4321 et seq., its implementing regulations, 40 CFR parts 1500–1508, and FRA’s Procedures for Considering Environmental Impacts, 64 FR 28545 (May 26, 1999).

FRA and the City circulated the EA for public review and comment between Friday, May 19 and Saturday, June 17, 2017, to provide an opportunity for public review under NEPA, and related laws including Section 106 of the National Historic Preservation Act of 1966 and Section 4(f) of the U.S. Department of Transportation Act of 1966.

Based on the analysis in the EA, FRA makes this Finding of No Significant Impact (FONSI) for the Build Alternative, described further below.

2.0 PURPOSE AND NEED

The purpose of the Project is to improve the layout, safety, and economic vitality of the Kalispell Core Area through improved roadway traffic and safety and efficiency and provide safe, alternative modes of non-motorized transportation by repurposing the existing railroad ROW. The proposed Rail Park would provide for future economic development; allow connectivity to reach regional, national, and international markets; improve the efficiency of existing freight rail operations in the City; facilitate the revitalization of Kalispell’s historic downtown area to attract additional businesses, retail, and residential uses; and provide local and regional businesses with improved access to rail. The proposed Kalispell Trail would provide residents and visitors a safe and efficient method of non-motorized travel, improve traffic conditions by eliminating at-grade railroad crossings, and provide the Core Area with an opportunity to redevelop abandoned and vacant lots, potentially spurring economic development and community revitalization.

For the community of Kalispell, the proposed Project would address several needs, including correcting inefficient traffic operations and related safety issues, providing safe pedestrian and other non-motorized travel options, providing a central location for business and economic diversity and growth for industrial rail users, and creating an attractive trail amenity for residents and visitors enabling community revitalization and infill at the heart of the City.

3.0 DESCRIPTION OF ALTERNATIVES

3.1 Existing Conditions

The Project is located in Kalispell, Flathead County, Montana, and is part of the Great Northern Corridor Coalition (GNCC) umbrella of identified regional projects. The GNCC works to promote regional cooperation, planning, and shared project implementation to improve moving freight from Chicago through Wisconsin, Minnesota, North Dakota, Montana, and Idaho to ports in Washington and Oregon. The GNCC system of highways, railroads, and ports is vital to move American products to global markets and deliver necessary commodities to communities. The GNCC is working to strengthen this corridor in order to promote economic growth for neighboring communities and accommodate the demand for safe, efficient, and environmentally sound transportation services. Currently, because of a lack of a central rail hub in the region, grain farmers south of Polson, Montana, truck their grain to Lewiston, Idaho. A 2013 Market Analysis and Feasibility Study for the proposed Rail Park portion of the Build Alternative indicated the Rail Park would connect businesses within a 100-mile radius of Kalispell to the GNCC, as well as Canadian ports.

The Project is partially located in downtown Kalispell, which is also known as the Core Area, and is identified in the City's 2012 Core Area Plan. The WATCO short line railroad is currently under contract with BNSF to provide rail service on the tracks serving the rail-served businesses in downtown Kalispell. WATCO currently provides service to CHS, Inc. (CHS), a farmer cooperative and agricultural business, and Northwest Drywall, and stores railcars at the end of the track and on siding track. These freight railroad lines through Kalispell are owned by BNSF and leased by WATCO. WATCO operates the railroad line that begins in Columbia Falls, Montana, and extends southwest to Kalispell. WATCO serves 12 customers at 15 locations, primarily moving forest products and grain.

There is no existing rail park or loading/unloading facilities within the Core Area; trains deliver directly to CHS and Northwest Drywall, which are currently located in downtown Kalispell. There is a mainline with spurs serving the CHS fertilizer plant and grain elevator as well as short storage tracks. A private spur leads to Northwest Drywall. Train operations for the existing CHS facility within the Core Area consist of one locomotive to move 24 train cars during the busiest times of the year, which are in August and December. During these busy months, one to three full trains per month are moved onto the BNSF mainline from CHS. It takes approximately 8 hours to load 24 cars using the locomotive. The locomotive then travels south into Kalispell, taking approximately 1.5 hours to couple the railcars and move the train north out of town on the mainline. At non-peak times of year, CHS operations typically move single cars by trains two to four times per month. On average, 12 trains per month provide deliveries to the rail-served businesses in the Core Area. Anytime a 28-car train is loaded with grain at the CHS grain elevators in the Core Area, the train blocks three of the six north-south at-grade crossings in the City of Kalispell. If a 48-car train is brought to the Core Area, it blocks all six north-south crossings. There are more frequent trains, varying year to year, when CHS receives fertilizer for spring planting and in the fall during grain harvest. The CHS grain elevator is located in the Core Area. During a 4-week period, CHS receives 20 to 80 grain trucks per day. Grain trucks regularly park along 5th Avenue West North from West Center Street to US Highway 2 (Idaho Street) where they wait to unload at the elevator.

The existing BNSF rail line bisects the City for 1.6 miles. Trains travel over US Highway 2 via a concrete bridge south of the location of the proposed Rail Park. The tracks continue through the downtown Kalispell Core Area where they split on the west side of Kalispell (west of South Meridian Street) before the line terminates. There are six existing at-grade railroad crossings through the Core Area: five cross two-lane city streets (Meridian Road, 5th Avenue West, 1st Avenue East, 3rd Avenue East, and 4th Avenue

East) and one crosses the four-lane US Highway 93 (Main Street). There are several roads that are currently dead-ended by the BNSF railroad tracks: 7th, 6th, 5th, and 2nd Avenues East-North and 1st, 2nd, 3rd, 4th, 6th, and 8th Avenues West-North. There are no designated bike lanes currently within the downtown area. The existing Great Northern Historical Trail (a rails-to-trail initiative) begins on the west side of Meridian Street. This recreational-use trail splits and runs south to Somers, west to Kila, and north along the Kalispell Bypass.

3.2 No Build Alternative

Under the No-Build Alternative, the City would not construct the Project. Existing conditions associated with the current location and operation of the BNSF railroad in Kalispell would continue, including traffic delays, lack of facilities to allow pedestrians and bicyclists to safely traverse the City, and lack of a central location for rail-served businesses. The No-Build Alternative would not provide incentives for economic development, job creation, or revitalization of the Kalispell Core Area. The existing BNSF railroad line through downtown Kalispell would continue to divide the City and its residents and would not address the goals and objectives identified by the Kalispell Core Area Steering Committee in 2012.

The No-Build Alternative was evaluated in the EA and provides a baseline against which to evaluate the potential impacts of the Build Alternative.

3.3 Build Alternative

The EA analyzed one Build Alternative for the Project. The Project is comprised of two dependent phases. The first phase is the construction of the proposed Rail Park and associated infrastructure improvements. This first phase of the Project includes:

- A 40-acre industrial park constructed and operated on a former Brownfields site, which previously operated as a gravel, open-pit mine. The mine has since been reclaimed. An additional 3.38 acres of BNSF ROW adjacent to the Brownfield site would be required.
- A new rail line extended into the Rail Park from the mainline north of the Rail Park and traversing west from the existing BNSF line 1,000 feet.
- Four parallel tracks within the Rail Park, totaling approximately 7,400 feet in total length, providing car storage, run around track, loading and unloading (i.e., team/transload track), and access to industrial business lots within the Rail Park.
- Approximately 3,500 feet of new rail parallel to the east side of the existing BNSF mainline outside the Rail Park, to total approximately 10,900 linear feet of new track. The additional 3,500-foot side track allows engines to go around stationary rail cars on the mainline.
- A section of track within the Rail Park, approximately 100 feet long, providing a team track for rail users not located in the Rail Park. This team track would be available to businesses to load or unload their own materials on and off railcars.
- Improvement of the Flathead Drive/Woodland Park Drive and US Highway 2 intersection to include a four-way traffic signal, and removal of a median on Woodland Park Drive.
- Widening of the intersection at Flathead Drive to accommodate the turning radius and weight of trucks accessing the proposed Rail Park from westbound US Highway 2.

