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FHWA
MONTANA DIVISION

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Federal Highway Administration
585 Shepard Way
Helena, Montana 59601-9785

Subject: U.S. Highway 93/2nd Street Improvement Project

This submittal is a request for the FHWA's concurrence that the proposed subject project meets the criteria for classification as a Categorical Exclusion (CE) under the provisions of 23 CFR 771.117(d). The proposed action also qualifies as a CE under the provisions of ARM 18.2.237 and ARM 18.2.261(1) (Sections 75-1-103 and 75-1-201 MCA). Copies of the concept plan sheet and project location map are attached. Supporting documentation (e.g. the noise modeling analysis, public meeting invitations and notes, database searches, etc) has been separately submitted to the City of Whitefish, FHWA and MDT Environmental Services.

This proposed project constructs road improvements and reconfigures certain traffic flow patterns on 2nd Street (U.S. Highway 93) from Spokane Avenue to mid-block between Baker and Lupfer Avenues, including intersections and transitions beyond the intersections. The project includes full reconstruction of the roadway (curb, gutter, and adjacent sidewalks); new street lights; storm drain modifications; new highway signage; upgraded traffic signals at the intersections of 2nd Street and Spokane, Central and Baker Avenues; and the addition of left turn lanes at the intersections of 2nd Street and Spokane Avenue and 2nd Street and Baker Avenue. The presently traveled way will be used during much of the construction and will then become part of the roadway prism. The project will include minor above-ground utility relocation and reconstruction of underground utilities (sanitary sewer, water, and storm drain) within the right-of-way. The project will add capacity to the existing roadway facility via increased storage in turn lanes.

The proposed project is located within Section 36, Township 31 North, Range 22 West, in Flathead County and the Whitefish city limits. U.S. Hwy 93, part of the National Highway System, is currently classified as a principal arterial for the entire project area.

The purpose and need for the project is to reduce congestion on existing facilities and improve safety in the project corridor, while providing for planned and anticipated growth in Whitefish. Current project area conditions reflect congestion in downtown Whitefish due to traffic backing up on 2nd Street when vehicles wait to turn left on Baker, Central and Spokane Avenues without a turn lane. Further, there are currently older highway signs and signals that are non-MUTCD compliant and non-ADA compliant pedestrian access points. The improvements proposed in this project will add turn lanes at the intersections of Spokane and Baker Avenues, and prohibit left turns on Central Avenue, to re-route traffic from this congestion point. The addition of turn lanes will minimize large-scale traffic congestion on 2nd Street, ultimately reducing opportunity for conflicts, enhancing the overall safety of the project area for all users. New traffic signals

will be coordinated for improved traffic flow, and will include modern controllers and detectors to maximize efficiency during peak hour and off-peak timing.

Considerable environmental research and analysis has been completed for the project area as part of previous environmental documents for U.S. Highway 93 from Somers to Whitefish. An Environmental Assessment (EA)/Finding of No Significant Impact (FONSI) was prepared in 1988 for the Somers to Kalispell corridor and Kalispell to Whitefish corridor, as two distinct projects. An Environmental Impact Statement (EIS) was prepared for the entire Somers to Whitefish corridor, issued in 1994 under the *U.S. Highway 93 Somers to Whitefish West Final Environmental Impact Statement* (FEIS) *and Record of Decision* (ROD). The majority of the Somers to Whitefish corridor has been constructed. A re-evaluation of the 1994 FEIS was completed for the Whitefish West section in 2008. This section is now being designed. The *Whitefish Transportation Plan – 2009* was created to help guide decision-making for the future of the Whitefish area transportation system in accordance with forecasting predicted in the Whitefish City-County Growth Policy. This document identified the 2nd Street Improvements and Signal Upgrades project as a Major Street Network project with immediate need/high priority for the community to meet the anticipated traffic demands of the year 2030 by relieveing downtown traffic congestions. MDT developed the *Whitefish Urban Corridor Study of U.S. 93* in July 2010, concurrently with the *Whitefish Transportation Plan* as a pre-NEPA and pre-MEPA examination of corridor improvement alternatives. These documents identified the poor level of service (LOS) at the intersections of 2nd Street and Spokane and Baker Avenues during peak hours as one of the key findings. Further, both documents list the 2nd Street Improvements project as the top priority project. **The U.S. Highway 93/2nd Street Improvements Project has been identified as the highest priority Major Street Network project by the City of Whitefish in the Whitefish Transportation Plan, who obtained funding for the project through a Transportation Investment Generating Economic Recovery (TIGER) grant. The project is now moving ahead, addressed through this narrative categorical exclusion.**

