

File

RECORD OF DECISION

For

**US 93 (Somers to Whitefish West)
Milepost 104.3 to 133.0
Flathead County, Montana**

**Final Environmental Impact Statement
Final Section 4(f) Statement
FHWA-MT-EIS-94-01-F**

Federal Highway Administration

Date:

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By:

James W. Lamb
FHWA

Office of Planning and Program Development
Federal Highway Administration, Region 8
Lakewood, Colorado

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Decision

The decision of the Federal Highway Administration in cooperation with the Montana Department of Transportation is to select Alternative A(COMBO) for the reconstruction of US Highway 93 between Milepost 104.3 and Milepost 133.0. Alternative A(COMBO) consists of:

- From Milepost 104.3 to Rocky Cliff Road, a four-lane facility with a depressed median (rural section).
- From Rocky Cliff Road to Cemetery Road, a five-lane facility (rural section).
- From Cemetery Road to Airport Road, a five-lane facility (urban section).
- From Airport Road to Ninth Street, a four-lane facility (urban section).
- From Grandview Drive to Reserve Drive, a five-lane facility (urban section).
- From Reserve Drive to Milepost 117, a five-lane facility (rural section).
- From Milepost 117 to Timber Lane, a four-lane facility with a depressed median (rural section).
- From Timber Lane to MT 40, a five-lane facility (rural section).
- From MT 40 to the Whitefish River (South), a four-lane facility with a raised median (when traffic volumes warrant it). If a five-lane facility is built, it will be wide enough to accommodate a future raised median (urban section).
- From Whitefish River (West) to Karrow Avenue, a three-lane facility (urban section).
- From Karrow Avenue to west of Lion Mountain Road, a two-lane facility with a raised median (urban section).

- From west of Lion Mountain Road to Milepost 130.6, a three-lane facility (rural section).
- From Milepost 130.6 to 133.0, a two-lane facility (rural section).

The selected alternative also includes:

- Kalispell bypass alternative B, with right-of-way for a four-lane south of US 2 and a four-lane with a median north of US 2.
- Whitefish area alternative C-3, which converts Baker and Spokane to a one-way couplet, each carrying two through lanes and includes a new bridge over the Whitefish River for Seventh Street.

The selected alternative also includes a bikepath located as follows:

- From south of MT 82 to Ashley Creek: separated bikepath.
- From Ashley Creek to Airport Road: bikepath on shoulder.
- Along Kalispell bypass south of US 2: separated bikepath.
- Along Kalispell bypass north of US 2: separated bikepath (where feasible).
- From Grandview Drive to Reserve Drive: separated bikepath.
- From Reserve Drive to Whitefish River: bikepath on shoulder.
- From Whitefish River (west) to MP 133: separated bikepath (where feasible).

Other elements of the selected alternative include construction of a scenic turnout south of MT 82, construction of entry treatments for Kalispell and Whitefish and construction of three park-n-ride lots.

Alternatives Considered

The alternatives evaluated for the project varied by segment.

For the majority of the corridor, there were three basic build alternatives that were evaluated in detail. A brief description of these is included here:

- A(TURN-LANE) consists of four 3.66-meter (12-foot) through lanes plus a center left-turn lane. Shoulders of 2.44 meters (8 feet) would be provided in rural areas and shoulders of 3.05 meters (10 feet) would be provided in urban areas.

- A(MEDIAN) consists of four 3.66-meter (12-foot) through lanes separated by either a depressed grassy median or a raised median (in urban areas). Shoulders of 2.44 meters (8 feet) would be provided in rural areas and shoulders of 3.05 meters (10 feet) would be provided in urban areas.
- A(COMBO) combines the two basic cross-sections from each of the other two build alternatives and varies the application of these through the corridor.