- Construction of a new Private Road within the proposed Rail Park boundaries (Interior Road) to collector street standards¹ per Kalispell Design and Construction Standards (2009).
- Improvements to East Oregon Lane from the intersection with Montclair Drive, south/west to approximately 300 feet east of 10th Avenue East-North to meet Kalispell collector street standards.
- Widening of a total of 2,100 feet of Flathead Drive (US Highway 2 north to Montclair Drive) to two, 16-foot-wide lanes with gravel shoulders.
- Widening and addition of flashing lights at the Flathead Drive and East Oregon Lane railroad crossing.
- Roadway improvements to Woodland Park Drive including removing the concrete channelization island, installing ADA-compliant ramps at each corner of the intersection, and narrowing and resurfacing the roadway.
- Adding and blending curb and gutter to where Montclair Drive ties into Flathead Drive.
- Extension of the City's water and sewer utilities to the Rail Park to provide domestic water, fire flows, and sewage disposal. City water would be extended around the Rail Park, starting east of 4th Street under East Oregon Lane. The water main extension would continue under East Oregon Lane to Flathead Drive, to the interior private road, and finally to Whitefish Stage Road where the new water main would tie back into the existing water main. Approximately 8,600 feet of water main would be installed along with 17 fire hydrants that would provide at least 3,000 gallons per minute for fire protection. City sewer service would also be extended to the proposed Rail Park. Gravity sewer mains would be installed under the interior private road and East Oregon Lane and would flow to a new lift station. The new lift station would be constructed at the intersection of East Oregon Lane and Montclair Drive. This lift station would pump wastewater along East Oregon Lane to its connection with the City's existing sewer main. Approximately 4,600 feet of sewer and force main pipe would be installed. Natural gas, power, telephone, and fiber optic lines would also be extended to the Rail Park.
- Construction of a new stormwater pond onsite, consisting of two cells: a sedimentation cell and a retention pond.
- Construction of a second new stormwater pond along East Oregon Lane to collect water from the remaining reconstructed section of East Oregon Lane.

Once the proposed Rail Park is completed and operational, the proposed Kalispell Trail portion of the Project would be constructed. This second phase of the Project includes:

- Construction of 1.6 miles of public-use trail along BNSF ROW extending south from the Rail Park to Meridian Road. The 10-foot-wide, paved, public-use trail would be constructed by the City with an additional 7.5 feet of land (or more in areas where ROW is greater than 25 feet wide) available for landscaping on either side. The Kalispell Trail would be designed and constructed to be ADA compliant.

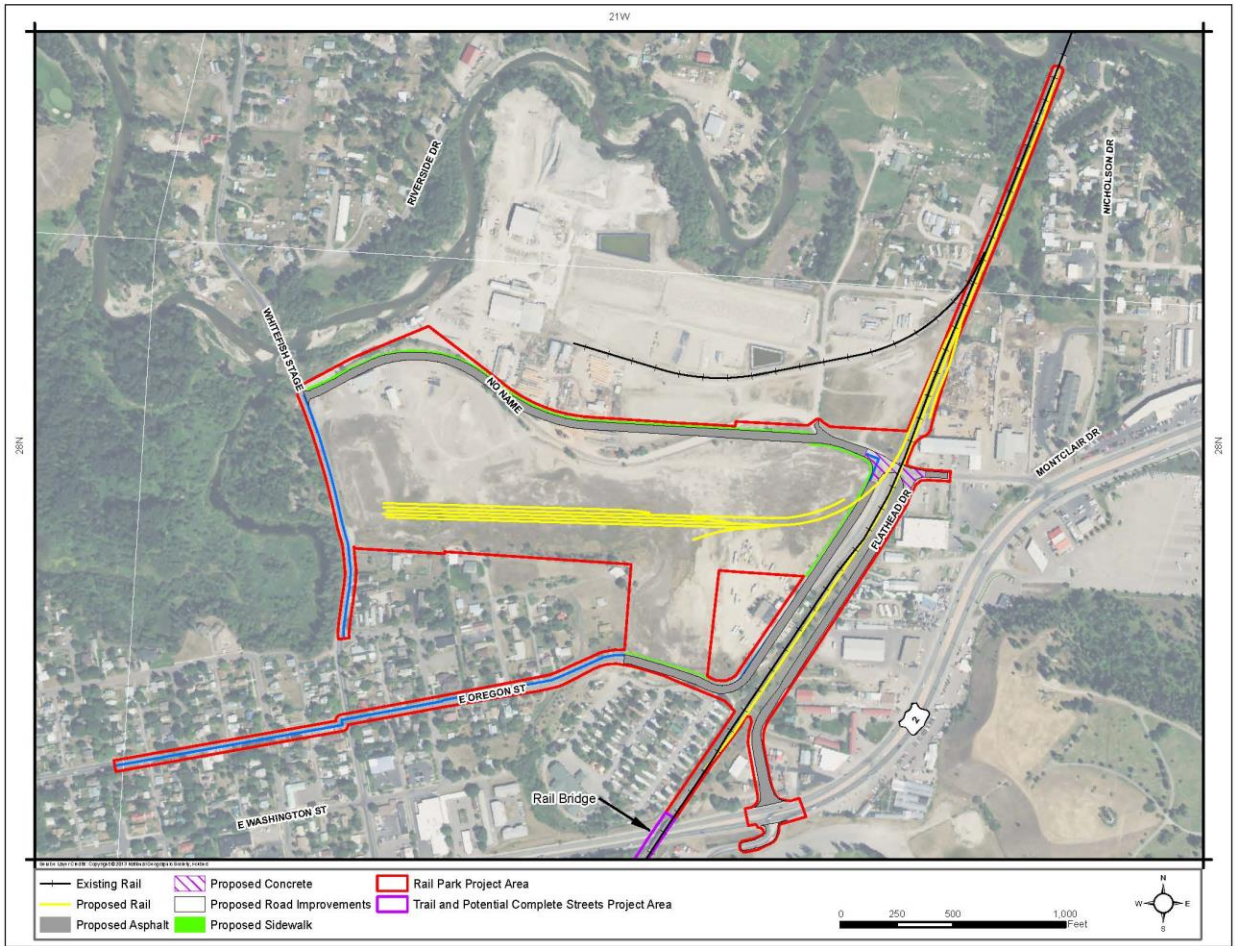
¹ Kalispell collector street standards consist of two 17-foot-wide lanes, a 6-foot-wide boulevard, a 5-foot-wide sidewalk, and curb and gutter.

- For pedestrian and bicyclist safety, warning or stop signs would be installed and curb bump outs would be constructed at the road crossings (Meridian Road, 5th Avenue Northwest, Main Street, and 1st, 3rd, and 4th Avenues Northeast).
- Up to three streets between Meridian Road and Woodland Park Drive that are currently dead-ended by the existing railroad tracks would be connected to increase efficiency of north-south traffic and pedestrian circulation. All streets proposed for connection (8th and 6th Avenues North-West and Woodland Park Drive to 7th Avenue East-North) are owned and maintained by the City. Roadway improvements (e.g., sidewalk and curb and gutter installation, utility extensions) where roadway already exists would be contained within existing City ROW. For all connections, additional ROW would be acquired from BNSF and from private landowners to construct the new portions of roadway to create the new north-south connections. The street connections would be designed to meet Kalispell local street standards, providing two 14-foot-wide driving lanes, a minimum 9-foot-wide boulevard separating the roadway from a 5-foot-wide sidewalk, tree plantings, and sewer and water extensions as needed. The City will make a final determination regarding sidewalk and bicycle lane configurations during final design of the Project.
- A new left turn lane would be needed on West Center Street at all three locations, which would be installed by restriping the pavement. Traffic control would include north-south stop control at the West Center Street intersection and east-west stop control for all other roads intersecting 8th Avenue West-North and 6th Avenue West. There is the potential for future signalization, and a signal warrant study would be completed after the streets are connected.

BNSF, in coordination with the Surface Transportation Board (STB), is pursuing the abandonment of rail service along the full length of track totaling 1.6 miles from milepost (MP) 1225.19 to MP 1226.79. FRA does not have an approval role over the abandonment of rail service. However, once the rail line is abandoned and the railbanking process is completed by the City and BNSF in coordination with STB, the FRA-administered TIGER funding would be used to remove 1.6 miles ((MP) 1225.19 to Meridian Road) of track and subsequently construct the proposed Kalispell Trail in the abandoned railroad ROW.

