

**U.S. Department of Transportation
Federal Railroad Administration**

**GLACIER RAIL PARK/KALISPELL CORE
AREA DEVELOPMENT AND TRAIL
PROJECT – MODIFICATIONS TO PHASE II**

FINDING OF NO SIGNIFICANT IMPACT (FONSI)



**U.S. Department of Transportation
Federal Railroad Administration**

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I. INTRODUCTION

The U.S. Department of Transportation's (USDOT) Federal Railroad Administration (FRA) completed an Environmental Assessment (EA) in May 2017 and issued a Finding of No Significant Impact (FONSI) on July 18, 2017 for the Glacier Rail Park/Kalispell Core Area Development and Trail Project (Project). The Project Sponsor is the City of Kalispell, Montana, who received a grant for the Project under USDOT's Fiscal Year (FY) 2015 Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant Program. FRA is administering the TIGER grant. Since FRA's issuance of the 2017 FONSI, the City has proposed modifications to Phase II of the Project, which FRA evaluated in a Supplemental EA (SEA) to determine whether the proposed modifications would have a significant impact on the environment. FRA and the City made the SEA available for a 30-day public review and comment period between October 21, 2019 and November 19, 2019.

Consistent with the National Environmental Policy Act (NEPA), of 1969 (42 USC § 4321 et seq.), as amended, and FRA's Procedures for Considering Environmental Impacts (64 FR 28545, May 6, 1999), FRA prepared an SEA for the limited purpose of determining if the City's proposed modifications to Phase II of the Project would change the impacts to the human and natural environment disclosed in the 2017 EA and FONSI. Specifically, the SEA analyzed the potential impacts to: air quality; noise; land use; ecological systems; traffic and transportation; socioeconomics and environmental justice; relocations; and hazardous waste. FRA has evaluated the proposed modifications to Phase II of the Project and determined they will not result in any significant environmental impacts, and preparation of an environmental impact statement is not required.

This FONSI summarizes the relevant elements of Phase II of the Project as approved in the 2017 EA/FONSI, the proposed changes to Phase II of the Project analyzed in the 2019 SEA, and the findings by resource area. This FONSI will be available on the FRA and Kalispell project websites, along with the 2017 EA and FONSI and the 2019 SEA.¹ Phase I of the Project has been completed, and the scope of this FONSI is limited to the City's proposed changes to Phase II of the Project.

II. PROJECT DESCRIPTION

As stated in the 2017 EA, the purpose and need 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. To achieve the purpose and need the City proposed to implement the Project in two phases:

- ◆ Phase I – Construction and operation of a rail-served industrial park (Rail Park) and associated construction of roadway and traffic control improvements and installation and extension of utilities to serve the Rail Park.²

¹ <https://railroads.dot.gov/rail-network-development/environment/environment>;
<https://www.kalispell.com/164/Community-Development>; <http://www.kalispellcoreandrail.com/>

² This phase of the Project was completed in February 2020.

- ◆ Phase II – Abandonment of rail service on the existing rail line; removal of 1.6 miles of existing railroad track from north of the railroad bridge spanning US Highway 2 to Meridian Road; construction of an Americans with Disabilities Act (ADA)-compliant paved public-use trail (i.e., Kalispell Trail) in a non-contiguous linear park within the former railroad ROW; and construction of at least one new north-south street connection(s) (i.e., complete street(s)) to improve connectivity in downtown Kalispell.

III. PROPOSED MODIFICATIONS TO PHASE II OF THE PROJECT

Following issuance of the 2017 EA and FONSI, the City proposed potential modifications to Phase II of the Project, including three options for the location of complete streets previously identified by the City early on in project planning, but not evaluated in detail in the 2017 EA. The City's interest in giving further consideration to these complete street options was based on input received during public and agency outreach conducted by the City for the Project after issuance of FRA's NEPA decision in 2017. Also, since the 2017 EA, the City has had difficulties conducting property appraisals and purchasing property that would be necessary to implement two of the potential complete street locations (6th and 8th Avenue WN).³ In addition, the City identified two minor modifications to Phase II of the Project as a result of its public outreach efforts and continuation of the Project planning process; these modifications are located within the 2017 EA Study Area and Project Area, but were not analyzed in the 2017 EA.

In the 2017 EA, FRA evaluated three options for the location of complete streets: 8th Avenue WN, 6th Avenue WN, and Whitefish Stage Road (7th Avenue EN). The 2017 EA provides a physical description of these three complete street options and quantifies the relocations and property acquisitions that would be necessary to construct each option.

The 2019 SEA analyzed three additional options for the location of complete streets: 1st Avenue WN, 3rd Avenue WN, and 4th Avenue WN. The 2019 SEA also analyzed two minor modifications to Phase II of the Project: the Kalispell Trail realignment, and the northeast trailhead connection.

