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<td>US EPA</td>
<td>USEPA 10 West 15th Street, Ste 3200 Montana Office, Federal Bldg. Helena, MT 59626</td>
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<td>MT DEQ</td>
<td>MT DEQ Tom Ellerhoff P.O. Box 200901 Helena, MT 59620-0901</td>
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<td>Montana Env. Quality Council</td>
<td>Montana Env. Quality Council Todd Everts, Director P.O. Box 201704 Helena, MT 59620-1704</td>
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<tr>
<td>Bob Vosen</td>
<td>Bob Vosen District Construction Eng. MDT P.O. Box 7308 Kalispell, MT 59904-0308</td>
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<td>Darlene Schottle,</td>
<td>Darlene Schottle, Superintendent of Schools Kalispell School District 5 233 1st Avenue East Kalispell, MT 59901</td>
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<td>BJ Grieve, Director</td>
<td>BJ Grieve, Director Flathead County Planning Dept. 1035 1st Avenue West Kalispell, MT 59901</td>
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May 23, 2013
June 20, 2013

Mr. Tom Jentz
City of Kalispell Planning Department
201 1st Avenue East
Kalispell, MT 59901

Dear Mr. Jentz:

Thank you for the opportunity to review the TIGER Discretionary Grant Program proposal outlined in your letter of May 23, 2013. In response, the Montana Department of Environmental Quality offers the following comments.

Nonpoint Source issues:

The proximity to the Stillwater River and regional history of contaminant/pollutant discharges to ground water need to be considered in the context of the rail industrial park best management practices (BMP). In early phases of the transition, construction and storm water BMPs will need to be in place to prevent pollution, particularly sediment, from reaching the Stillwater River. Spill mitigation and consideration of the pathways of infiltration to ground water will need to be considered in the context of fuel storage, fuel transfer, and areas of contaminant/pollutant transfer such as fueling stations. BMPs will need to be in place to ensure ground water contamination does not impact the Stillwater River and that all beneficial uses continue to be supported. Please contact Robert Ray atrray@rnt.gov with any further nonpoint source concerns.

Air Resources Management Bureau (ARMB):

The Kalispell area, including the location of the proposed industrial park, is classified as a nonattainment area for course particulate matter or PM10 air pollution. PM10 nonattainment areas are defined as areas that have violated the National Ambient Air Quality Standards (NAAQS) for PM10. The legal boundary of the Kalispell PM10 nonattainment area is defined at http://deq.mt.gov/AirQuality/Planning/AirNonattainment.aspx.

ARMB regulates industrial sources of air pollution and not the project site itself. Because the proposed industrial park falls within the PM10 nonattainment area boundary, any industrial source of air pollution subject to permitting and intending to locate within the proposed industrial park would be required to demonstrate that the proposed source will not cause or contribute to further violations of the PM10 NAAQS. Also, a source locating within the industrial park would be subject to more stringent regulatory requirements such as application of the highest
performing PM$_{10}$ emission controls and/or PM$_{10}$ emissions offsets in the area to ensure ongoing compliance with the PM$_{10}$ NAAQS.

If you have questions or would like more specific information related to air quality regulatory requirements in nonattainment areas, please contact Stephen Coe at (406) 782-2689 ext. 209 or scoe@mt.gov. If you have questions specific to air quality permitting, please contact Ed Warner at (406) 444-2467 or ewarner@mt.gov.

**Industrial and Energy Minerals Bureau:**

Based on the information provided, this project will impact two permitted Opencut Mine Sites: Permit #1878 – Knife River, McElroy and Wilken Inc. Pack Site, and Permit #1909 – Knife River Wilcox Site. After review of our files, it does not appear that there has been a request for bond release for either of these sites, so they are still considered active permits. However, the identified post-mine land use for both sites is commercial/industrial. For additional information, please contact Ed Coleman at (406) 444-4973 or ecoleman@mt.gov.