Figures 2 and 3 illustrate Phase I and Phase II of the Project.

Figure 2: Glacier Rail Park Build Alternative Components



4.0 SUMMARY OF EFFECTS

A detailed analysis of the potential impacts to Floodplains, Prime and Unique Farmlands, Wild and Scenic Rivers, Coastal Zones, Coastal Barriers, and property protected by Section 6(f) of the Land and Water Conservation Fund Act was not included in the EA because these resources are not present in the construction footprint (Project Area), or would not be directly or indirectly impacted by the proposed Project.

The EA included a detailed analysis of the potential environmental effects of the Build Alternative. That analysis is incorporated herein by reference and summarized below. Specific effects are identified by resource and by Project component (Rail Park or Kalispell Trail), where appropriate. The Study Areas for utilized for the analyses in the EA consisted Project Area and additional areas that could be affected directly or indirectly by the Project. The Study Areas varied based on the resource being analyzed and are defined under each resource section in the EA.

4.1 Air Quality

There may be temporary dust (particulate matter [PM]₁₀ and PM_{2.5}) and emissions during construction activities for the Rail Park and Kalispell Trail. The City would minimize any potential construction impacts by implementing the measures described in Appendix B.

Operation of the Rail Park is not expected to increase the frequency or severity of National Ambient Air Quality Standards (NAAQS) emissions or delay timely attainment of the NAAQS and, would and would not exceed the *de minimis* thresholds in the conformity regulations. The purpose of the Rail Park is to relocate and improve the efficiency of existing freight rail operations in Kalispell, which would have a positive impact on air quality.

The Kalispell Trail is not expected to contribute to PM10 emissions after construction has been completed. Operation of the Kalispell Trail, which would be a recreational resource intended for non-motorized use, would not increase the frequency or severity of NAAQS emissions or delay timely attainment of the NAAQS, and would not exceed the *de minimis* thresholds in the conformity regulations. Furthermore, the Kalispell Trail could potentially benefit air quality by providing non-motorized transportation options to Kalispell residents and visitors.

4.2 Water Quality and Water Resources, including Wetlands

There are no wetlands present within the Project Area. Construction activities for the Rail Park and Trail may temporarily degrade surface and groundwater quality due to sedimentation and soil erosion, or surface runoff carrying contaminants through the water table, which can infiltrate the soil and/or be carried by stormwater and may contaminate surface waters and groundwater reserves. The City would minimize any potential construction impacts by adhering to the measures described in Appendix B.

Operation of the Rail Park would include two onsite stormwater retention systems (to be constructed as part of the Project). Retention ponds allow for additional biological interactions that aid in improving water quality and would minimize any stormwater-related water quality impacts.

Although the trail would be paved, vegetation would be planted on either side of the trail to allow storm water runoff to infiltrate. Therefore, the Kalispell Trail portion of the Project, once constructed, would not impact water quality or water resources, including wetlands.

4.3 Ecological Resources, Threatened & Endangered Species, Eagles, and Wildlife, Fish and Vegetation

Neither the Rail Park nor Kalispell Trail would result in a significant effect on ecological resources or threatened and endangered species. Although species listed under the Endangered Species Act (ESA) are present in Flathead County, there would be no effect to the Canada lynx (*Lynx canadensis*), bull trout (*Salvelinus confluentus*), or yellow-billed cuckoo (*Coccyzus americanus*) because no suitable habitat for these species is present in the Study Area. No active eagle nests are present in the Study Area. The Montana Natural Heritage Program did not identify any State Species of Concern in the Study Area. Activities associated with the construction and operation of the Rail Park and Kalispell Trail may result in the disturbance or displacement of terrestrial wildlife species; however, animals present in the Study Area are likely adapted to urban habitat and human disturbance. In the context of the existing urban setting of development, vehicular traffic, and human activity, the effects on wildlife would be minimal. Any potential construction impacts would be minimized by adhering to the measures described in Appendix B.

Operational activities associated with the Rail Park could result in wildlife injury or death from operating equipment or vehicles; however, the potential for such impacts currently exists with the existing operation of the railroad and vehicular traffic in the urbanized area. The City would minimize these impacts by implementing the measures described in Appendix B.

The operation of the Kalispell Trail may provide urban habitat for wildlife through the addition of landscaping and urban plantings that are not currently present along the railroad ROW.

4.4 Energy and Climate Change

There would be no substantial change in short- or long-term fuel consumption, energy use, or greenhouse gas (GHG) emissions in Montana from construction or operation of either portion of the Project. Construction of the Rail Park and Kalispell Trail would temporarily increase energy consumption used by heavy construction machinery in the form of fuel and electricity or battery power of smaller tools. The City would minimize any potential construction impacts by implementing the measures described in Appendix B.

Operation of the Rail Park would not increase energy use from current levels, as the number of trains servicing/served by the new Rail Park would not increase from levels currently operating in Kalispell. Due to the shorter distance trains would travel for deliveries and pick-ups and the reduction in use of trucks and other rail shipment routes for freight in northwest Montana, energy use may decrease from current levels.

Operation of the Kalispell Trail would limit consumption of fuel by providing non-motorized transportation options which do not currently exist, thereby eliminating idling traffic waiting for trains to pass, and increasing traffic efficiency by completing up to three street connections across the Kalispell Trail. The Kalispell Trail could result in a decrease in overall emissions and energy use in the Study Area.

4.5 Noise

Construction of the Rail Park and Kalispell Trail would result in temporary increases in noise above baseline levels.

The noise analysis conducted for operation of the Rail Park used the Federal Transit Administration (FTA) guidance and predicted two moderate noise impacts primarily at the East Oregon Lane/Flathead Drive intersection of the Rail Park. No severe impacts are anticipated. The City would minimize any potential

impacts by implementing the measures described in Appendix B.

Operation of the Kalispell Trail would follow the cessation of freight rail operations and truck transportation through the Kalispell Core Area. This would result in a reduction in noise from current levels.

4.6 Vibration

The vibration resulting from Project construction and operation would be below FTA vibration impact thresholds and therefore neither the Rail Park nor Kalispell Trail would result in significant vibration impacts.

4.7 Hazardous Materials

The proposed Rail Park, which is on the site of a former gravel pit, has been remediated in accordance with Montana Department of Environmental Quality requirements. Ground clearing activities have the potential to expose concealed contaminated areas and small quantities of hazardous materials used and/or hazardous wastes generated during construction. Short-term effects may occur during construction of the Rail Park and/or Kalispell Trail if contaminated soil, sediment, or groundwater are encountered; however, the City would minimize the impacts by implementing the measures described in Appendix B.

Implementation of the complete street connection on 6th Avenue West-North as part of the Kalispell Trail portion of the Project may impact a fueling station and possibly underground tanks. If, as the City advances the design of the Kalispell Trail portion of Project, the potential for encountering hazardous materials is identified, the City would conduct a Phase I Environmental Site Assessment (ESA). Depending on the results of the Phase I ESA, the City would decide whether to modify the Project design in order to avoid impacts or to continue with the design and further characterize site and mitigate impacts as appropriate. Mitigation measures are described in Appendix B.

4.8 Land Use

No short-term effects on land use are anticipated from construction activities associated with the Project. Neither the operation of the Rail Park nor the Kalispell Trail would result in significant impacts to land use, as the Project is consistent with adopted land use policies. The Rail Park would be constructed on the site of a former abandoned gravel pit in an area that is already zoned for industrial use. A change in land use would occur for the Kalispell Trail portion of the Project, consisting of the conversion of 1.6 miles of industrial-classified railroad to a recreational trail and green space. After construction, the Project will continue to be compatible with surrounding land uses.

4.9 Cultural and Historic Resources

There are no properties listed or eligible for listing on the National Register of Historic Places (NRHP) in the direct or indirect Area of Potential Effects (APE) for the Rail Park portion of the Project. Therefore, construction and operation of the Rail Park would not impact historic properties.

The removal of the BNSF-owned tracks to construct and operate the proposed Kalispell Trail would have a direct adverse effect on the NRHP-eligible Great Northern Railroad (GNRR) and an indirect adverse effect on three NRHP-listed architectural properties adjacent to the railroad ROW that were historically served by the railroad.