A summary by segment of alternatives considered is included here:

Segment	Alternatives initially considered:	Alternatives evaluated in detail:	Selected Alternative:
Somers to South of Kalispell	No-Build Somers West Loop New Corridor A(TURN-LANE) A(MEDIAN) A(COMBO) Mass Transit TDM	No-Build A(TURN-LANE) A(MEDIAN) A(COMBO)	A(COMBO)
Segment in Kalispell area	No-Build Bypass A Bypass B Bypass C1 Bypass C2 Bypass D Bypass F Bypass B Extended US 93 improvements only Mass Transit TDM	No-Build US 93 (Alt. A) plus B(TURN-LANE) US 93 (Alt. A) plus B(MEDIAN) US 93 (Alt. A) only	US 93 (Alt. A) plus B(MEDIAN)
North of Kalispell to South of Whitefish	No-Build Farm-to-Market Road KM Road Whitefish Stage Road New corridor A(TURN-LANE) A(MEDIAN) A(COMBO) Mass Transit TDM	No-Build A(TURN-LANE) A(MEDIAN) A(COMBO)	A(COMBO)
Segment in Whitefish Area	No-Build A(FOUR-LANE) Bypass A Bypass B Bypass C Bypass D Bypass E Couplet (Alt. G) Mass Transit TDM	No-Build A(FOUR-LANE) C(COUPLET-1) C(COUPLET-2) C(COUPLET-3) C(COUPLET-4) C(OFF-SET)	C(COUPLET-3)

Segment West of Whitefish	No-Build A(TURN-LANE) A(MEDIAN) Mass Transit TDM	No-Build A(TURN-LANE) A(MEDIAN) A(COMBO)	A(COMBO)
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In the Kalispell area, three build alternatives were evaluated in detail. These included:

- Improvements to US 93 through town (Alternative A).
- B(MEDIAN): Construction of a west bypass with a raised median and improvements to US 93 through town.
- B(TURN-LANE): Construction of a west bypass with a center left-turn lane and improvements to US 93 through town.

In the Whitefish area, six build alternatives were evaluated in detail. These were:

- A(FOUR-LANE): Improvements to US 93 on Spokane and Second only.
- C(COUPLET-1): One-way traffic on Second/Spokane and Second/Baker
- C(COUPLET-2): One-way traffic on Second/Spokane and Second/Baker; with new Seventh Street bridge; and construction of Baker Street extension.
- C(COUPLET-3): One-way traffic on Second/Spokane and Second/Baker; with new Seventh Street bridge.
- C(COUPLET-4): One-way traffic on Second/Spokane and Second/Baker; with construction of Baker Street extension.
- C(OFF-SET): Two-way traffic on Spokane, Baker and Second; Spokane with two northbound lanes and one southbound lane; Baker with two southbound lanes and one northbound lane; and Second with two westbound lanes and one eastbound lane.

Each of the reasonable alternatives in the EIS were evaluated for the full range of environmental issues. The primary issues that were important factors in the decision-making process were:

- Traffic operations, which were a particularly important issue in the Kalispell and Whitefish areas. The selected alternative in these areas had generally better traffic operations characteristics than the other build alternatives.
- Traffic safety, which was an issue along certain segments of US 93. The selected alternative was projected to have improved safety over the No-Build alternative. No significant differences in overall safety were found between the A(MEDIAN) and the A(TURN-LANE) alternative.

- Land use, in particular the geographic distribution and form of new development (compact vs. dispersed) and compatibility with city/county planning objectives. The selected alternative was chosen to balance these values with the values of construction cost and right-of-way.
- Social impacts, in particular compatibility with community character and enhancement of residential values in downtown Kalispell. The selected alternative is anticipated to improve social values, since through traffic will be reduced because of the bypass.
- Air quality impacts, which were a particularly important issue in the Kalispell and Whitefish areas. The selected alternative in these areas had lower PM10 emissions than the other build alternatives or the No-Build alternative.
- Visual impacts, including enhancement of scenic values, were an important issue. The selected alternative was chosen to balance these values with the values of construction cost and right-of-way.
- Access provisions, including location of direct access points on US 93. Where there are numerous curb cuts along one or both sides of the roadway and a limited number of vehicles use any one driveway, the continuous two-way left-turn lane as in Alternative A(TURN-LANE) has been selected.

There are two alternatives which have fewer impacts to natural resources. The No-Build alternative is the alternative that causes the least harm to natural resources; however, it fails to satisfy the stated purpose and need for the project. Implementation of Alternative A in the Kalispell area would cause less harm to natural resources; however, its social, economic, congestion and air quality impacts to the central area of Kalispell would be greater. The selected alternative provides the best transportation solution while minimizing impacts to natural resources.