- **4th Avenue WN.** This complete street option would improve 4th Avenue WN from the north, across the existing railroad corridor/future Kalispell Trail. To implement this connection, reconfiguration of the Mall parking lot would be necessary to address the offset between 4th Avenue WN and the existing major aisle in the parking lot. Unless the diagonal parking configuration is modified, traffic entering the Mall would be required to turn right to access the Mall parking lots. Approximately 3,300 square-feet of Mall property would be temporarily disturbed, and approximately eight parking spaces at the Mall would be permanently lost. During final design for Phase II of the Project, the City and Mall owners would enter into an agreement that outlines each party's responsibilities for the construction and long-term maintenance of a

³ To purchase property from private owners, the City would be required to follow the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Uniform Relocation Act). The City has historically been and remains reluctant to take any property through the eminent domain process.

complete street. The agreement would also address the Kalispell Trail realignment and any net loss of parking spaces at the Mall.

The approach to the business parking lot at the intersection of US Highway 2 and 4th Avenue WN might require relocation, and parking spaces could be lost, depending on the ROW and complete street cross-section. However, without final design plans, it is not possible at this time to determine if there would be a net loss of parking spaces at this business. During final design for Phase II of the Project, an agreement would be established between the City and the business owner to address any net loss of parking spaces. For safety reasons, Railroad Street West, which is not improved or a public facility and does not provide any private access, would also need to be blocked permanently at 4th Avenue WN.

- **3rd Avenue WN.** This complete street option would connect 3rd Avenue WN from north, across the existing railroad corridor/future Kalispell Trail. To implement this connection, approximately 900 square-feet of Mall property would be temporarily disturbed. Approximately two to four parking spaces, which are currently located in the public ROW and being used for a private business immediately north of the proposed Kalispell Trail on the east side of 3rd Avenue WN, would be permanently lost. During final design for Phase II of the Project, the City and Mall owners would enter into an agreement that outlines each party's responsibilities for the construction and long-term maintenance of a complete street. The approach to the business parking lot at the intersection of US Highway 2 and 3rd Avenue WN might require relocation or reconfiguration, and parking spaces could be lost, depending on the ROW and complete street cross-section. However, without final design plans, it is not possible at this time to determine if there would be a net loss of parking spaces at this business. An agreement would be established between the City and business owner to address any net loss of parking spaces.
- **1st Avenue WN.** This complete street option would connect 1st Avenue WN from north, across the existing railroad corridor/future Kalispell Trail. To implement this connection, reconfiguration of the Mall parking lot would be necessary to address the offset between 1st Avenue WN and the major aisle in the parking lot. Unless the diagonal parking configuration is modified, traffic entering the Mall would be required to turn right to access the Mall parking lots. Approximately 900 square-feet of Mall property would be temporarily disturbed, and approximately 10 parking spaces at the Mall would be permanently lost. During final design for Phase II of the Project, the City and Mall owners would enter into an agreement that outlines each party's responsibilities for the construction and long-term maintenance of a complete street. The agreement would also address the Kalispell Trail realignment and any net loss of parking spaces at the Mall.

The approach to the business parking lot at the intersection of US Highway 2 and 1st Avenue WN might require relocation, and parking spaces could be lost, depending on the ROW and complete street cross-section. However, without final design plans, it is not possible at this time to determine if there would be a net loss of parking spaces at this business. An agreement would be established between the City and business owner to address any net loss of parking spaces.

- **Kalispell Trail Realignment.** This is a proposed modification to the alignment of a small segment of the Kalispell Trail between 4th Avenue WN and 5th Avenue WN. As part of the public outreach

and design efforts for Phase II of the Project, the Mall owners expressed to the City an interest in re-routing the proposed Kalispell Trail slightly north of the existing railbed to follow the north property boundary of the northwest corner of the Mall. Realignment of the Kalispell Trail slightly to the north could allow the Mall owners to construct more parking spaces contiguous to the existing Mall parking by utilizing a small portion of railbanked land. Under this scenario, the Kalispell Trail would be routed onto Mall property off the railbanked corridor from near 4th Avenue WN to 5th Avenue WN, a distance of approximately 345 feet, and would cross 5th Avenue WN in the same location as analyzed in the 2017 EA.

Should this modification to the Kalispell Trail alignment be implemented, the City and the Mall owners would enter into an agreement outlining roles, responsibilities, liability, and financial contributions. Within the agreement, the Mall owners would be required to pay for the cost of constructing the parking, plus any additional design and construction cost of the Kalispell Trail, beyond what it would cost to design and construct within the originally proposed railbanked corridor. In addition, the Mall owners would be required to adhere to the relevant terms and conditions of the railbanking agreement, particularly potential removal of parking or other infrastructure should the ROW revert to railroad use in the future.