A Section 106 Memorandum of Agreement (MOA) was executed among FRA, the City, and the Montana State Historic Preservation Officer on July 6, 2017. The MOA specifies mitigation measures to resolve the adverse effects of the Build Alternative on the GNRR, the Kalispell Flour Mill, the Great Northern Railway Depot, and the Flathead Wholesale Grocery. The Northwest Montana Historical Society, the Kalispell Business Improvement District (KBID), the Flathead County Economic Development Authority, and STB were additional consulting parties in the development of the MOA. The executed MOA is included in Appendix D.

4.10 Section 4(f) Resources

The construction and operation of the proposed Rail Park would not result in any impacts to Section 4(f)-protected resources.

The construction and operation of the proposed Kalispell Trail would result in an unavoidable use of one Section 4(f)-protected property, the NRHP-eligible GNRR, through removal of the rail infrastructure such as track, ties, and ballast. The mitigation included in the MOA represents all possible planning to minimize harm to this Section 4(f)-protected resource. See Section 4.9 and the executed MOA for more information. FRA submitted its 4(f) analysis regarding this unavoidable use of the GNRR to the Department of the Interior (DOI) on May 23, 2017. In a response letter dated June 20, 2017, DOI concurred that there is no feasible or prudent alternative to the Section 4(f) “use” of the GNRR and that, through execution of the MOA, all measures will have been taken to minimize harm to Section 4(f)-protected historic properties.

In addition, while not currently anticipated based on current design, the construction of the proposed Kalispell Trail may have a *de minimis* impact to Depot Park due to temporary occupancy (i.e., temporary easement, access, and/or construction staging). FRA received written concurrence with its proposed *de minimis* impact determination on May 24, 2017 from the Parks Director, Kalispell Parks and Recreation, who is the official with jurisdiction over Depot Park. FRA, the City, and the Parks Director identified mitigation measures to address the potential temporary construction-period impacts to Depot Park. The City of Kalispell will implement the minimization measures specified in FRA’s May 23, 2017 letter to the Park Director.

FRA’s final Section 4(f) Determination, including copies of correspondence between FRA and the officials with jurisdiction, are included in Appendix A.

4.11 Socioeconomics and Environmental Justice

The Project has been evaluated pursuant to the requirements of Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, and USDOT Order 5610.2(a). Neither the Rail Park nor Kalispell Trail would result in significant socioeconomic impacts or disproportionate adverse effects to environmental justice communities. There may be minor, temporary, and localized impacts to surrounding residential communities or commercial areas during construction of the Project; impacts would be localized in the form of noise above ambient levels, visual disturbance from the presence construction equipment, and air emissions from construction equipment. Pedestrians and vehicle traffic may experience temporary delays during construction of both the Rail Park and Kalispell Trail. With regard to the Kalispell Trail, businesses may experience impacts due to construction of up to three complete street connections, which may require property acquisitions and/or relocations. The City would minimize any potential construction impact by implementing the measures described in Appendix B.

There are no environmental justice populations within the Study Area. The Project would not create barriers to access or use by elderly or disabled persons. Benefits to community cohesion, safety, and access to goods and services would result from the removal of the BNSF-owned tracks and the cessation of freight trains passing through the Study Area and the resulting reduction in traffic congestion. Businesses may experience temporary adverse impacts due to relocation of the rail services, such as added staff hours necessary to move inventory and equipment from their existing locations to the new lots in the Rail Park. Improved economic and visual appeal and access along the Kalispell Trail could increase and incentivize the establishment of new businesses.

4.12 Aesthetics and Visual Resources

Neither the Rail Park nor Kalispell Trail would result in significant aesthetic or visual impacts. Construction of the Project would impact visual quality in the Study Area temporarily due to the presence and operation of construction equipment.

Rail tracks placed within the Rail Park may provide new views of train cars for viewers looking in from the east along Flathead Drive or west from Whitefish Stage Road. In addition, there would be views of new infrastructure associated with business operations in the Rail Park, such as buildings, warehouses, and grain bins. However, due to the existing industrial and urban setting of the Rail Park location, which previously operated as a gravel pit, the addition of buildings and infrastructure to the Rail Park would not change the overall feel and setting of the surrounding viewshed compared to existing or previous conditions.

Removal and conversion of the existing railroad tracks into a public-use recreational trail and landscaped green space would eliminate trains from passing through the Core Area of Kalispell and provide a more visually appealing setting compared to existing conditions, which include numerous vacant/abandoned lots adjacent to an unvegetated railbed.

4.13 Traffic and Transportation

Neither the Rail Park nor the Kalispell Trail would result in significant transportation impacts. It is likely that both phases of the Project would cause temporary traffic delays and detours during construction. The City would minimize any potential construction impacts by implementing the measures described in Appendix B.

Operation of the Rail Park will eliminate grain trucks from having to travel through the Core Area, which would relieve traffic congestion. Furthermore, eliminating trains from traveling through the Kalispell Core Area would eliminate traffic delays and queues at at-grade crossings and along street corridors. The operational Rail Park would increase the ability to access rail for long-haul shipments of grain instead of truck shipments, which would reduce truck traffic on the regional highway transportation systems.

Operation of the Kalispell Trail would have a beneficial impact on transportation within the Study Area and Kalispell community by providing a safe option for non-motorized travel. In addition, operation of the Kalispell Trail will relieve traffic congestion by providing up to three new complete through-street connections within the Study Area. Any resulting intersection traffic impact would be minimized by adhering to the measures described in Appendix B.

4.14 Relocations and Displacements

The Rail Park would require acquisition of one parcel of commercial property (land only, no buildings) in order to accommodate the expansion of Flathead Drive and installation of a traffic signal at Flathead Drive,

Woodland Park Drive, and US Highway 2. Temporary impacts to the business owner would occur from inventory having to be rearranged and consolidated into a slightly smaller lot, and traffic access from US Highway 2 to Flathead Drive would be temporarily restricted during construction. However, access to the commercial property from US Highway 2 would remain unchanged following construction of the Rail Park. The City would minimize any potential impacts by implementing the measures described in Appendix B.

Construction of up to three complete street connections across the Kalispell Trail would require buyouts of several businesses, lease modifications, and/or ROW acquisitions. Temporary impacts would occur to the two existing rail-served businesses as they move from their current locations to the new Rail Park; these impacts may include extra hours of staff work and/or overtime, and/or consolidation of inventory. The City would minimize any potential impacts by implementing the measures described in Appendix B.

4.15 Public Health and Safety

Construction of the Rail Park and Kalispell Trail would require the use of heavy equipment and construction vehicles within the Project Area, which could present a potential safety risk to construction workers as well as to the public if unauthorized persons were to enter the work sites. There may be temporary degradation of air quality due to the generation of fugitive dust and emissions from construction equipment and vehicles. The City would minimize any potential construction impacts by implementing the measures described in Appendix B.

Operation of the Rail Park would result in increased safety for the public by eliminating the risk of pedestrian/vehicle-train collisions within the Kalispell Core Area. The relocation of existing rail operations to an area away from the population center would also benefit public health by reducing localized emissions.

Operation of the Kalispell Trail would result in increased safety and access for non-motorized and motorized travelers by removing the six existing at-grade railroad crossings.

5.0 INDIRECT EFFECTS

Indirectly, the Project may increase community growth and development. The Kalispell Trail would provide an attractive community area to establish businesses that would be more efficiently and safely accessed by vehicular and non-motorized transportation compared to current conditions; this could increase jobs and economic opportunities within the community. The Rail Park may also incentivize new industrial businesses to establish within Kalispell, which could improve the local economy and attract people to move to the City or immediate area for employment. This intensification of future development could result in ambient effects, such as additional lighting, energy use, grading/soils disturbance, and increased impervious surfaces. Noise and vibration impacts throughout the Core Area would indirectly decrease from the removal of the existing rail tracks and elimination of associated freight train traffic. Localized impacts to air quality could result from future business operations of tenants that move to the Rail Park, especially if the number of rail-served businesses increases from the current number (the maximum capacity of the Rail Park is four business locations; currently, two existing businesses are expected to relocate to the Rail Park). While the number of cars per train may increase, the number of locomotives is not expected to increase compared to existing conditions. Furthermore, if the number of rail-served businesses increases in the future, business operations are not expected to increase the frequency or severity of NAAQS emissions or delay timely attainment of the NAAQS and would not exceed the *de minimis* thresholds in the conformity regulations. Businesses leasing within the Rail Park would be required to obtain individual MTDEQ- and EPA-required air quality permits, as needed. Overall, the Rail Park and Kalispell Trail would have a beneficial impact on air quality in the Core Area by relocating train

and truck traffic to a less populated, industrial-zoned area on the outskirts of the City, away from residences and other land uses; thus benefiting public health by reducing localized air pollutant emissions. Train and truck traffic would be more efficient at the Rail Park. Trains would travel a shorter distance compared to existing conditions in order to serve customers because the proposed Rail Park location is closer to the BNSF mainline and all rail-served customers would be consolidated into one location. In addition, trucks would have a more direct route to each business and would use a signaled intersection designed to handle truck traffic. Improvements to traffic flow and reduction in vehicle idling would positively impact local air quality.