Current traffic counts in the project corridor and traffic analysis form the basis of the final design. In August 2010, WGM Group performed AM and PM peak-period manual traffic counts at each of the three project intersections. August is within the peak summer season during which traffic volumes in Whitefish are at their highest levels. These counts are being incorporated into the Preliminary Traffic Report, which is being developed concurrently with this categorical exclusion, with the purpose of presenting traffic volumes, operational analysis and crash analysis in evaluation of proposed intersection, safety and circulation improvements in the project area. WGM Group also obtained MDT crash information for the 5-year period from 2005 to 2009, when approximately 57 crashes were recorded at, between, or within the influence area of the three project intersections. 47 of these 57 crashes can be attributed to back of queue rear-end crashes, red-light running, and illegal turns. In general, the proposed project improvements seek to address these trends and improve project area safety by reducing congestion, providing storage for left-turn vehicles, and improving visibility by installing overhead traffic signals where only corner pole-mount signals exist today and adding street lighting.

All practicable means to avoid or minimize adverse social, economic and environmental impacts from the proposed project have been adopted. Potential impacts and proposed mitigation measures are summarized in the following tables. Table 1 includes expected permanent impacts.

Table 2 includes expected temporary impacts associated with construction activities. The subsequent sections provide additional information related to social, economic and environmental resources that may potentially be impacted by implementation of the proposed project. Potential direct and indirect impacts described in each subsection include expected permanent impacts of the facility. Temporary impacts due to construction of the facility are discussed in a separate subsection.

Table 1: Summary of Potential Permanent Impacts and Proposed Mitigation

Resource	Potential Impact	Proposed Mitigation
Historical/ Cultural Resources	No impact. No historic properties impacted by the project.	None.
Parks, Recreation Properties	No impact. No parks or recreation properties in project area.	None.
Section 6(f) Properties	No impact. No Section 6(f) properties in project area.	None.
Farmland	No impact. Entirely located in an urban downtown setting.	None.
Social	Improved safety for the traveling public.	None.
Environmental Justice	No impact.	None.
Traffic	Redistribution of traffic patterns will increase traffic at some locations, while reducing it at others. While specific locations may experience delays, on a network-wide basis, improved traffic conditions and reduced congestion will result from the project.	No mitigation is proposed beyond designed changes in traffic patterns.
Economic	Traffic routing improvements will improve access to local businesses.	None.
Land Use	Project supports Whitefish planned growth and development.	None.
Right-of-Way	A small amount of right-of-way acquisition is anticipated at the intersections of U.S. Hwy 93/2nd Street with Baker Avenue and Spokane Avenue to improve corner radii (approximately 800-1,000 square feet total).	Right-of-way will be acquired in accordance with the Uniform Relocation Assistance Act of 1970.

