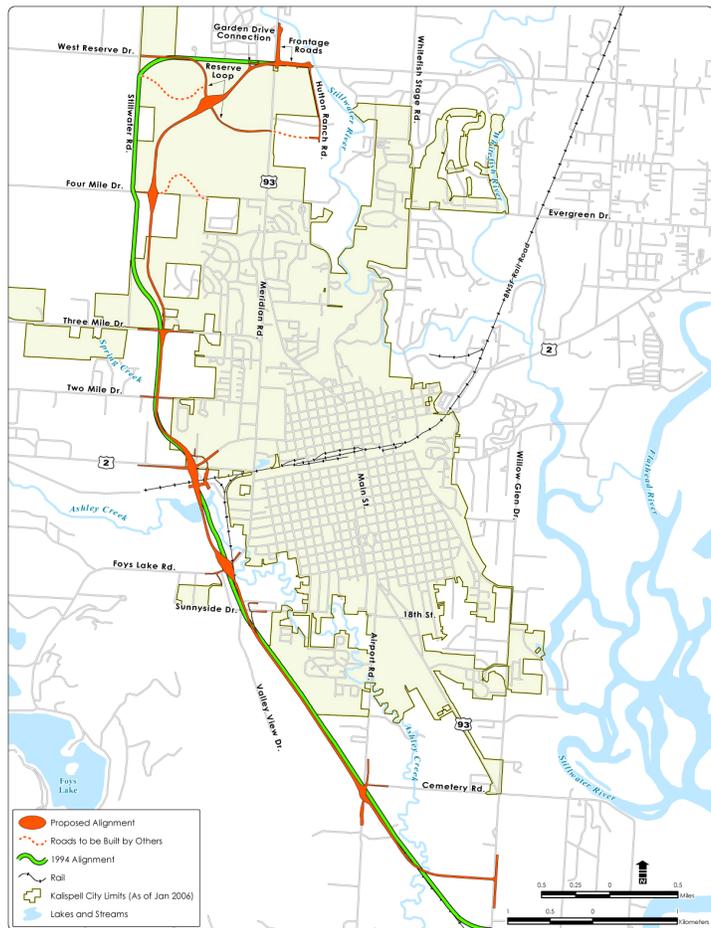


EXECUTIVE SUMMARY

This document provides a re-evaluation of the September 1994 US 93 Somers to Whitefish West Final Environmental Impact Statement (FEIS) as it pertains to the Kalispell Bypass alternative only. The US 93 Somers to Whitefish project is located in northwestern Montana in Flathead County. The proposed bypass evaluated in the FEIS is located on the west side of the City of Kalispell (see figure below). The bypass is a 7.6-mile (12-kilometer [km]) segment of the 29-mile (46-km) Preferred Alternative recommended in the 1994 FEIS and selected in the November 1994 Record of Decision (ROD). Since the ROD was finalized, several design changes have been proposed by the Montana Department of Transportation (MDT) for the bypass that require evaluation to determine if they result in new significant environmental impacts not previously considered in the FEIS. The design changes center around shifting the bypass alignment at the north and south ends, replacing six at-grade intersections with grade-separated interchanges, and modifying the northern terminus with US 93 and Reserve Drive.



Additionally, MDT conducted the re-evaluation to determine if new information or circumstances relevant to environmental concerns and bearing on the proposed action were considered and would not result in significant environmental impacts not evaluated in the FEIS. These would include the bull trout listing and new Montana Pollutant Discharge Elimination System (MPDES) Stormwater Program for Municipal Separate Storm Sewer Systems (MS4) Phase II requirements.

PROJECT BACKGROUND AND HISTORY

The US 93 is a north-south principal arterial that extends along the western portion of the state of Montana and is part of the National Highway System. The segment of US 93 that was covered by the 1994 FEIS is an approximately 29-mile (46-km) segment from Somers to west of Whitefish, Montana. This segment of US 93 links Missoula to urban areas and tourist destinations to the north.

Improvements to US 93 between Somers and Whitefish were originally proposed by MDT in the 1980s to reduce congestion on the existing facility, provide for planned growth and development, improve safety, provide for improved intermodal facility connections, and provide for enhanced scenic values. Since the FEIS and ROD were finalized in 1994, MDT has made steady and continued progress on the overall construction project along US 93 from Somers to Whitefish. Approval of the ROD initiated project activities that began with right-of-way acquisition, final design awards, and construction services segment by segment.