- **Northeast Trailhead Connection.** This proposed modification refers to a potential connection of the northeast trailhead to adjacent public ROW at the Flathead Drive/US Highway 2 intersection. During the City's planning efforts for Phase II of the Project, several options were identified regarding connection of the Kalispell Trail at its northeast end to existing public ROW. However, no option had been developed in detail prior to the award of the FY 2015 TIGER grant or the 2017 EA. Since the 2017 EA, the City and the Montana Department of Transportation (MDT) have discussed constructing the trailhead portion of the Kalispell Trail through vacant MDT property to access Flathead Drive and the intersection at US Highway 2, a distance of approximately 300 feet. This intersection was signalized and improved as part of the recently-completed Phase I of the Project to provide vehicular access to the new Rail Park. This potential pedestrian/bicycle connection would transition down from the Kalispell Trail, just after the existing railroad bridge over US Highway 2 and just before the bump post at the end of the railbanked land. The proposed connection would meet the same design standards as the rest of the Kalispell Trail and ADA requirements, including width, materials, and grade/elevation. The new connection would access the existing pedestrian features of the recently improved Flathead Drive/US Highway 2 intersection. As of the date of the SEA, the City is investigating the specific type of agreement that would be needed with MDT to allow the construction and long-term use of the Kalispell Trail on MDT property.

The locations of the proposed Project changes, including the additional potential complete street locations, are shown in Figure 1.

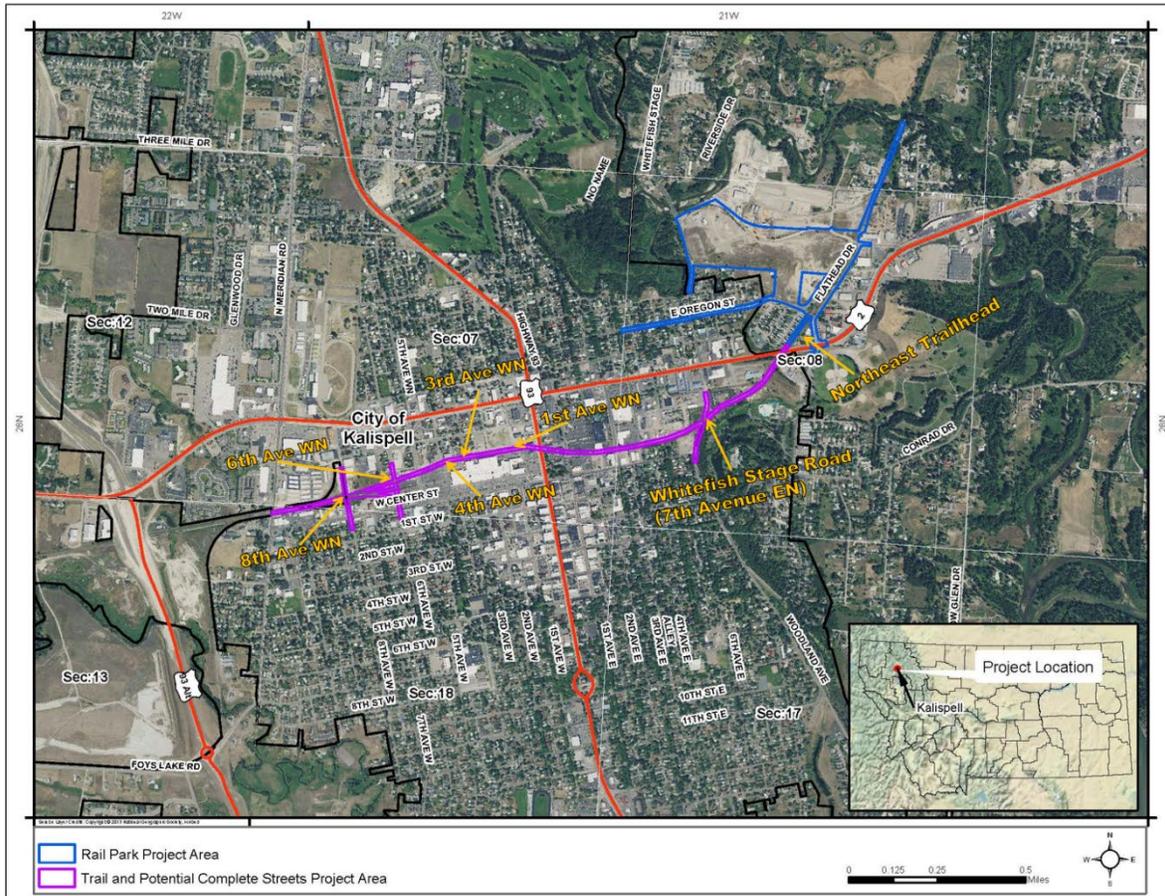


Figure 1. Project Area Assessed in 2017 EA and 2019 SEA

IV. SUMMARY OF FINDINGS FROM THE SEA

The 2017 EA is incorporated by reference into the SEA, and the three complete street options assessed in the 2017 EA (i.e., 8th Avenue WN, 6th Avenue WN, and Whitefish Stage Road [7th Avenue EN]) remain viable. Therefore, the scope of the SEA focused on only those resource areas that might be affected by the proposed modifications (i.e., construction and operation of a complete street at 1st, 3rd, and/or 4th Avenue WN; the Kalispell Trail realignment at the Mall; and the northeast trailhead connection), or that may have changed from what was described in the 2017 EA. The following resource areas were evaluated in the SEA, because (1) of the potential that the proposed modifications could create a different impact than what was described in the 2017 EA, or (2) the affected environment has changed since the 2017 EA. The following paragraphs summarize the findings from the SEA by resource area.