Resource	Potential Impact	Proposed Mitigation
Utilities	Minor relocation of above-ground utilities is anticipated in advance of the project. Replacement of municipal sanitary sewer, storm drain and water mains and/or services will be completed in advance of surface improvements. Upsizing of sanitary sewer and storm drain mains is not anticipated; however, upsizing of water mains may occur. Additional storm drainage inlets may be added at intersections and connected to the existing storm drain system.	None.
Wild and Scenic Rivers	No impact. No Wild and Scenic Rivers in project area.	None.
Air Quality	Positive impacts due to recirculation proposing more efficient traffic flow with less waiting, fuel usage and emissions at intersections.	None.
Noise	Noise models predict negligible increases in noise levels as a result of the project, per the 1994 FEIS.	None.
Water Resources/ Water Quality	According to GWIC well data, there are multiple groundwater monitoring wells in the block north of 2nd Street between Central and Baker Avenues. The project will add inlets to the City of Whitefish storm drainage system in order to drain constructed improvements. It is not anticipated that sanitary sewer reconstruction will add capacity to the current system.	Disallow any storage containers greater than 25 gallons of fuel, solvents, or other hazardous materials at the project site. Allow refueling only in a designated containment area. Require special provisions for immediate spill containment.
Wetlands	No impacts. Entirely urban setting with no wetlands in project area.	None.
Vegetation, Wildlife, and Aquatic Resources	Project is located entirely in an urban corridor, so no disturbed bare ground anticipated post-construction to foster weeds or erosion. Negligible to minor permanent impacts to vegetation/habitat, wildlife, and fisheries/aquatic resources.	Contractor will adhere to applicable conditions including the Section 402/MPDES Permit. Contractor will develop a Storm Water Pollution Prevention Plan (SWPPP) and adhere to BMPs for erosion and sediment control.
Threatened/ Endangered Species	The Gray Wolf and Canada Lynx are the only listed Threatened and Endangered species known in project area; no impacts, though, due to other nearby suitable habitat and urban setting of project.	None.

Resource	Potential Impact	Proposed Mitigation
Floodplains	While the FEMA-designated floodplains for the Whitefish River are in close proximity to the project, no project activities will impact these floodplains.	None.
Railroads	No impact.	None.
Pedestrian/ADA/ Bicycle Facilities	The project will provide improved pedestrian crossings at intersections and replace portions of the existing sidewalk system that do not meet current ADA requirements with ADA-compliant sidewalk.	None.
Hazardous Materials	It is assumed that contaminated soils will be encountered in the project corridor during construction.	Project specifications will detail procedures to address contaminated soil found during construction.
Visual Resources	No adverse impact.	None.
Cumulative Impacts	MDT, City of Whitefish and Burlington-Northern river cleanup projects that may be completed in the same timeframe as this project would provide positive cumulative effects on safety, but may increase difficulty in navigation/detours to the traveling public in the short-term.	Contractor coordination with traffic control planning to minimize impacts.

Table 2: Summary of Potential Temporary Construction Impacts and Proposed Mitigation

Resource	Potential Impact	Proposed Mitigation
Historical / Cultural Resources	Previously unknown historical or cultural materials may be unearthed during construction.	Project specifications require the Contractor to immediately stop work and notify the Project Manager of the find. The Project Manager is required to stake the area to remain undisturbed until the significance of the site has been determined and appropriate measures are carried out.
Traffic	Minor, short-term temporary inconveniences to the traveling public including occasional increased travel times, detours, and temporary closures.	A traffic control plan will be developed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).
Economic	Real or perceived reduced access to local businesses during construction; potential increased business by workers associated with construction.	Traffic control planning will ensure safe vehicular and pedestrian access to businesses during construction.
Utilities	Temporary, short-term interruption to utility services may result from conflicts with reconstruction and/or relocation of existing utilities including overhead power lines and buried sanitary sewer, storm drain, gas, water, telephone and/or fiber optic lines.	Any utility relocation will be addressed per MDT cost-share policy for federal funds, ensuring state law is followed. Owners and/or tenants of any impacted facilities will be notified in advance of service shutdowns during utility work.
Social	Short-term commute detours for the traveling public, especially tourists/non-residents who may not be familiar with the area, during construction.	Traffic control planning will ensure safe, clear re-routing and may include night work to minimize impacts.
Air Quality	Minor, short-term, localized adverse air quality impacts due to fugitive dust emissions from earth moving operations and combustion emissions from construction equipment.	Project specifications require that the Contractor comply with applicable state and federal air quality rules. The Contractor will be required to revegetate disturbed areas as described above, and incorporate dust control into the contract documents to minimize impacts.
Noise	Construction activities may cause minor, short-term, localized adverse noise impacts due to construction equipment.	Project specifications require compliance with applicable laws, regulations, and requirements contained in the contract regarding noise pollution. City of Whitefish Noise Control/Disturbing the Peace ordinances forbid noise-generating construction activity between 10pm and 7am without prior authorization.
Water Resources and Water Quality	Potential for short-term adverse impact on water quality due to runoff to existing storm drain inlets.	Contractor will adhere to applicable conditions including SWPPP and Section 402/MPDES Permit.
Vegetation, Wildlife, and Aquatic Resources	Temporary displacement of urban wildlife due to human-related disturbance. Wildlife mortality for individuals with limited mobility at the time of construction.	The Contractor will be required to restore disturbed areas.