**Water Protection Bureau (WPB):**

The proposed project may require a construction storm water permit if the permitting threshold is reached. The enclosed WPB Fact Sheet will allow you to plan permit needs according to your site conditions. If, after reviewing the Fact Sheet, you determine that your project may require further consultation with WPB staff, please call (406) 444-3080.

Sincerely,

Bonnie Lovelace  
Regulatory Affairs Manager  
Director’s Office  
(406) 444-1760

enclosure
Fact Sheet
Water Quality Permits for Construction Related Activities
Water Protection Bureau
Montana Department of Environmental Quality

MPDES Storm Water Permit: Construction related activities that result in greater than one acre of disturbance and may generate storm water runoff from the construction site during the life of the project must obtain authorization prior to initiation of the construction activity. For purposes of this regulation, construction activities include clearing, grading, excavation, and stockpiling or placement of earthen materials. Routine maintenance activities that disturb less than 5 areas and do not change the original configuration of the site are not subject to this regulation. The owner or operator is required to develop a Storm Water Pollution Prevention Plan (SWPPP). These discharges are covered under a general permit (MTR10000). Coverage under the general permit is effective upon receipt of a completed NOI package (application, storm water pollution prevention plan, and fee).

MPDES Construction Dewatering: Non-storm water discharges of sediment laden water from coffer dams, trenches, pipeline construction, excavation pits, borrow areas, well development or other activities that is discharged to state waters, including irrigation canals, drainage ditches and wetlands, are prohibited unless authorized by the Department. Typically, these activities are authorized under the Department’s general permit for construction dewatering (MTG070000). Under most conditions the permittee is required to construct and operate some form of treatment to remove turbidity and sediment to meet state water quality standards. The discharge of ground water that contains petroleum contaminates or other wastes must be authorized and comply with the requirements of the Department’s petroleum cleanup general permit (MTG790000 or MTX30000) prior to discharge to state surface or ground water. These permits are typically issued within 30 days of receipt of a completed application.

Short-term water quality standard for turbidity (318): Montana water quality standards prohibit the increase in sediment or turbidity above specific amounts in state surface waters. A Section 318 authorization provides a short-term turbidity standard for activities that are conducted in state waters and may cause disturbance of the streambed sediments. A 318 authorization is typically processed in 7 to 21 days but may require longer review for complexity or environmentally sensitive areas.

401 Certification: Section 404 of the federal Clean Water Act is administered by the US Army Corps of Engineers; these permits are for dredge and fill in waters of the US, including wetlands. Please contact the Corps at (406) 441-1375. The Department provides CWA 401 certification of 404 projects and works directly with the Corps on these issues. A joint application form is used.

General Information
Fees: All of the above permits require the applicant to pay a fee prior to Department review of the application. The fee varies depending on the type of permit and complexity of the project. A fee schedule is available upon request at (406) 444-3080, or on the Departments website at: www.deq.mt.gov
Dear Mr. Jentz,

Thank you for providing opportunity to comment on potential impacts to Park and Recreation; Threatened and Endangered Species associated with the proposed Tiger Grant Application. The most significant fish and wildlife habitat at the site is the Stillwater River corridor along the west and northwest edge of the property. This riparian area provides important habitat and migration corridor for numerous fish and wildlife species. The Stillwater River and riparian corridor is part of the much larger and interconnected Flathead River basin. Within this basin, fish and wildlife species are able to readily move. Maintaining the integrity of this area is important to preserving those resources. As the project moves forward, any protection or expansion of the riparian buffer along these edges will help protect the habitat from development and activities on the site.

There are no federally listed fish and wildlife species on or near the project area, and no wildlife species of concern that we are aware of. We do not expect direct impacts to threatened or endangered species by the conversion of the site from a gravel pit to a rail yard. If you have questions or require additional information regarding my comments, please contact me.