Based on the evaluation conducted in the SEA, no significant impacts would result from the City's proposed modifications to Phase II of the Project described above. The Project, if implemented as originally described in the 2017 EA/FONSI or with any of the modifications described in the SEA would achieve the purpose and need defined in Chapters 1.3 and 1.4 of the 2017 EA. The mitigation and minimization measures and best management practices (BMPs), identified in the 2017 FONSI are still

applicable to the Project. Where appropriate, additional mitigation minimization and BMPs are also identified.

◆ **Air Quality**

Construction Impacts: Construction and ground-disturbing activities would result in temporary emissions of criteria pollutants and fugitive dust for the complete street options, Kalispell Trail realignment, and the northeast trailhead connection. However, emissions are not anticipated to increase the frequency or severity of any National Ambient Air Quality Standards (NAAQS) violations or delay timely attainment of the NAAQS, and would be consistent with conformity regulations.

Operation Impacts: Upon completion of construction, emissions that result from current conditions such as vehicle idling at grade crossings, poor traffic circulation, and lack of street connections through downtown Kalispell would be reduced. In addition, adding sidewalks and pedestrian pathways would increase the efficiency and public appeal for alternative and non-motorized modes of transportation within the City, such as walking, biking, and rollerblading, which could further reduce emissions. It is anticipated that air quality conditions within the Core Area would improve with the Build Alternative.

Mitigation/Minimization/BMPs: The mitigation measures, minimization measures, and BMPs included in the 2017 FONSI would be implemented, as appropriate. All construction equipment would comply with U.S. Environmental Protection Agency (EPA) emission standards for nonroad engines.

◆ **Noise**

Construction Impacts: Construction of at least one complete street, the Kalispell Trail realignment, and the northeast trailhead connection would result in temporary increases in noise above baseline levels. Noise generated by construction activities would vary depending on the type of equipment used, the area that the action would occur in, and the distance from the noise source.

Operation Impacts: Upon completion of construction, the business owners and residents along 1st, 3rd, and/or 4th Avenue WN, north of the out-of-service railroad corridor would experience a slight increase in traffic noise once a complete street is constructed; however, this noise is expected to be offset by removal of the railroad tracks and associated noise from freight trains and train horns traversing downtown Kalispell. In addition, any noise generated by increased vehicle traffic would be consistent with the existing noise in the surrounding area. The Kalispell Trail realignment and northeast trailhead connection would not result in operational noise impacts.

Mitigation/Minimization/BMPs: The project schedule would include limits on the times of operation of construction vehicles and equipment. Construction would occur during daytime only and would not take place from 10:00 p.m. to 7:00 a.m. when the adjacent neighborhoods' sensitivity to any increased noise is more pronounced due to the lower level of ambient (background) noise at night compared to daytime noise levels.⁴ Additionally, construction activities would be restricted to

⁴ Transit Noise and Vibration Impact Assessment Manual, September 2018, FTA Report No. 0123.

weekdays and would not occur on weekends, unless special permission is granted by the Kalispell Public Works Department or MDT.

◆ **Land Use**

Construction and Operation Impacts: There would be no impacts on land use from construction and operation of at least one complete street, the Kalispell Trail realignment, or the northeast trailhead connection because the zoning would not change from the existing designations of B-3 (a business district that provides areas for development of congregated community shopping areas to serve neighborhoods) and B-2 (a business district that provides for those retail sales and service functions and operations that are typically characterized by outdoor display, storage, and/or sale of merchandise, by major repair of motor vehicles, and by outdoor commercial amusement and recreational activities). There would be increased access to the area immediately adjacent to US Highway 2 and US Highway 93 and undeveloped and underdeveloped lots north of the railroad corridor. A complete street would also provide opportunity for developers to construct additional businesses and residences along 4th, 3rd, 2nd, and 1st Avenue WN, W Montana Street, and US Highway 2, and improve the general appeal of the area. The Kalispell Trail realignment could allow the Mall to construct additional parking spaces, to offset the loss of any parking caused by implementation of certain complete street connections.

Mitigation/Minimization/BMPs: None

◆ **Ecological Systems**

Construction and Operation Impacts: There is no substantial change in the affected environment for wildlife, fish, and vegetation species or habitat, and potential impacts described in the 2017 EA are similar for the SEA. Therefore, potential impacts on general wildlife, fish, and vegetation species and habitat were not re-assessed in the SEA. However, between the time of the EA and SEA, an additional protected species (i.e., wolverine [*Gulo gulo luscus*]) was proposed for federal listing as a threatened species under Section 7 of the Endangered Species Act (ESA). Because of the urban setting of the Project and lack of suitable habitat, the proposed modifications to Phase II of the Project would have *no effect* on the wolverine.

Mitigation/Minimization/BMPs: The mitigation measures, minimization measures, and BMPs included in the 2017 FONSI would be implemented, as appropriate.