Resource	Potential Impact	Proposed Mitigation
Threatened / Endangered Species	No impacts.	None.
Hazardous Materials	Previously unknown hazardous materials may be encountered during construction.	Project specifications will require any hazardous materials discovered, generated, or used during implementation of the project to be handled and disposed in accordance with applicable local, State, and Federal regulations.
Visual Resources	Construction activities may cause minor, short-term, localized adverse visual impacts due to construction.	The Contractor will be required to restore disturbed areas per project specifications.

1. Historical/Cultural Resources

MDT's Historian reviewed the project area and while there are National Register-eligible historic buildings adjacent to the project corridor (e.g. Central School and City Hall), none of them are located in areas of slated right-of-way acquisition or replacement sidewalk encroachment.

Impacts: No historic properties will be permanently impacted by the proposed project; therefore, no Section 106 Determination of Effect is necessary for the project. However, a Temporary Construction Permit may be required on the Central School property in order to tie proposed sidewalk improvements to existing infrastructure on the School's property.

Mitigation: No mitigation is required or proposed.

2. Parks and Recreation

No parks have been identified in the vicinity of the proposed project.

Impacts: No impacts.

Mitigation: No mitigation is required or proposed.

3. Section 6(f)

No Section 6(f) properties have been identified in the vicinity of the proposed project.

Impacts: No impacts.

Mitigation: No mitigation is required or proposed.

4. Farmland

The 1981 Farmland Protection Policy Act (FPPA) (Title 7 United States Code, Chapter 73, Sections 4201-4209) requires that the effects of proposed projects be examined before acquisition of farmland. Given that the entire project is located in an urban area, there is no farmland on or adjacent to the project.

Impacts: The proposed project is not located on or near farmland.

Mitigation: No mitigation is required or proposed.

5. Social Impacts

The project area is urban in nature with few residences in upper stories of commercial buildings. There is vacant land adjacent to and near the project limits that may provide opportunities for mixed-use development in the future.

Impacts: The proposed project is expected to result in a positive impact of improved safety for the travelling public. There may initially be some minor confusion about how to navigate the new routes, but this will alleviate with experience and proper signage design. No other impacts are expected with respect to social conditions, social interaction or community cohesion. The proposed project would not change the population growth or demographic trends projected for the project area.

Mitigation: No mitigation is required or proposed.

6. Environmental Justice

Title VI of the U.S. Civil Rights Act of 1964, as amended (USC 2000(d)) and Executive Order (EO) 12898 require that no minority, or, by extension, low-income person shall be disproportionately adversely impacted by any project receiving federal funds. For transportation projects, this means that no particular minority or low-income person may be disproportionately isolated, displaced, or otherwise subjected to adverse effects. Potential impacts are assessed in terms of property acquisitions or relocations, changes in access to employment areas, and other changes in low-income and minority communities/neighborhoods. Those other changes could include changes in the physical environment such as increases in noise levels, air pollution levels, and the presence or introduction of hazardous materials.