In 1996, MDT began a corridor preservation project to identify the specific right-of-way needs for the bypass. The corridor preservation project recommended three alignment modifications to allow better traffic flow: (1) the south terminus of the Bypass was shifted away from Snowline Lane to Gardner Auction, and (2) the alignment at the northern end was shifted east of Stillwater Road. A third alignment modification was recommended around this time based on the results of a supplemental noise analysis performed by MDT. The analysis recommended that the alignment be shifted away from neighborhoods along West Reserve Drive, south toward a nearby overhead electric transmission line to reduce potential noise impacts. Once the corridor preservation project was complete, MDT began passive acquisition of property needed for the Kalispell Bypass right-of-way. Passive acquisition means purchasing property from willing sellers who contacted MDT about selling. As of May 2006, approximately 40% of the land needed for the bypass has been acquired through passive acquisition.

Also, in August 1997, the Montana Transportation Commission passed an access control resolution designating the Kalispell Bypass as a limited access highway. This resolution was revisited by the Commission in August 2004 when, with support of the City of Kalispell and

Flathead County, the Commission reaffirmed the designation of a limited access highway for the bypass.

Lastly, in 2001, MDT recognized that levels of traffic growth in the Kalispell area may exceed expectations and could negatively impact traffic conditions along the bypass segment of the US 93 project. To accommodate the changed traffic conditions, MDT began considering design modifications to accommodate projected future traffic increases, including replacing at-grade signalized intersections with grade-separated interchanges.

PURPOSE OF THE RE-EVALUATION

The Council on Environmental Quality and Federal Highway Administration's (FHWA's) regulations require that a supplemental environmental impact statement be prepared whenever changes to a proposed action, or new circumstances or information may result in significant environmental impacts that were not evaluated in the FEIS. To determine if such changes are significant, the regulations require the development of appropriate environmental studies. MDT and FHWA use an environmental re-evaluation to determine whether an approved environmental document, such as an FEIS and ROD, remain valid.

Re-evaluations are generally required three or more years after either environmental document approval, if no additional major steps to advance the project have been taken; when design or scope changes occur; when new environmental impacts not discussed in the original environmental document are identified or impacts previously discussed change; or when environmental documentation requirements change.

While more than 10 years have passed since the signing of the ROD for the Somers to Whitefish West FEIS, as described previously, MDT has taken major steps to advance the overall project. As for the Kalispell Bypass segment of this overall project, MDT has undertaken major steps to identify and secure right-of-way. However, during this period, project development activities have refined the design for the bypass and allowed for more accurate quantification of some environmental effects disclosed in the FEIS. Flathead County continues to be one of Montana's fastest growing area and changes in traffic volumes and motor vehicle accident rates have occurred since the time of the FEIS. Changes to Federal and state regulations relevant to some

project activities have changes. Other concerns have been identified that have required design changes. Lastly, there is continued public interest associated with the development and effects of providing a bypass around the City of Kalispell. For these reasons, FHWA and MDT decided to re-evaluate the 1994 Somers to Whitefish West FEIS, for the Kalispell Bypass only, in accordance with provisions of 23 CFR 771.129 (b) and (c).

As the FHWA's Technical Advisory T 6640.8A states: "the entire project should be revisited to assess any changes that have occurred and their effect on the adequacy of the FEIS." This re-evaluation discloses new information or circumstances relevant to the development of the project and ensures that all current environmental requirements are addressed. The re-evaluation focuses on the changes with the bypass project corridor and its surroundings, the potential for new or previously undisclosed impacts, and new project-related issues that have arisen since the FEIS was approved.

Therefore, the primary purpose of this re-evaluation is to determine whether or not the approved FEIS for the proposed construction of the Kalispell Bypass remains valid. Additionally, the findings of this re-evaluation will provide the information needed for FHWA and MDT to determine whether or not a supplemental EIS is needed for the bypass project as provided for in 23 CFR 771.130(a) and (f).