◆ **Traffic and Transportation**

Construction Impacts: There would be temporary increases in traffic and congestion in the vicinity of the complete street location(s), Kalispell Trail realignment, and trailhead connection because of construction vehicles and equipment. Residents, business owners, and retail patrons in the vicinity could experience temporary delays and detours during construction. Construction access routes have not been finalized, but major arterials, such as US Highway 2 and US Highway 93, are anticipated to be used by heavy equipment mobilizing to the work sites and staging areas.

Operation Impacts: Beneficial impacts to traffic and transportation are expected upon completion of construction of Phase II of the Project. Operation of at least one complete street would increase the number of north-south connections in the Core Area, reduce traffic congestion, and circulation (particularly in the vicinity of US Highway 2, 5th Avenue WN, West Center Street, and US Highway 93), and increase accessibility and connectivity to the businesses in the US Highway 2/US Highway 93 area and underdeveloped and undeveloped lots north of the railroad corridor. Completion of at least one street connection with improvements, including sidewalks, would also provide connectivity for pedestrians in areas previously void of those facilities (i.e., north of the railroad corridor). Adverse impacts may occur to existing residents and businesses along US Highway 2 and the complete street(s), because there would be a slight increase in annual average daily traffic (AADT) as patrons travel to and from the retail uses, and if new businesses and/or residential areas are developed north of the railroad corridor. With the increase in accessibility and connectivity to the underdeveloped and undeveloped lots north of the railroad corridor, the general appeal of the area would be improved, and additional businesses and residences could be developed along 4th, 3rd, 2nd, and 1st Avenue WN; W Montana Street; and US Highway 2. Traffic on US Highway 2 is estimated to increase by approximately 140 vehicles during the evening peak hours (i.e., 3:00 p.m. to 6:00 p.m.) with construction of at least one complete street. However, this slight increase in traffic would not exceed the capacity of the current roads.

In addition, there would be a loss of parking spaces from implementation of the complete streets analyzed in the SEA: the 1st Avenue WN complete street would result in a loss of approximately ten (10) parking spaces at the Mall; the 3rd Avenue WN complete street would result in a loss of approximately two (2) to four (4) parking spaces that are utilized by a private business but are located in the City-owned/public ROW (i.e., the parking spaces are not on property owned by the private business); and the 4th Avenue WN complete street would result in a loss of approximately eight (8) parking spaces at the Mall. However, realignment of the Kalispell Trail at the northwest corner of the Mall could allow the Mall to construct additional parking spaces, which would offset the loss of any parking caused by implementation of certain complete street connections.

Approaches to the business parking lots at the intersections of US Highway 2 and 1st, 3rd, and 4th Avenue WN might require relocation, and parking spaces could be lost, depending on the ROW and complete street cross-section. However, without final design plans, it is not possible at this time to determine if there would be a net loss of parking spaces at these businesses.

The Kalispell Trail realignment would have no adverse impacts on traffic and transportation, as it would cross 5th Avenue WN in the same location as analyzed in the 2017 EA. The northeast trailhead connection would have no adverse impacts on traffic and transportation; beneficial impacts would be expected from increased pedestrian and non-motorized access and increased safety for these alternative transportation modes.

Mitigation/Minimization/BMPs: The mitigation measures, minimization measures, and BMPs included in the 2017 FONSI would be followed, as appropriate. In addition, the City will enter into an agreement with the Kalispell Center Mall owners to address the Kalispell Trail realignment and any net loss of parking spaces at the Mall as a result of construction of either the 1st or 4th Avenue

WN complete streets. If a net loss of parking spaces would result from approach relocations at the intersections of US Highway 2 and 1st, 3rd, and 4th Avenues WN, the City will enter in an agreement with the affected business owner(s) to address this issue.

For the northeast trailhead connection, the City will enter into an agreement with MDT, the owner of the vacant property the trailhead connection would traverse.

◆ **Socioeconomics and Environmental Justice**

Construction Impacts: There may be temporary, localized impacts on commercial businesses and residences north of the railroad corridor during construction of at least one complete street along 1st, 3rd, and/or 4th Avenue WN and the Kalispell Trail realignment. There may also be temporary, localized impacts on commercial businesses and residences west and east of the railroad corridor, respectively, near the Flathead Drive/US Highway 2 intersection during construction of the northeast trailhead connection. Impacts could include noise above ambient levels, visibility of construction equipment and activities, fugitive dust emissions, and temporary pedestrian and traffic delays, detours, and congestion. Fugitive dust from ground-disturbing activities would be greatest during initial site-preparation and would vary from day to day, depending on the construction phase, level of activity, and prevailing weather conditions. Persons within the viewshed of temporary construction activities would see construction workers, equipment, lighting, materials, debris, signing, and activities typically associated with construction. Noise generated by construction activities would vary depending on the type of equipment used, the area that the action would occur in, and the distance from the noise source.