Sincerely,

Mark Deleray

Mark Deleray
Montana Fish Wildlife and Parks
Fisheries Biologist
490 N. Meridian Rd.
Kalispell, MT 59901
(406) 751-4543
mdeleray@mt.gov
June 18, 2013

Tom Jentz, Environmental Certifying Officer
City of Kalispell, Planning Department
201 First Avenue East
Kalispell, MT 59901

Re: Tiger Grant Application – Knife River Gravel Pit

Dear Tom,

I have reviewed the information provided regarding the Tiger Grant Application for the Knife River site and have the following comments:

- This property is in the Kalispell Air Pollution Control District administered by the Health Department.
- The project as proposed complies with the regulations and removes some ongoing compliance matters on this site.
- This project may remove two emission sources located in higher population density areas in Kalispell and relocate them to this site – an area zoned industrial with lower population densities.

Good luck with the grant application. The Health Department is certainly supportive. Please call me if you have any questions regarding this matter.

Sincerely,

Joseph W. Russell, M.P.H.
Health Officer
May 29, 2013

Tom Jentz  
City of Kalispell  
Planning Department  
201 1st Ave East  
Kalispell MT 59901

RE: TIGER GRANT APPLICATION-KNIFE RIVER GRAVEL PIT TO MODERN RAIL-INDUSTRIAL PARK CAMPUS.  
SHPO Project #: 2013052907  

Dear Mr. Jentz:

I have conducted a cultural resource file search for the above-cited project located in Section 8 T28N  
R21W. According to our records there have been a few previously recorded sites within the designated  
search locale. In addition to the sites there have been a few previously conducted cultural resource  
inventories done in the areas. I’ve attached a list of these sites and reports. If you would like any further  
information regarding these sites or reports you may contact me at the number listed below.

It is SHPO’s position that any structure over fifty years of age is considered historic and is potentially  
eligible for listing on the National Register of Historic Places. If any structures are to be altered on this  
property and are over fifty years old we would recommend that they be recorded and a determination  
of their eligibility be made.

If this project involves a federal agency, it may constitute a federal undertaking subject to compliance  
with Section 106 of the National Historic Preservation Act. As such it will be important for you to  
coordinate efforts in the further consideration of impacts to cultural resources through the federal  
agency for consultation with our office.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at  
dmurdo@mt.gov. I have attached an invoice for the file search. Thank you for consulting with us.

Sincerely,

Damon Murdo  
Cultural Records Manager  
State Historic Preservation Office

File: US/DOT/2013
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**CRABS Document Number:** LN 6 5205  
**Agency Document Number:**

**CRABS Document Number:** FH 6 24468  
**Agency Document Number:** MHS PRESS 5

A CULTURAL RESOURCES ASSESSMENT OF BPA'S PROPOSED INTERTIE DEVELOPMENT AND USE, LAKE ROOSEVELT, LAKE PEND OREILLE, LAKE KOOCANUSA, DWORSHAK RESERVOIR, AND HUNGRY HORSE RESERVOIR (DRAFT)

MONTANA MAINSTREETS: A GUIDE TO HISTORIC KALISPELL IN FLATHEAD COUNTY MONTANA
Hi Tom:

Please accept this email with my comments for the proposed Rail Park based upon your letter dated May 23, 2013.

Previously I met with Bill Buxton, KLJ Engineering, on this project. Bill provided a map very similar to the ones included in your letter. His map showed some internal roads within the Park that will be connecting to County maintained roads on the south, west and east side of the site. The area of most concern that Bill and I discussed is the intersection of Montclair Dr. and Highway 2. Your attached narrative discusses the installation of a light at this intersection. This will be a needed improvement to this intersection. We also discussed the intersection of Montclair and Nicholson Drive in this area. I asked that they look at this intersection since the distance from the intersection of Montclair/Highway 2 intersection is in close proximity. Bill also mentioned there might be a chance of moving this access point to the park to the south and building an access road in the area of the western entrance to the old WalMart. This could be a good option to alleviate the issue of Nicholson Drive so close to the Montclair/Highway 2 intersection.