FORMAT AND ORGANIZATION OF THE REEVALUATION

The US 93 Somers to Whitefish West FEIS Re-evaluation as it pertains to the Kalispell Bypass only consists of six sections:

1. Introduction
2. Summary of Findings from 1994 FEIS and ROD
3. Kalispell Bypass as Currently Proposed
4. Impacts of Proposed Changes
5. Impacts Comparison Summary
6. Comments and Coordination

Section 1.0 includes project background, history, and reasons for the re-evaluation.

Section 2.0 contains a summary of findings from the original 1994 FEIS and ROD as they relate to the Kalispell Bypass including the purpose and need, Preferred Alternative, impacts, and mitigation.

Section 3.0 contains an overview of the proposed design changes for the Kalispell Bypass.

Section 4.0 provides an evaluation of new impacts to human, social, and environmental resources compared to those identified in the 1994 FEIS. A summary of impacts and potential mitigation is provided in

Section 5.0, and public and agency coordination are discussed in **Section 6.0**.

CONFIRMATION OF PURPOSE AND NEED

The 1994 FEIS indicated the primary transportation needs on US 93 were to reduce congestion on the existing facility, provide for planned growth and development, improve safety, provide for improved intermodal facility connections, and provide for enhanced scenic values. These overall needs have not changed aside from those addressed by improvements already made by MDT during implementation of the Preferred Alternative in the 1994 FEIS. The purpose and need for the bypass was further elaborated in the 1993 Kalispell Bypass Feasibility Study commissioned by the Flathead Regional Development Office. This document contains an overview of existing conditions, population and employment projections, traffic projections, and bypass alternatives development and evaluation. The document described a long-term need for a bypass around Kalispell that has the following goals:

1. Relieve traffic congestion in the Central Business District (CBD), especially on Main Street.
2. Reduce truck traffic in the CBD.
3. Relieve traffic congestion at the intersection of Main Street and Idaho Street.

At the time the FEIS was prepared, the accident rate on US 93 between Somers and Whitefish was higher than the statewide average for similar highways. Accidents were considerably higher in the urban areas and in areas where there were multiple access points. Safety problems were occurring in the downtown areas from large commercial vehicles mixing with automobiles, bicycles, and pedestrian traffic. This condition continues to contribute to safety issues in the downtown Kalispell area.

In 1994, US 93 operated at a level of service (LOS) D or E in many locations. 2015 traffic forecasts projected the LOS of US 93 to reduce to level F throughout the Kalispell area, with traffic volumes greater than the capacity of the roadway. Capacity issues caused by the large volume of trucks, recreational traffic, and local business traffic in the downtown Kalispell area were an important factor leading to a recommendation to evaluate a bypass around Kalispell, a need that remains valid.

Access points to US 93 were and still are concentrated in the Kalispell City limits, particularly in the downtown area. This concentration continues to lead to congestion and safety issues. Most of these access points are designed such that there is no opportunity for drivers accessing US 93 to accelerate to higher speeds. Traffic signals on every block in downtown Kalispell further slow traffic and cause congestion. The proposed bypass is still needed to improve these conditions in the downtown area by diverting through traffic around Kalispell.

Economic and social needs were also addressed by including the Kalispell Bypass with the Preferred Alternative. US 93's growing reputation for being a difficult and dangerous driving experience was anticipated to deter some people from visiting, and increased congestion was negatively impacting businesses. This economic condition continues to remain valid, particularly in the downtown Kalispell area. Social needs were addressed by providing provisions for bicycle and pedestrian facilities and reducing barriers created by crossing a busy state highway.

PROPOSED DESIGN CHANGES TO THE FEIS BYPASS ALTERNATIVE

The proposed alignment for the bypass extends 7.6 miles (12.3 km) along the western side of the City of Kalispell, following the same general corridor proposed in the FEIS. Overall southern

and northern termini have been adjusted. A summary of the proposed design changes to the bypass alternative in the FEIS includes:

- Moving the southern termini with US 93 north approximately 1/3 mile.
- Making a minor alignment shift between Foy's Lake Road and US 2.
- Shifting the alignment to the east of Stillwater Road.
- Shifting the alignment to the south of West Reserve Drive.
- Replacing two culverts across Ashley Creek with bridge structures.
- Adding two new pedestrian grade-separated crossings.
- Replacing at-grade intersections with grade-separated interchanges at Airport Road, Foy's Lake Road, US 2, Three Mile Drive, and Four Mile Drive.
- Reducing access at Sunnyside Drive.
- Replacing at-grade intersections with over- or underpasses only (no access) at Two Mile Drive.
- Constructing a new grade-separated interchange at the new Reserve Loop Road.
- Constructing other new connecting roads at the northern termini as part of improvements to the Reserve Drive and US 93 intersection.
- Changing the cross section to include a rural section (no curb and gutter) from US 2 to Four Mile Drive.