Operation Impacts: Increased connectivity within and access to the Core Area as a result of the removal of the railroad infrastructure and implementation of one or more complete street connections is anticipated to result in socioeconomic benefits. Having at least one complete street along 1st, 3rd, or 4th Avenue WN would improve the general appeal of the area and spur development along these streets, W Montana Street, and US Highway 2. Underdeveloped and undeveloped lots north of the railroad corridor would become more attractive to developers, visibility of existing businesses north of the railroad corridor would increase, and connectivity in the community would be improved. Long-term, beneficial impacts on the local economy would be expected, as there could be increases in the purchase of goods and services in the local area and subsequent induced development. This could provide overall economic benefits to the area through the creation of jobs and increased tax revenue. Traffic circulation and connectivity would also be improved, and additional transportation options (e.g., walking and biking) would be available, connecting people and neighborhoods with jobs, services, and goods. There would be no direct or indirect impacts on environmental justice populations, as no such populations are present within the Study Area.

Mitigation/Minimization/BMPs: The mitigation measures, minimization measures, and BMPs included in the 2017 FONSI would be implemented, as appropriate.

◆ **Relocations**

Construction Impacts: Construction of at least one complete street on 1st, 3rd, or 4th Avenue WN would be completed within either current Burlington Northern Santa Fe (BNSF) or City ROW. For 1st and 3rd Avenue WN, approximately 900 square-feet of Mall property would be temporarily disturbed, and for 4th Avenue WN, approximately 3,300 square-feet of Mall property would be temporarily disturbed.

Operation Impacts: The Kalispell Trail realignment would be located on Mall property; however, the construction of parking spaces to serve Mall patrons would be located on the railbanked land between 4th Avenue WN and 5th Avenue WN. The amount of property temporarily disturbed is yet to be determined and is dependent on the Mall's parking design.

Implementation of one or more complete street on 1st, 3rd, and/or 4th Avenue WN would result in the permanent loss of parking spaces: the 1st Avenue WN complete street would result in the loss of approximately ten (10) parking spaces at the Mall; the 3rd Avenue WN complete street complete street would result in the loss of approximately two (2) to four (4) parking spaces, which are currently located in the public ROW and being used for a private business; and the 4th Avenue WN complete street would result in the loss of approximately eight (8) parking spaces at the Mall. In addition, approaches to the business parking lots at the intersections of US Highway 2 and 1st, 3rd, and 4th Avenue WN might require relocation, and parking spaces could be lost, depending on the ROW and complete street cross-sections. However, without final design plans, it is not possible at this time to determine if there would be a net loss of parking spaces at these businesses.

For the Kalispell Trail realignment, parking could be constructed by the Mall on the railbanked area, which could potentially offset the loss of parking caused by the implementation of one or more of the complete street options. The northeast trailhead connection would be located on vacant land owned by MDT and would not displace or require MDT to relocate its facilities or operations.

Mitigation/Minimization/BMPs: The mitigation measures, minimization measures, and BMPs included in the 2017 FONSI would be followed, as appropriate. In addition, the City will enter into an agreement with the Mall owners that outlines each party's responsibilities for the construction and long-term maintenance of a complete street. The agreement would also address the Kalispell Trail realignment and any net loss of parking spaces at the Mall as a result of the 1st and 4th Avenue WN complete streets. If a net loss of parking spaces would result from approach relocations at the intersections of US Highway 2 and 1st, 3rd, and 4th Avenues WN, the City will enter in an agreement with the affected business owner(s) to address this issue. The City would enter into an agreement with MDT for the northeast trailhead connection.

◆ **Hazardous Waste**

Construction Impacts: Hazardous materials or hazardous wastes are not anticipated to be present in amounts or locations that would pose a risk to public health or the environment. The City Service Valcon leaking underground storage tank (LUST)/underground storage tank (UST) site is located near the proposed trail at 5th Avenue WN. However, ground-clearing activities for the complete streets, the Kalispell Trail realignment, and the northeast trailhead connection would be shallow

and would not reach groundwater. Construction activities may require the use of small amounts of hazardous materials (e.g., cleaning agents, lubricants, fuels, solvents, fertilizers, asphalt) and may result in the generation of hazardous waste (e.g., oily rags, used chemical containers, used oil, chemical waste).

Operation Impacts: None

Mitigation/Minimization/BMPs: The mitigation measures, minimization measures, and BMPs included in the 2017 FONSI would be implemented, as appropriate.

V. PUBLIC COMMENTS ON SEA AND FRA/CITY RESPONSES

The City's public outreach efforts are described in Section 1.2.2 of the SEA. A total of 23 organizations or individuals submitted comments on the SEA during the public comment period. The majority of the commenters expressed support for the Project in general. Of the commenters that indicated a preference for a particular complete street location, the highest preference was for 1st Avenue WN, followed by Woodland Avenue, and then 4th Avenue WN. Several commenters also expressed concerns regarding the Project. These concerns are summarized and addressed in this section.