6.0 CUMULATIVE EFFECTS

As described in the impact analysis in the EA, the Build Alternative would not result in any direct or indirect significant adverse impacts to any resource. Therefore, no significant cumulative impacts are anticipated.

7.0 PUBLIC INVOLVEMENT

The proposed Project is the result of a major community planning effort known as the Kalispell Core Area Plan (Plan), funded by a Brownfields Area Wide Planning Pilot Program Planning Grant from the Environmental Protection Agency in 2010. The development of the Plan and associated community outreach extended for over two and a half years. The Plan focused on an area that contained 450 property owners. Of those 450, 140 property owners were interviewed by City staff, representing 60% of the plan area land ownership. Six newsletters were mailed out to all 450 property owners, elected officials, and media outlets during the planning process in 2011-2012. Open houses were held in March and December 2011 and August 2012. Core Area Steering Committee public meetings were held on April 10 and 25, May 23, and June 26, 2012. A booth at the county fair was staffed for five days in August 2012. In August 2012, the City presented the Plan to 214 people at the monthly Kalispell Chamber of Commerce Luncheon. Public access TV ran the Kalispell Chamber of Commerce presentation for one month after the luncheon. Televised Planning Board hearings were held in September and October 2012 and were repeated on the public access channel for one month. Televised City Council hearings were held in November and December 2012 and were repeated on public access television for one month.

After the City Council adopted the Plan in December 2012, the proposed Glacier Rail Park and Kalispell Core Area Development and Trail Project has been the focus of 12 public presentations by City staff to such organizations as the Kalispell Chamber of Commerce, Rotary, Leadership Flathead, Kalispell Lions, KBID, Kalispell Development Association, and Brown Bags at the Community College, Kalispell School District 5, and the Kalispell Urban Renewal Association over the five years between 2012 and 2017.

With regard to the NEPA process, communication and coordination was initiated through an early scoping package sent by the City of Kalispell to Federal, State, and local resource and regulatory agencies and other interested parties on May 23, 2013 and May 8, 2015 to ensure that social, economic, and environmental effects were considered in the development of the Build Alternative. This scoping package included information on the proposed Project and solicitation for comments or concerns. Twenty responses to both scoping packages were received by the conclusion of the scoping periods from May 23, 2013 to June 23, 2013 and May 8 to May 29, 2015. The comments provided valuable insight into the evaluation of potential environmental impacts. The comments were considered where appropriate within the environmental impact categories analyzed in the EA.

The EA was made available for a 30-day public review and comment period, to satisfy the public

involvement requirements of NEPA, Section 106, and Section 4(f). The EA was available for public review and comment from Friday, May 19 to Saturday, June 17, 2017. It was posted on the City's and FRA's websites, as well as made available in hard copy at City Hall (201 First Avenue East, Kalispell) and the Imaginelf Library (247 First Avenue East, Kalispell). Notice of the document's availability was posted on the City's website, Facebook, RSS newsfeed, and Twitter and advertised in the Daily Inter Lake newspaper plus listed in the community "daybook" section. In addition, a public open house where attendees were able to offer comments on the proposed Project and the EA was held in concert with the 30-day comment period on Thursday, June 15, 2017, from 11 am to 2 pm at Kalispell City Hall. One person attended, discussed traffic flow, and did not wish to leave a written comment. Notices for the public open house and the availability of the EA were published in the local newspaper (The Daily Inter Lake) and other readily available public outlets such as Facebook and Twitter on May 14 and 19 and June 14 and 15, 2017. A total of four comments on the EA were received from individuals or agencies, including one comment from the Kalispell Chamber of Commerce, one from the Kalispell Convention and Visitor Bureau and two from private businesses. All commenters expressed support for the Project and none raised any concerns regarding the Project's effects on the human or natural environment. The comments are included in Appendix C.

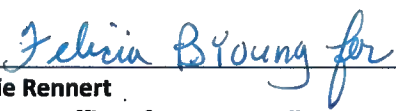
8.0 ENVIRONMENTAL COMMITMENTS

As part of its environmental review, FRA identified certain environmental commitments, minimization measures, and BMPs as the practicable means to avoid or minimize effects from the construction and operation of the Rail Park and the Kalispell Trail. These measures are listed in Appendix B of this FONSI.


The proposed Glacier Rail Park/Kalispell Core Area Development and Trail Project is funded through a Grant Agreement between FRA and the City. Through that agreement, the City is responsible for implementing all mitigation measures developed as part of FRA's NEPA review; these measures are listed in Appendix B. FRA will monitor the City's compliance with these measures as part of FRA's periodic monitoring of the grant.

9.0 CONCLUSION

FRA finds that the EA for the Glacier Rail Park/Kalispell Core Area Development and Trail Project satisfies the requirements of FRA's NEPA "Procedures for Considering Environmental Impacts" (64 FR 28545, May 26, 1999) and NEPA (42 USC §4321) and that the Project would have no foreseeable significant impact on the quality of the human or natural environment. As the project sponsor, the City of Kalispell is responsible for ensuring all environmental commitments identified in Appendix B are fully implemented. The EA provides sufficient evidence and analysis for FRA to determine that an environmental impact statement is not required for the project as presented.



Jamie Rennert
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Date

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APPENDIX A: Section 4(f) Evaluation

GLACIER RAIL PARK/KALISPELL CORE AREA DEVELOPMENT AND TRAIL PROJECT KALISPELL, FLATHEAD COUNTY, MONTANA

Section 4(f) prohibits federal transportation agencies from approving a project that uses land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless:

- (1) the agency determines that there is no feasible and prudent avoidance alternative to the use of that land and the project includes all possible planning to minimize harm to the Section 4(f)-protected property resulting from such use, or
- (2) the agency determines that the use of the property would have a *de minimis* impact.

The use of a Section 4(f) property occurs when the property is permanently incorporated into the transportation project through a taking of the land, when it is temporarily occupied, or when a project's proximity impacts are so severe that the activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. The latter scenario is known as a constructive use. Substantial impairment occurs when the protected activities, features, or attributes of the Section 4(f) property are substantially diminished. This generally means that the value of the resource, in terms of its Section 4(f) purpose and significance, would be meaningfully reduced or lost. A determination on constructive use takes into account mitigation measures that can reduce the proximity impacts to a Section 4(f) property.

FRA may determine that an impact to a Section 4(f) property is *de minimis* if:

- (1) The proposed project would result in a Section 106 finding of no adverse effect on a historic property or no historic properties affected and FRA receives written concurrence from SHPO on its determination; or
- (2) The proposed project would not adversely affect the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f) and FRA receives written concurrence from the official with jurisdiction after providing the public with notice and an opportunity to comment.

Section 4(f) properties located within the Study Area were identified and described in the EA. Any Section 4(f) use, or lack of use, determined for each property was also summarized in the EA. Historic properties are considered Section 4(f) resources, and therefore the field investigations performed by Rabbitbrush Archeological Services and Historical Discoveries to identify National Register of Historic Places (NRHP)-eligible or listed properties were used in the identification of Section 4(f) resources. The other types of Section 4(f) resources, such as public parks and recreation areas, were identified through internet searches, mapping, and field visits.