The proposed design provides for stricter access control with grade-separated interchanges rather than the at-grade intersections proposed in the 1994 FEIS. With the proposed design, the facility would better meet the transportation needs while addressing community concerns relating to unregulated access and commercialization of the bypass corridor. The overall bypass alignment remains in the Kalispell Growth Area.

Unchanged from the 1994 FEIS design, the proposed design would provide a four-lane, limited access roadway that includes 12-foot (3.6-meter) travel lanes and 8-foot (2.4-meter) outside shoulders, separated by a 10-foot (3.0-meter) paved median. In select portions of the project, drainage ditches would be replaced by a curb. At the south and north project termini, the center median would be widened to allow for construction of additional turn lanes and/or raised medians.

Also unchanged from the 1994 FEIS, a 10-foot (3.0-meter) bike path would be constructed the entire length of the bypass, primarily on the east side of the bypass. In the proposed design, the bike path would parallel ramp alignments at all cross-streets to avoid at-grade crossings of high-speed ramps. Two new grade-separated bike path crossings are planned: one near the existing Sunnyside Drive and one at the north end of the project. Also, the existing Ashley Creek Trail, which travels east-west just south of US 2, would be relocated.

At the northern terminus of the bypass, a number of new connecting roadways are planned to improve operations of the Reserve Drive and US 93 intersection:

- **Reserve Loop** is planned as a four-lane road with a raised median that would replace existing West Reserve Drive to US 93;
- **Hutton Ranch Road** would extend a three-lane road from the east end of developer-constructed Hutton Ranch Road;
- **Frontage Road** would be a two-lane road in the northeast quadrant of US 93 and West Reserve Drive to provide all local access to this quadrant of land; and
- **Garden Drive Connection** would construct a right-in, right-out only access from the westbound lane of the bypass.

CHANGED ENVIRONMENTAL CONDITIONS

The re-evaluation summarizes impacts from the original bypass design disclosed in the 1994 FEIS. It also describes the conditions that have changed since 1994, and provides revised impacts based on the proposed design of the bypass. Many environmental conditions remain unchanged or only slightly changed since completion of the FEIS. A summary of the major changed conditions includes the following:

COMPLETION OF KALISPELL GROWTH POLICY

Since the completion of the FEIS, the *Kalispell Growth Policy 2020* (City of Kalispell 2003), adopted February 18, 2003, has replaced the *Kalispell Master Plan*. Over the past 10 years, the City of Kalispell has annexed substantial portions of land along the proposed bypass. Today, approximately 50% of the study area falls within the planning jurisdiction of the *Kalispell Growth Policy 2020*. The remainder of the proposed bypass falls under the jurisdiction of the *Flathead County Master Plan* (Flathead County, 1994), which is in the process of being updated

by a growth policy document. Generally, City and County land use policies for lands within the study area have not changed since the FEIS and development along the corridor has been approved by the City and County with the bypass corridor in mind. The Kalispell Bypass is now identified as a first priority transportation project by the City of Kalispell.

ADDITIONAL POPULATION AND EMPLOYMENT FORECASTS

Population forecasts in the 1994 FEIS were made for year 2000 and 2015. Population forecasts in the FEIS for the year 2000 appear to be reasonable since after being adjusted to year 2003, the actual 2003 population exceeded the FEIS forecast by only 2%. Population forecasts in the FEIS for year 2015 predicted a population exceeding 100,000. As an update, The *Kalispell Bypass Traffic Forecasting Report* (Stelling, 2005), now projects a population of 97,300 persons in Flathead County by 2015. This number is projected to increase to 120,100 persons by 2030. Overall, Flathead County continues to grow more rapidly than the state as a whole. According to the US Census of Population, between 1990 and 2000, the population of Flathead County increased by 25.8% while the population of Montana increased by 12.9%.