Section 4(f)

Four properties were determined to have Section 4(f) impacts:

- Purchase of 0.10 hectare (0.25 acre) of a portion of the Ashley Creek recreation trail, which will be converted to a transportation use.
- A portion of the historic Kalispell-Somers railroad spur which will be converted to a transportation use.
- A small number (three) trees within the historic Kalispell Courthouse Historic District that will be removed.

- Roadway widening and addition of a sidewalk in western Whitefish which will occur adjacent to the West Second Street properties, which are in a historic district.

A variety of location and design alternatives were considered in an effort to avoid or minimize impacts to these Section 4(f) properties. However, these avoidance alternatives failed to satisfy the purpose and need for the project, would have extraordinary costs, or would cause environmental impacts greater than that of the selected alternative. Therefore, it was determined that there is no feasible and prudent alternative to the use of these Section 4(f) properties. The US Department of the Interior, Office of the Secretary concurred with this determination and with actions proposed as mitigation for impacts to the properties in correspondence dated August 3, 1994.

Measures to Minimize Harm

The following text summarizes the major mitigation commitments. These will be implemented and monitored by MDT.

Relocation Mitigation

Property which is required for construction of a federal highway will be subject to the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Air Quality Mitigation

Air quality mitigation measures to be implemented between MT 40 and Lion Mountain Road are:

1. Surfacing of gravel and dirt shoulders.
2. Construction of curb and gutter.

Wetland Mitigation

A wetland mitigation plan has been discussed and approved by the resource agencies. It consists of the following three elements:

1. Replacement or enhancement of wetlands at two or three "on-site locations," adjacent to the area of impact. Locations for these will be determined during the final design process.
2. Enhancement of 3.3 hectares (8.2 acres) of wetlands in the Waterfowl Production Area on the north end of Flathead Lake.
3. Wetland replacement at Lawrence Park.

Cultural Resources Mitigation

1. The MDT will conduct monitoring at the Altenburg and McCormack farms to assess the visual and audible impacts to the site before, during and after construction. The results of the monitoring will be provided to SHPO and the ACHP within 18 months of the completion of construction.
2. Continued communication with the Flathead Culture Committee regarding cultural materials of concern to the Committee.

Other mitigation is addressed in the Section 4(f) section.

Hazardous Materials Mitigation

Detailed hazardous materials analyses, including sampling and testing of questionable soils or water will be conducted during the design of the selected alternative.

Underground Storage Tanks (USTs) located adjacent to the highway on Sites 2, 3, 5, 28, 45, 50, and 59 (as shown on Figure 4-8 of the FEIS) will be located prior to construction so that potential contact with the fuel tanks can be avoided during construction. For the Burlington Northern trackbed located between Somers and Snowline Road, the right-of-way purchase agreement between MDT and railroad representatives requires specific pre-construction mitigation responsibilities of both parties involved in the property transaction.

For Site B6 (shown on Figure 4-8 of the FEIS), excavation and /or landfarming of potentially-contaminated soils are possible mitigation measures and will be implemented (if necessary) in concert with roadway construction.

Construction Mitigation

MDT will require the contractor for the proposed action to schedule construction operations and provide traffic control in a manner that will assure:

1. Adequate safety and convenience to motorists and pedestrians, and the safety of construction workers at all times.
2. Traffic control conforms with all MDT specifications and plans and the Manual on Uniform Traffic Control Devices (MUTCD).

The contractor will be required to submit detailed traffic control plans that designate how access will be maintained to abutting land uses, keeping a minimum of one lane open in each direction of travel at all times during construction. A public information plan will also be developed that warns motorists in advance of the construction activity that construction will be occurring.

The following additional mitigation will be implemented:

- A construction staging plan will be developed to minimize construction impacts to adjacent property owners. This will include specifications to address issues such as number of lanes open to traffic, traffic control, restrictions related to work hours or haul routes, pavement marking, flagging operations and area disturbed. Consideration will be given to providing incentives to contractors to minimize the construction disturbance.
- Best management practices such as timing will be used to minimize disruptions to spawning or migration of aquatic species.