Response to concerns regarding inconsistency with Project Purpose:

One commenter expressed concern that the 1st Avenue WN, 3rd Avenue WN, and 4th Avenue WN complete street options would be inconsistent with the Project's purpose. As described in the 2017 EA, the purpose of the Project is to: improve roadway traffic, safety, and efficiency; provide safe, alternative (non-motorized) modes of transportation for residents and visitors; revitalize Kalispell's historic downtown area to attract additional businesses, retail, and residential uses; and provide local and regional business access to rail.⁵

These three complete street options were not evaluated in the 2017 EA because, at the time, the City identified potential traffic and access concerns with these options. As a result, the City determined these options did not achieve the Project's purpose. Based on public input and support, the City evaluated more favorable options (i.e., 8th Avenue WN, 6th Avenue WN, and Whitefish Stage Road [7th Avenue EN]) in the 2017 EA. However, the City has faced challenges – as explained in Section III of this FONSI – in pursuing the options for complete street locations identified in the 2017 EA and FONSI and has provided information to FRA demonstrating the 1st Avenue WN, 3rd Avenue WN, and 4th Avenue WN complete street options would achieve the Project's purpose. FRA has reviewed the City's original traffic analysis conducted for the Project study area (2016), and the City's updated traffic analysis (2019) based on the

⁵ The commenter also expressed a concern that the addition of these complete street options is inconsistent with the Project's purpose in the Grant Agreement between the City and FRA, which states the Project's purpose is: *To improve safety and quality of life, and increase economic competitiveness of the Core Area in the City of Kalispell. This is accomplished through improved roadway traffic safety and efficiency; the provision of safe, alternative modes of transportation; the revitalization of Kalispell's historic downtown area to attract additional businesses, retail, and residential uses; and through the provision of local and regional business access to rail. The Rail Park will provide for future economic development and allow connectivity to regional, national, and international markets.* This is consistent with the Project's purpose and need defined in Chapter 1 of the 2017 EA and incorporated by reference into the 2019 SEA.

most recent traffic data available within the Project study area, for streets crossing the Kalispell Trail at 1st, 3rd, and 4th Avenues WN and determined these options would achieve the Project's purpose. Furthermore, the addition of these three complete street options does not preclude the City from constructing any of the previously identified options.

The 1st, 3rd, and 4th Avenue WN complete street options would provide an indirect connection to the south, because of the location of the Mall. Currently, patrons traveling to the retail areas north of the railroad corridor and Mall must travel around the Mall using 5th Avenue WN, West Center Street, and US Highway 93, because 4th, 3rd, and 1st Avenue WN are dead-ended. A direct connection is not required to meet the Project's purpose. These indirect connection options would improve local street connectivity and convenience between the Mall parking lot and streets to the north, while reducing traffic volumes on neighboring streets. As a result, completion of at least one of these complete street options would improve roadway traffic safety and efficiency. Currently, vehicular traffic movement is limited by the railroad tracks, which split and isolate Kalispell into two portions, and there are only six at-grade crossings. The traffic analyses conducted for the Project study area demonstrate that additional access on the north side of the Mall would be expected to increase connectivity and improve circulation, specifically in the vicinity of US Highway 2, 5th Avenue WN, West Center Street, and US Highway 93. The City's design may result in a reduction of street width or inclusion of a refuge island at the crossings to increase pedestrian safety; however, this would not decrease street capacity or transportation efficiency.

In addition, these complete street options, and proposed modifications to Phase II, would provide safe alternative modes of transportation for residents and visitors. Removal of the railroad line would provide a safety benefit to the community, and construction of a trail within the ROW would provide recreational and mobility alternatives for the public and visitors. The trail and at least one complete street would encourage walking and other non-motorized transportation modes as a safe alternative for travel and provide improved pedestrian access into downtown. This would help ensure City streets are safe for people of all ages and abilities, balance the needs of different transportation modes, and have socio-economic and environmental benefits.

All the potential complete street locations, including those evaluated in the 2017 EA and the 1st, 3rd, and 4th Avenue WN options north of the Mall evaluated in the SEA, would provide a north-south connection. Each completed street connection(s) would meet the City's complete streets policy (per the City of Kalispell Growth Policy Plan-It 2035⁶) and local street standards (per the Standards for Design and Construction dated January 21, 2020), 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 for this Project. In addition, warning or stop signs would be installed at road crossings, and curb bump outs would be installed to reduce the distance pedestrians must cross.

Removal of the active freight rail service and rail infrastructure would facilitate future transportation network connections, and provide opportunities for economic development. The Project would allow for development of underdeveloped and undeveloped lots north of the existing railroad corridor/future Kalispell Trail and improve the general appeal of the area.

⁶ <https://www.kalispell.com/DocumentCenter/View/465/Kalispell-Growth-Policy-Plan-It-2035-PDF>

Therefore, FRA has determined that the completion of at least one complete street option, identified in the 2017 EA and FONSI or the 2019 SEA, and the modifications to Phase II would achieve the Project's purpose.

Response to concerns regarding loss of access, loss of privacy, increased vandalism, light pollution, and signage:

Commenters raised concerns regarding the loss of vehicular access to residential properties via the railroad ROW. Based on information available to the City, the railroad ROW has not provided legal or safe access to residential properties since the railroad was built in the late 1800s. The railroad ROW is currently private property owned by BNSF. The City is not aware of any legal agreement allowing home/landowners to access their property through BNSF property. Once the Railbanking and Sale Agreement between BNSF and the City is executed, the City will own the former railroad ROW, where the public-use trail and linear park will be constructed. The property – whether owned by BNSF or the City – is not a public street and cannot legally be used for vehicular or other access to adjacent residential properties. The anticipated redevelopment of this area from industrial and freight rail uses to a public-use trail will remove the existing blight, beautify and improve the safety of the area with landscaping, lighting, and other amenities, and invite legitimate uses.