Because FRA has determined a Section 4(f) use would result from the Project, the relevant portions of the EA are incorporated into this analysis, which serves as FRA's final Section 4(f) determination. The analysis below includes the required assessment of feasible and prudent avoidance alternatives and measures to minimize harm. FRA makes its final Section 4(f) determination after the required consultation has occurred with the officials with jurisdiction over the 4(f)-protected resources and the US Department of the Interior (DOI).

Depot Park

Depot Park is owned and managed by, and classified as a special use, by Kalispell Parks and Recreation. Uses that fall into this category include boat ramps, botanical gardens, memorials, community gardens, or sites occupied by buildings. The NRHP-listed Great Northern Railway Depot is located within Depot Park. Depot Park sits on 3.7 acres and is used a public gathering area in the summer with a gazebo, sidewalks and benches, sculptures, and a Veterans' Memorial. The proposed Kalispell Trail would bisect a portion of Depot Park where the existing BNSF-owned and operational railroad tracks are currently located. The existing tracks and subsequent train traffic impede pedestrian movements, compromise park user experience, and create safety hazards. Events held at the Great Northern Railway Depot building or park gazebo are subject to interruptions caused by the noise and vibration of passing freight trains.

Historic Properties

Section 4(f) affords protection to "historic sites," which are historic properties, including archaeological sites, that are listed or eligible for listing on the NRHP. Such sites are not required to be open to the public to be considered a Section 4(f) property. Refer to Table 1 below for a list of historic properties in the proposed Project's APE that were identified as part of the Section 106 process and described in Section 3.15 of the EA.

Table 1: Section 4(f) Historic Sites within APE

SITE TYPE/NAME	NRHP STATUS	RELATIONSHIP TO APE	EFFECT DETERMINATION
Historic Railroad – Great Northern Railway	<i>Eligible</i>	Direct APE	Adverse Effect
East Side Historic District (Woodland Park only) ^(a)	<i>Listed</i>	Indirect APE	No Adverse Effect
Historic Gas Station – Continental Oil Warehouse and Garage	<i>Eligible^(b)</i>	Indirect APE	N/A
Historic Commercial Development – Flathead Wholesale Grocery	<i>Listed</i>	Indirect APE	Adverse Effect
Historic Railroad, Stage Route, Travel – Great Northern Railway Depot	<i>Listed</i>	Indirect APE	Adverse Effect
Historic Commercial Development – Kalispell Flour Mill	<i>Listed</i>	Indirect APE	Adverse Effect

(a) Discussed separately as a Section 4(f) resource in Section 3.16.2 of the EA.

(b) Recommended by FRA that this resource is no longer eligible for listing in the NRHP due to compromised integrity of buildings; MTSHPD concurred.

Impacts to Depot Park and Historic Properties

FRA determined that Phase II of the proposed Project (construction of the Kalispell Trail) would adversely affect four historic properties. The Montana State Historic Preservation Officer (MTSHPO), the official with jurisdiction over these Section 4(f)-protected historic sites, concurred with FRA's determination in a letter dated March 14, 2017. However, only one of these historic properties, the Great Northern Railroad, would be directly adversely affected which constitutes a "use" under Section 4(f). Phase II of the proposed

Project would have an indirect adverse effect on three historic architectural properties and an effect, but no adverse effect, on one historic district; however, these indirect effects are not of a nature that would result in a constructive use under Section 4(f). While current construction plans for the Kalispell Trail do not require construction activities outside of the existing BNSF-owned ROW, FRA has identified the potential for a temporary occupancy during construction (e.g., construction staging activities and/or site access) in a small portion of Depot Park. FRA has determined that even if such temporary occupancy is required, it would be a *de minimis* impact to Depot Park.

Additional information to support FRA's 4(f) determinations is provided below.

Construction Impacts

The direct adverse effect to the Great Northern Railroad through removal of the tracks and conversion of the former rail line to a public, recreational use trail would constitute a Section 4(f) use of this NRHP-eligible property. As described above, the current construction plans do not require any construction activities outside of the existing BNSF-owned ROW that currently bisects Depot Park. However, it is possible the City's contractor would require temporary occupancy of a portion of Depot Park (i.e., access, temporary construction easements, and/or construction staging for removal of the rail and improvements to construct the Kalispell Trail). If it is necessary, such a temporary occupancy is anticipated to result in a *de minimis* impact to this Section 4(f) resource. FRA expects that all permanent installations necessary for the new Kalispell Trail would remain in the abandoned railroad ROW (to be acquired by the City) and no permanent incorporation of Depot Park lands would occur. Most events and activities occur on the south side of the park between the Depot Building and East Center Street. The railroad bisects a small portion of the park on the northern end, as shown in the figure below.



The proposed Project would also result in indirect adverse visual effects to the NRHP-listed Kalispell Flour Mill, the Great Northern Railway Depot, and the Flathead Wholesale Grocery through the removal of the adjacent railroad tracks, which would remove the historically-important association between these three architectural properties and the railroad that once served them. However, these proximity impacts would not be so severe that the activities, features, or attributes that qualify the three historic properties for protection under Section 4(f) would be substantially impaired. The value of these resources, in terms of their Section 4(f) purpose and significance, would not be meaningfully reduced or lost. As described in Section 3.15 of the EA, Section 4.9 and 4.10 of the FONSI, and the executed Section 106 Memorandum of Agreement (MOA) included in Appendix D of the FONSI, interpretive signage would be installed along the proposed Kalispell Trail to highlight the historic importance of the railroad that previously existed there. Furthermore, the abandoned railroad ROW would remain as open space, with no new development that would encroach upon or block views to/from the historic buildings. Therefore, the proposed Project would not result in a constructive use of the Kalispell Flour Mill, the Great Northern Railway Depot, or the Flathead Wholesale Grocery.

Operational Impacts

As described above, the construction, and subsequent operation, of the proposed Kalispell Trail would have a direct adverse effect on the Great Northern Railroad through the cessation of rail operations and removal of the rail infrastructure (rail, ties, ballast, etc.), thereby removing the visual evidence of the historic transportation function that once contributed to the development and prosperity of Kalispell. This direct adverse effect would constitute a use under Section 4(f). As described below, FRA has determined

there are no feasible and prudent avoidance alternatives to the use of this Section 4(f) property and has identified, through the Section 106 process, measures to minimize harm to the property.

An integral part of the Purpose and Need for the proposed Project is the “rails-to-trails” component, which is contingent upon the abandonment of rail service and removal of a portion of the rail line. Without this removal and conversion of the rail line, the Project would not meet its Purpose and Need described in Chapter 1 of the EA. The proposed Project would address several needs for the community of Kalispell, including correcting inefficient traffic operations, eliminating roadway/railroad at-grade crossings that pose both a safety hazard and create traffic congestion, providing safe non-motorized travel options, providing a central location for business and economic diversity and growth for industrial rail users, and creating an attractive public-use recreational trail for residents and visitors, enabling community revitalization and infill at the heart of the City. None of these needs would be met without the abandonment and conversion of the existing BNSF rail line to the proposed Kalispell Trail.

From a safety perspective, the current location of the existing railroad tracks causes several dead-ended streets traveling north-south, creating traffic back-up and six unsafe at-grade railroad crossings. The current location of the railroad tracks and rail-served business (CHS) causes large grain trucks to back up onto 5th Avenue West North while waiting to load and unload, thereby creating safety concerns for other motorists trying to pass stationary grain trucks in the opposite traffic lane. In addition, these large grain trucks clog local roadways in the Core Area that are not built for heavy truck traffic or wide turning radii, especially in the height of the tourism season which coincides with grain harvest. Currently, options for non-motorized travel are lacking in the Core Area. Pedestrians and bicyclists unsafely navigate streets that do not have designated pedestrian crossings or bike lanes.

The conversion of the historic Great Northern Railroad is necessary to meet the Project’s Purpose and Need and FRA has determined there are no feasible and prudent avoidance alternatives that could also achieve the Project’s Purpose and Need. In addition, taking the preservationist purpose of Section 4(f) into account, while the rail-to-trail conversion would result in an adverse effect to the historic railroad, it would be converted into a public-use, recreational resource and would therefore continue to be considered a Section 4(f) resource.