Section 4(f) Mitigation

Ashley Creek Recreation Trail

Agreement has been reached to provide the following mitigation:

- Purchase property for approximately 625 meters (2,050 feet) of relocated trail.
- Build approximately 625 meters (2,050 feet) of new trail generally south of Ashley Creek, just south of US 2.
- Provide for an at-grade signalized intersection across the Kalispell bypass at US 2.

- Provide for a grade-separated bikepath crossing adjacent to and on the south side of Ashley Creek as it crosses the Kalispell bypass just south of US 2. Usage by equestrians will be provided for if possible.
- Connect the Ashley Creek trail with the new bike lane along the Kalispell Bypass.
- Provide approximately 2.11 hectares (5.22 acres) of property to Flathead County Parks. This is planned for at least partial use as parking and a trailhead facility, to compensate for the approximately 0.10 hectare (0.25 acre) of Section 6(f) land converted from a recreation use. If the appraised value of the replacement land is less than the appraised value of the impacted property, additional property (to make up the difference) will be provided to Flathead County Parks as 6(f) replacement property.

Historic Properties

At 24FH350 (the railroad spur) on the Kalispell bypass, the MDT will install a historic marker describing the history and significance of the Kalispell-Somers Railroad spur.

For the Whitefish Residential Historic District, the MDT will conduct additional survey work and prepare the nomination of the district to the National Register of Historic Places. When the nomination has been completed and accepted by the NRHP, the MDT will then prepare a NRHP sign to the local historical society describing the Whitefish Residential Historic District and its significance to the history of the community.

If construction in the Kalispell Courthouse Historic District results in the removal of any trees, they will be replaced by MDT.

Monitoring or Enforcement of Program

The Montana Department of Transportation will monitor the project to ensure compliance with the plans and specifications for this project. Adherence to the specifications will mitigate the short-term construction-related impacts.

Based on coordination with regulatory agencies, the following permits must be obtained prior to the construction of the proposed action:

- Section 404 Permit: The Montana Department of Transportation must obtain a Clean Water Act: Section 404 permit from the Corps of Engineers.

- Section 401 Water Quality Certification: The MDHES Water Quality Division must certify that any discharges into state waters will comply with certain water quality standards before federal permits or licenses can be granted.
- NPDES/MPDES Permit: The MDHES Water Quality Division will review plans and specifications relative to erosion control for a stormwater discharge permit. A Storm Water Erosion Control Plan will be developed for the project.
- 3A Authorization: This authorization must be obtained from the MDHES Water Quality Division for construction activities that may cause unavoidable short-term violations of state surface water quality standards for turbidity, total dissolved solids, or temperature.
- 124 Stream Protection Act: This permit is needed from the Montana Department of Fish, Wildlife and Parks to maintain the quality of streams and fisheries affected by highway-related construction.
- Beneficial Water Use Permit: Under the Montana Water Use Act, a temporary water use permit will be required from the DNRC if water is needed for dust control or other construction-related purposes.
- Floodplain Development Permit: A floodplain development permit from Flathead County will be required for road and bridge construction and placement of fill in floodplains of the Flathead River system.
- Air Quality Permit: The suppliers of asphalt materials and crushed rock needed for construction must have an air quality permit from the MDHES Air Quality Division.
- Construction Blasting Permit: The Contractor performing any blasting required for the proposed action must be licensed by the Safety Bureau of the Montana Department of Labor and Industry, Worker's Compensation Division.
- Permits for Open Burning: If open burning occurs with the right-of-way clearing activities for the proposed highway improvement project, fire control permits from DSL and open burning permits from the MDHES Air Quality Division and Flathead County may be required.

Comments on the Final EIS/Section 4(f) Statement

Ten letters or telephone calls were received following public distribution of the Final EIS. The letters that were received either endorsed the selected alternative, requested reconsideration of an alternative on another corridor, or requested provision of access for a particular property.

Here is a response to the letters received:

1. Development of alternative corridors to US 93 was considered but dropped from final evaluation because traffic demand on the US 93 corridor is such that improvements would still be needed to US 93.
2. Coordination with individual property owners will occur during the design and right-of-way process. Details related to property access will be negotiated with individual property owners.