Another issue of note is on Whitefish Stage. The map from KLJ shows two internal roads accessing Whitefish Stage. The Kalispell City Limit is south of these new roads by a few hundred feet. It is my understanding that the Park will be annexed into the city limits. It would be prudent for Kalispell to take this stretch of Whitefish Stage that will be south of the southern internal road into the city also. Whitefish Stage currently alternates between City and County jurisdiction up to Reserve Drive. While we work extremely well with the City Street Department it is a confusing issue when it comes to maintenance of who is responsible for which stretch of the roadway.

The map shows a small southern protrusion of the site boundary for access to E Oregon and then on the east boundary it comes very close to the road again up to Montclair Drive. It may be beneficial to look at this area just like the Whitefish Stage area such that the City should take maintenance control of this stretch of roadway. We would work with the City Street Department as we do with other roads for maintenance requirements but this stretch should also be looked at for annexation in to the City.

It appears from the KLJ map that the internal roads will all access County roads. There are two on the west side accessing Whitefish Stage, one of the south accessing E Oregon and two on the east side (one accessing E Oregon and one accessing Flathead Drive). The contractor will need to apply for approach permits from the Road Department. The engineer should evaluate these approaches to assure compliance with our specifications. The permit is available on-line under the Road Department on Flathead County’s website.

There doesn’t appear to be any issues with solid waste removal that I am aware of. The tenants of the park will either have City hauled refuse or contractor hauled so there isn’t any concerns from the Solid Waste District. Hazardous waste generated from their operations is governed by the Montana Department of Environmental Quality and the generators of such waste will need to comply with DEQ rules regarding it’s transportation and disposal.

Thanks again for the opportunity to comment and I hope you are successful in this project. It appears to be a very important part of the economic growth of our area. Good luck!

Dave Prunty
Public Works Director
Flathead County
May 29, 2013

Mr. Tom Jentz  
City of Kalispell Planning Department  
201 1st Avenue East  
Kalispell, MT 59901  

Re: Tiger Grant Application – Knife River gravel pit project

Dear Mr. Jentz,

Please accept this letter as an indication of Kalispell School District 5’s full support for the City of Kalispell and the Flathead County Economic Development Authority’s (FCEDA) joint grant application to secure funding for the transformation of the existing Knife River gravel pit and concrete batch plant into a modern rail-industrial park campus.

Thank you for your continued efforts to make Kalispell a better place.

Sincerely,

Darlene Schottle Ed.D.  
Superintendent of Schools  
233 1st Avenue East  
Kalispell, MT 59901  
(406)751-3434
May 17, 2013

Ms. Katharine Thompson, M.P.A.
Community Development Manager
Community Development Department
City of Kalispell
201 First Ave. East
Kalispell, MT 59901

RE: Letter of Support -Kalispell TIGER Grant Application

Dear Ms. Thompson:

The Montana Department of Natural Resources and Conservation (DNRC) whole-heartedly supports the City of Kalispell’s TIGER 5 grant application to develop a rail-industrial park on what was previously the Knife River Gravel facility. The DNRC is an adjoining property owner to the site, and we anticipate there will be many benefits to the entire Flathead Valley area’s community and economy if redevelopment of the former gravel pit site were to occur. A properly designed and sited rail industrial facility in this location may offer new life to the adjacent properties with applicable input from neighboring owners. It would allow a centrally located piece of property in our community to be put to a new long-term use, create jobs, and potentially allow for the shifting of Kalispell’s rail emphasis to a central site which matches rail access with highway access, occurring in a location that is planned for and designed to grow.

We would certainly look forward to working with you as appropriate on this valuable community project. In closing, if you have any questions or need any additional assistance, please do not hesitate to contact me.

Sincerely,

Stephen J. Frye
Area Manager, Northwestern Land Office
Montana Department of Natural Resources and Conservation