Mitigation for Impacts to 4(f)-Protected Historic Properties

To identify measures to minimize harm to the Great Northern Railroad, FRA has consulted with MTSHPPO, which is the official with jurisdiction over 4(f)-protected NRHP-listed or eligible properties. FRA and MTSHPPO, as well as additional consulting parties that included the City, the Northwest Montana Historical Society, the Kalispell Business Improvement District, the Flathead County Economic Development Authority and the Surface Transportation Board, consulted pursuant to Section 106 of the National Historic Preservation Act to resolve the adverse effects of the proposed Kalispell Trail to historic properties, and executed an MOA on July 6, 2017. Mitigation measures stipulated in the MOA include: retaining a small portion of the tracks in place near the Great Northern Railway Depot within Depot Park, which would preserve actual track at the most appropriate location, and provide a location for placement of a rail car in the future if it is desirable by the community and feasible to obtain; installation of interpretive signage at six locations along the proposed Kalispell Trail that would highlight the historic importance of the railroad to the development and prosperity of Kalispell and the region; and planting of cherry trees interspersed along the proposed Kalispell Trail with emphasis in the location of the former Flathead Lake Cherry Growers Association Warehouse at 20 North Main Street, to commemorate the area’s history of agriculture, particularly cherry orchards along Flathead Lake to the south, and the impact of this product on the area which provided greater economic diversity for the community of Kalispell.

Opportunity for Public Review & DOI Review

The EA, which included the draft Section 106 MOA as an appendix, was circulated for a 30-day public comment period from May 19 to June 17, 2017. No public comments regarding the draft MOA or potential impacts of the Project on Section 4(f)-protected properties were received. In addition, FRA submitted its proposed Section 4(f) determination to DOI on May 23, 2017. In its response letter dated June 20, 2017, DOI concurred that there is no feasible or prudent alternative Build Alternative, which would result in the unavoidable use of the GNRR, and the executed MOA would minimize harm to the 4(f) resource. The executed MOA is included in Appendix D of the FONSI. Copies of correspondence between FRA and DOI are included in this appendix.

Finding of *de minimis* Impact-Depot Park

In a letter and email on May 23, 2017, FRA notified the City of Kalispell's Parks Director, the official with jurisdiction over Depot Park, of FRA's proposed *de minimis* impact determination regarding the park. Circulation of the EA for a 30-day public review and comment period served as the public's opportunity to comment on FRA's proposed *de minimis* impact determination regarding Depot Park; no public comments regarding Depot Park were received.

The City's Parks Director provided written concurrence with FRA's proposed *de minimis* impact determination on May 24, 2017, a copy of which is included in this appendix. The City and its construction contractor are required to implement the measures specified in FRA's May 23, 2017 letter when removing the rail line and constructing the Kalispell Trail. These measures include restricting construction activities to Monday – Friday between 7:00 am to 7:00 pm, notifying the Department of Parks and Recreation five business days prior to the commencement of the rail removal and trail construction activities, and, if desired and at the request of the Department of Parks and Recreation, avoiding carrying out construction activities during times that events are scheduled in Depot Park.

APPENDIX A Continued – Copies of Section 4(f) Correspondence

APPENDIX B: Environmental Commitments, Minimizations, and Best Management Practices for Glacier Rail Park/Kalispell Core Area Development and Trail Project

The environmental commitments, best management practices (BMPs), and minimization measures listed in the table below include practices, techniques, methods, processes, and activities commonly accepted and used throughout the engineering, construction and railroad industries that would be implemented as part of the Glacier Rail Park/Kalispell Core Area Development and Trail Project to facilitate compliance with applicable requirements and that provide an effective and practicable means of preventing or minimizing the environmental effects of an action. Also included are additional commitments that FRA identified through the environmental review process and in consultation with other state and Federal resource agencies. The City of Kalispell is responsible for implementing all measures identified in this Appendix B and/or ensuring that its construction contractors implement the measures.

Environmental Commitments, BMPs, and Minimization Measures

	BUILD ALTERNATIVE - GLACIER RAIL PARK	BUILD ALTERNATIVE - KALISPELL TRAIL AND STREET CONNECTIONS
Air Quality	<p>Mitigation/Minimization/Best Management Practices (BMPs):</p> <p>The City and/or its construction contractors will:</p> <p>Implement BMPs as needed to control dust, such as water spraying; use vehicular emission-control equipment (e.g., catalytic converters); limit idling of equipment.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will:</p> <p>Implement BMPs as needed to control dust, such as water spraying; use vehicular emission-control equipment (e.g., catalytic converters); limit idling of equipment.</p>
Water Quality and Water Resources, including Wetlands	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will:</p> <p>Follow standard stormwater management practices, erosion-control measures, and other BMPs, including completing spill prevention plans, identification of cleanup procedures, and reclamation measures for disturbed areas.</p> <p>Develop and maintain a Montana Pollutant Discharge Elimination System General Permit.</p> <p>Additionally, Rail Park tenants will use BMPs and erosion-control measures throughout operations.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>Construction will occur within an urban setting and therefore prevention of stormwater runoff into streets and storm drain inlets will be the primary concern. The City and/or its construction contractors will:</p> <p>Follow standard stormwater management practices, erosion-control measures, and other BMPs, including completing spill prevention plans, identification of cleanup procedures, and reclamation measures for disturbed areas.</p> <p>Develop and maintain a Montana Pollutant Discharge Elimination System General Permit.</p>
Noise and Vibration	<p>Mitigation/Minimization/BMPs:</p> <p>Should there be complaints regarding noise at the East Oregon Lane/Flathead railroad crossing intersection, the City will monitor the noise levels and, if needed, install wayside horns at the impacted intersection.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>None.</p>
Land Use	<p>Mitigation/Minimization/BMPs:</p> <p>None.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>None.</p>
Threatened and Endangered Species, Eagles, and Wildlife, Fish	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will:</p>	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will:</p>

	BUILD ALTERNATIVE - GLACIER RAIL PARK	BUILD ALTERNATIVE - KALISPELL TRAIL AND STREET CONNECTIONS
and Vegetation	<p>Implement measures to minimize impacts to protected species and wildlife, including the appropriate BMPs, such as silt fencing and reseeded disturbed areas, to control soil erosion and minimize the potential for runoff to affect adjacent water bodies; seal any storage bins containing liquids to prevent wildlife from accessing them; follow proper speed limits and restrictions on roadways so as to not change the potential for wildlife-vehicle collisions compared to existing conditions; mark overhead utility lines with bird diverters to minimize impacts to birds in flight; install new utilities or extensions of existing utilities underground.</p> <p>Should eagle nests be discovered during construction of the Rail Park, to avoid disturbing nesting bald eagles, the following USFWS recommendations will be followed (1) keep a distance between the activity and the nest (i.e. 330 to 660 feet distance buffers depending on visuals from the nest); (2) maintain forested or natural areas between the activity and around nest trees; and (3) avoid certain activities, such as tree removal, during the breeding season (USFWS 2007a).</p> <p>Per Flathead County Weed Control District Revegetation Policy, disturbed areas will be reseeded and reclaimed as soon as possible after construction with a Flathead County Weed Control District-approved seed mix and will occur after completion of construction of the Rail Park, either between April 15 and June 15 or October 1 and November 15.</p>	<p>Implement measures to minimize impacts to protected species and wildlife, including the appropriate BMPs, such as silt fencing and reseeded disturbed areas, to control soil erosion and minimize the potential for runoff to affect adjacent water bodies; seal any storage bins containing liquids to prevent wildlife from accessing them; follow proper speed limits and restrictions on roadways so as to not change the potential for wildlife-vehicle collisions compared to existing conditions; mark overhead utility lines with bird diverters to minimize impacts to birds in flight; install new utilities or extensions of existing utilities underground.</p> <p>Should eagle nests be discovered during construction of the Kalispell Trail, to avoid disturbing nesting bald eagles, the following USFWS recommendations will be followed (1) keep a distance between the activity and the nest (i.e. 330 to 660 feet distance buffers depending on visuals from the nest); (2) maintain forested or natural areas between the activity and around nest trees; and (3) avoid certain activities, such as tree removal, during the breeding season (USFWS 2007a).</p> <p>Per Flathead County Weed Control District Revegetation Policy, disturbed areas will be reseeded and reclaimed as soon as possible after construction with a Flathead County Weed Control District-approved seed mix and will occur after completion of construction of the Rail Park, either between April 15 and June 15 or October 1 and November 15.</p>
Energy Use	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will:</p> <p>Limit equipment idling; locate staging areas as near to work sites as possible</p>	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will:</p> <p>Limit equipment idling; locate staging areas as near to work sites as possible</p>