CHANGES IN FEDERAL ENDANGERED SPECIES ACT LISTINGS

Since the FEIS, the American peregrine falcon has been de-listed and is currently being monitored during its first five years of de-listing. Additionally, the Bull trout (*Salvelinus confluentus*) has been listed.

Based on coordination with United States Fish and Wildlife Service (USFWS) and Montana Fish, Wildlife, and Parks (MFWP), and implementation of specified coordination measures, a *no effect* determination was rendered for the bypass relative to the Bull trout.

DISCOVERY OF ONE ADDITIONAL CULTURAL SITE

Since completion of the FEIS, more recent cultural resource surveys have been conducted in the study area to account for proposed design changes. *The Cultural Resource Inventory and Assessment of the Kalispell Bypass Project* (Ferguson and McKay 1999) reviewed previous studies and conducted updated research on properties potentially eligible for the National

Register of Historic Properties (NRHP). The study reaffirmed the eligibility of the Kalispell-Somers Railroad Spur line and McCormack Farm, but did not discover new eligible properties.

Since 1999, proposed design changes have necessitated additional study of areas previously not affected. *The Kalispell Bypass Cultural Resource Supplement Report* (Renewable Technologies 2006) evaluated areas within the northern portion of the proposed bypass and at several interchange areas. The survey documented five historic sites in the study area. Four of these sites are not considered eligible for listing in the NRHP. One property, the Miller Residence, had been deemed eligible by the Montana State Historic Preservation Officer in 1994. The supplement report reaffirmed this property's eligibility.

The proposed design changes would not alter the previously determined effects to the Kalispell-Somers Railroad Spur Line and McCormack Farm. The proposed design changes would not affect the Miller Residence.

CONCLUSIONS REACHED FROM THIS RE-EVALUATION

Based on the new information obtained and developed for this re-evaluation, MDT and FHWA reached the following conclusions:

Conclusion 1: The FEIS adequately describes the overall environmental impacts associated with construction of the Kalispell Bypass and there were no new environmental impacts identified that might change the decision made in the original environmental document.

The anticipated environmental effects associated with construction of the Kalispell Bypass portion of the US 93 Somers to Whitefish West were fully described in the FEIS. The re-evaluation shows that environmental conditions with the bypass corridor have changed little since the publication of the FEIS.

Conclusion 2: The proposed design changes to the bypass minimize or reduce some previously disclosed impacts and improve the overall service life of the facility.

The re-evaluation determined that the proposed design changes to the bypass alternative described in the FEIS would:

1. Reduce wetland impacts from approximately 4 acres (1.6 hectares) to 1 acre (0.4 hectares) by making minor alignment shifts,
2. Reduce noise impacts from 51 to 39 impacted receivers by shifting the alignment south from West Reserve Drive and lowering the roadway grade where feasible,
3. Improve pedestrian and bicycle safety and access by adding two grade-separated crossings of the bypass, and
4. Reduce water resource impacts by replacing two culverts on Ashley Creek with bridges.

Additionally, MDT recognized that traffic conditions evaluated in the 1994 FEIS only considered forecasts to the year 2015 and that recent population increases in the Kalispell area could negatively impact future traffic conditions. To accommodate the changed traffic conditions, MDT proposed design modifications to accommodate year 2030 projected future traffic increases, thereby increasing the service life of the facility. The modifications include replacing at-grade signalized intersections with grade-separated interchanges (overpasses and underpasses) to allow unimpeded traffic movement along the bypass and reconfiguring the US 93 and West Reserve Drive intersection.

Conclusion 3: The proposed design changes to the bypass would cause some additional impacts.

This re-evaluation determined that the following additional impacts would result from the proposed design changes to the bypass:

1. Right-of-way needed to accommodate the proposed design changes would require the relocation of an additional five residential structures and one outbuilding.
2. Construction of six grade-separated interchanges would create a new permanent visual element.

Conclusion 4: There are no new significant environmental impacts caused by the proposed design changes.

This re-evaluation found that the proposed design changes would not result in new significant impacts beyond those reported in the 1994 FEIS. Therefore, the conclusions reached in the FEIS remain valid and a supplemental EIS is not required.

Conclusion 5: Additional Mitigation Requirements.

The only additional mitigation requirements over those in the 1994 FEIS resulting from the proposed design changes is the relocation of five additional residences and one outbuilding.