Some commenters were concerned that homeowners adjacent to the railroad ROW/proposed trail alignment would experience a loss of privacy in their backyards. The City's landscaping design plans include planting of trees adjacent to the trail and planting of grass in the remaining non-paved areas of the ROW. The selected trees are anticipated to grow to height of roughly 10 to 14 feet. This landscaping, particularly the trees when mature, will help create a visual barrier between the trail and adjacent residences. Adjacent property owners may choose to install fencing, landscaping, and/or exterior lighting at their own expense and in accordance with City requirements to improve safety and privacy. The City will be responsible for maintaining the park and the trail. Specifically, trail maintenance will be assigned either to the City's Parks Department or Public Works Department.

Commenters noted concerns with the potential for increased vandalism and theft by users of the trail. The City's design plans include installation and maintenance of lighting along the trail, which will provide safety for users of the trail and could deter potential vandalism and trespassing. Crime Prevention Through Environmental Design (CPTED) principles include the use of lighting to help prevent and mitigate crime.⁷ If concerns such as vandalism or theft arise, they will be addressed by the City's police department through enforcement.

With respect to trail lighting, commenters expressed concerns regarding light pollution from the trail. Trail lighting will be consistent with the City's Zoning Ordinance 1677, Chapter 27.26 "Outdoor Lighting Standards," which addresses dark skies requirements for both commercial and residential lighting. The City's design plans include installation of lighting along the trail at approximately 90-foot intervals. The new lighting will be visually consistent with the historic aesthetic of the existing lighting in the downtown area. Existing street lighting will remain in use.

⁷ Crowe, Timothy D., National Crime Prevention Institute (NCPI). *Crime Prevention Through Environmental Design*. 2nd Edition. Butterworth-Heinemann. 2000.

In addition, commenters emphasized the need for wayfinding signs from the trail to downtown Kalispell and for pedestrian connections from the trail to community services. The City's design plans include the installation of wayfinding signs from the trail to downtown Kalispell. The City has reached out to Flathead Valley Community College's Industrial Arts program to assist in constructing poles from salvaged rail for wayfinding signage. The City intends to utilize its existing downtown wayfinding sign design and to work with the Trail Crew, Kalispell Business Improvement District Board, Kalispell Downtown Association, Kalispell Convention and Visitor Bureau, and Tourism Business Improvement District Board on signage messaging and locations encouraging interaction between the trail and downtown businesses. The Project will eliminate unsafe access to community services by persons crossing the active rail line or using the rail line as a pathway, and safe, convenient access to community services will be possible from the new trail.

Response to concerns regarding future development:

Some commenters expressed concerns regarding a proposed new multi-story residential apartment building on the other side of the trail from an existing neighborhood of single-family homes. FRA does not have the authority to mandate the nature of potential future development of property near the trail, as it is beyond the scope of the Grant Agreement between FRA and the City. Any future development would be subject to the City's zoning ordinances.⁸

VI. PROJECT 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 Project. These measures are listed in Appendix B of the 2017 FONSI. Additional measures specific to the City's proposed modifications since 2017 are included in Section IV of this document.

The proposed Project is funded through a Grant Agreement between FRA and the City. Through that agreement and as the Project Sponsor, the City is responsible for ensuring all environmental commitments are implemented. FRA will monitor the City's compliance with these measures as part of FRA's periodic monitoring of the grant.

VII. CONCLUSION

FRA finds that the 2017 EA and 2019 SEA for the Glacier Rail Park/Kalispell Core Area Development and Trail Project satisfy the requirements of FRA's "Procedures for Considering Environmental Impacts" (64 FR 28545, May 26, 1999) and NEPA (42 U.S.C § 4321 et seq.) and that the proposed modifications to Phase II of the Project would have no foreseeable significant impact on the quality of the human or natural environment. The SEA, which incorporates the 2017 EA by reference, provides sufficient evidence and analysis for FRA to determine that an environmental impact statement is not required.

⁸ In 2016, the previous heavy industrial area was re-zoned as B-3. This zoning district allows a variety of both commercial and residential uses and is consistent with the Core Area Plan. Commercial uses typically include a mix of retail, office, restaurant, and other similar uses. This zoning district also allows for residential dwellings, including single family, duplex, townhouse (2 attached units), townhouse (3 or more attached units), and multi-family.

JAMIE P. RENNERT Digitally signed by JAMIE P. RENNERT
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Jamie P. Rennert
Director, Office of Program Delivery
Office of Railroad Policy and Development
Federal Railroad Administration

Date

FRA's Office of Railroad Policy and Development prepared this document in July 2020 in accordance with FRA's *Procedures for Considering Environmental Impacts* and NEPA. For information regarding this FONSI contact:

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The following organization(s) assisted FRA's Office of Railroad Policy and Development in the preparation of the associated EA and Supplemental EA:

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