	BUILD ALTERNATIVE - GLACIER RAIL PARK	BUILD ALTERNATIVE - KALISPELL TRAIL AND STREET CONNECTIONS
	throughout construction; strategically deliver construction materials to the Rail Park to limit traffic congestion and detours.	throughout construction; strategically deliver construction materials to the Kalispell Trail to limit traffic congestion and detours.
Visual Resources	<p>Mitigation/Minimization/BMPs:</p> <p>None.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>None.</p>
Traffic and Transportation	<p>Mitigation/Minimization/BMPs:</p> <p>Temporary delays and detours will not occur at every intersection or roadway simultaneously.</p> <p>The City and/or its construction contractors will:</p> <p>Stagger the timing of construction activities across intersections and street connections; maintain access to all businesses and residences throughout construction; clearly sign and mark detours for travelers; develop and follow a Work Zone Safety and Mobility Transportation Management Plan and Maintenance of Traffic Plan following MDT guidelines (MDT 2015); notify the public in advance of road closures or detours; install an actuated traffic signal and widen the roadway to accommodate large trucks turning into the Rail Park in order to mitigate unsafe conditions and long queue times for vehicles at the US Highway 2 and Flathead Drive/Woodland Park Drive intersection.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>Temporary delays and detours would not occur at every intersection or roadway simultaneously.</p> <p>The City and/or its construction contractors will:</p> <p>Stagger the timing of construction activities across intersections and street connections; maintain access to all businesses and residences throughout construction; clearly sign and mark detours for travelers; develop and follow a Work Zone Safety and Mobility Transportation Management Plan and Maintenance of Traffic Plan following MDT guidelines; install warning or stop signs at road crossings for pedestrian and bicyclist safety; install curb bump-outs to restrict the distance that pedestrians must cross roads.</p> <p>In addition, to determine if signalization is warranted at the completed street connections, the City will conduct traffic signal warrant studies on the completed street connections following construction. If the traffic signal warrant studies indicate the need for signalization at the three subject intersections, traffic signals will be installed in the future by the City, as a separate action(s) from the Project.</p>
Socioeconomics and Environmental	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will implement the measures</p>	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will implement the measures</p>

	BUILD ALTERNATIVE - GLACIER RAIL PARK	BUILD ALTERNATIVE - KALISPELL TRAIL AND STREET CONNECTIONS
Justice	identified under air and water quality, traffic and transportation, noise and vibration, and relocations and displacements. No additional measures identified as there are no environmental justice populations within the Study Area.	identified under air and water quality, traffic and transportation, noise and vibration, and relocations and displacements. No additional measures identified as there are no environmental justice populations within the Study Area.
Relocations and Displacements	<p>Mitigation/Minimization/BMPs:</p> <p>The City will:</p> <p>Comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act), state law, and its own adopted policies and procedures to protect the interests of current landowners or landowners' leases; provide compensation and assistance in relocations consistently and equitably in accordance with applicable state and federal laws and procedures; independently appraise properties to be acquired for fair market value; and provide eligible individuals, families, businesses, and/or organizations assistance with moving costs, housing replacement, rental assistance, and/or business relocation to minimize hardship.</p> <p>The City will provide the assistance necessary to accomplish the Project consistently across all affected parties.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>The City will:</p> <p>Comply with the Uniform Act, state law, and its own adopted policies and procedures to protect the interests of current landowners or landowners' leases; provide compensation and assistance in relocations consistently and equitably in accordance with applicable state and federal laws and procedures; independently appraise properties to be acquired for fair market value; and provide eligible individuals, families, businesses, and/or organizations assistance with moving costs, housing replacement, rental assistance, and/or business relocation to minimize hardship.</p> <p>The City will provide the assistance necessary to accomplish the Project consistently across all affected parties.</p>
Public Health and Safety	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will:</p> <p>Install fencing, warning signage, and/or similar measures to restrict unauthorized persons from accessing construction sites.</p> <p>In addition, all pre-construction and construction work adjacent to and within an active railroad corridor will adhere to federal, state, local and host railroad worker safety rules and regulations.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will:</p> <p>Install fencing, warning signage, and/or similar measures to restrict unauthorized persons from accessing construction sites.</p>

	BUILD ALTERNATIVE - GLACIER RAIL PARK	BUILD ALTERNATIVE - KALISPELL TRAIL AND STREET CONNECTIONS
Hazardous Waste	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractors will:</p> <p>Properly handle and dispose of contaminated soils; implement appropriate BMPs for storing and handling toxic or hazardous materials and wastes; obtain a Montana Pollutant Discharge Elimination System (MPDES) permit and implement and follow Stormwater General Permit and Spill Prevention, Control, and Countermeasure (SPCC) plan; identify known contaminated areas on construction plans; notify proper authorities if unanticipated hazardous materials are discovered during construction or operation of the Rail Park.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>The City and/or its construction contractor will:</p> <p>Properly handle and dispose of contaminated soils; implement appropriate BMPs for storing and handling toxic or hazardous materials and wastes; obtain a MPDES permit and implement and follow Stormwater General Permit and SPCC plan; identify known contaminated areas on construction plans; notify proper authorities if unanticipated hazardous materials are discovered during construction or operation of the Kalispell Trail; complete ESA Phase I and/or II studies as needed within the portion of the Project Area for the Kalispell Trail; if needed, require inspection and removal or decommissioning underground storage tanks (USTs) by qualified, trained and licensed professionals in accordance with MDEQ guidelines and all Federal, state and local regulations regarding the removal of USTs; should USTs be left in place, they will be properly managed and monitored by the City for releases in accordance with MDEQ guidelines.</p>
Cultural Resources and Historic Properties	<p>Mitigation/Minimization/BMPs:</p> <p>None.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>A Section 106 Memorandum of Agreement (MOA) was executed on July 6, 2017 among FRA, the Montana SHPO, the City, and other consulting parties. The City is responsible for implementing the following measures stipulated in the MOA to mitigate unavoidable direct and indirect effects of the Kalispell Trail on historic properties: leaving a small portion of rail track in place near the Great Northern Railway Depot in Depot Park; providing interpretive signage along the Kalispell Trail that highlights the historic importance of the railroad in the development of Kalispell and surrounding</p>

	BUILD ALTERNATIVE - GLACIER RAIL PARK	BUILD ALTERNATIVE - KALISPELL TRAIL AND STREET CONNECTIONS
		region; and planting of cherry trees along the Kalispell Trail, with emphasis in the former location of the Flathead Lake Cherry Growers Association Warehouse at 20 North Main Street, to commemorate the area's history of agriculture, particularly cherry orchards along Flathead Lake to the south, and the impact of this agricultural product on the local and regional economy and the importance of the railroad in shipping this agricultural product.
4(f) Properties	<p>Mitigation/Minimization/BMPs:</p> <p>None.</p>	<p>Mitigation/Minimization/BMPs:</p> <p>See the Section 106 discussion above regarding the measures the City will implement as stipulated in the MOA to mitigate adverse effects to historic properties, which are also Section 4(f)-protected resources. The MT SHPO, the official with jurisdiction over National Register of Historic Places listed or eligible properties is a signatory to the MOA.</p> <p>Written concurrence with FRA's proposed <i>de minimis</i> impact determination has been obtained from the Parks & Recreation Director, Kalispell Parks and Recreation, who is the official with jurisdiction over Depot Park. If needed, the City will implement the following measures identified in FRA's May 23, 2017 letter to the Parks Director: To minimize disruption and mitigate for temporary construction impacts to Depot Park, the City will notify Parks and Recreation five business days prior to the commencement of the rail removal and Kalispell Trail construction activities. If desired and at the request of the Parks & Recreation Director, the construction contractor will avoid carrying out construction activities during times that events are scheduled in Depot Park.</p>

APPENDIX C: EA Public Comments

APPENDIX D: Executed Section 106 Memorandum of Agreement