Impacts: The residential population within the project area is minimal due to the highly commercial and civic nature of the corridor, with any housing occurring on upper floors of buildings above retail operations. There is no subsidized/programmed housing within the corridor that would indicate the presence of low-income or minority housing. Therefore, the proposed project will not have a disproportionate adverse impact on minorities or low-income populations.

Mitigation: No mitigation is required or proposed.

7. Traffic

Traffic-specific elements of the project include the addition of left turn lanes at the Spokane and Baker Avenue intersections; upgrading of the traffic signals and controls at the Spokane, Central and Baker Avenue intersections; prohibition of the left turn movement at the Central Avenue intersection; and new highway signage.

Impacts: From a Level of Service (LOS) perspective, individual approach delays increase at some intersections (e.g., Central Avenue northbound and southbound) as signal time is

reassigned, and decrease at others (e.g., eastbound Second Street at Baker, and northbound Spokane Avenue at Second Street) as a result of added turn lanes and signal phases. The overall intersection LOS is improved significantly at the Spokane Avenue intersection for both the existing and 2030 analysis years, but remains relatively unchanged at the Baker and Central Avenue intersections. In contrast to the LOS, which looks at individual intersection approaches, the Measures of Effectiveness (MOE) look at traffic operation on a broader, network-wide basis. The proposed reconfiguration results in significant network-wide improvements. By the design year 2030, delay, stops, travel time, and speed each improve in the range of 35 to 60 percent, while fuel consumed and emissions improve by 12 to 17 percent. From these results we conclude that the overall project area network will experience improved traffic conditions as a result of the proposed improvements.

Mitigation: No mitigation is proposed because MOE analysis shows that the overall project area network will experience improved traffic operations as a result of the turn movement additions and modified traffic control.

8. Economic Impacts

The project area is a downtown urban neighborhood with minimal/negligible residential use. Local businesses rely on adequate access from the streets, providing economic benefit to the City of Whitefish.

Impacts: Traffic routing improvements due to the project will promote access to local businesses.

Mitigation: No mitigation is required or proposed.

9. Land Use

Land in the vicinity of the proposed project is located entirely in an urban setting with any residences in upper stories of commercial buildings incidental. Project improvements will change traffic patterns but will not increase traffic volumes in the area and will not directly or indirectly impact land. The Whitefish Downtown Business District Master Plan (December 2005) suggests that the property adjacent to the project boundaries will have a highest and best use of retail operations, including a future public parking structure.

Impacts: The improved traffic circulation resulting from this project will serve long-term downtown master planning goals.

Mitigation: No mitigation is required or proposed.

10. Right-of-Way

The existing right-of-way widths are approximately 70 feet total, with all roads centered within the right-of-way. All existing roads within the right-of-way measure approximately 47 ft from back of curb to back of curb.

Impacts: Approximately 800 to 1,000 square feet total of new right-of-way may be acquired for the project corridor, at the intersection of 2nd Street and Baker Avenue and the intersection of 2nd Street and Spokane Avenue. Temporary construction easements may be necessary during construction. No residential or business relocations are expected to be associated with this project.

Mitigation: Mitigation for any acquired right-of-way will take the form of financial compensation to the landowner, in accordance with the Uniform Relocation Assistance Act of 1970.

11. Utilities

A number of utilities are located in close proximity to the project, including aerial power and telephone, and buried gas, fiber optic, water, sanitary sewer and storm sewer lines.

Impacts: The project is expected to have some conflicts with utilities, including aerial power pole relocation, but attempts will be made to avoid and minimize them by modifying the design, where appropriate. All power pole and/or line relocations will be completed in advance of the project. Re-construction of the roadway may require the addition of storm drain inlets that will be connected to the existing municipal storm drain system. Some existing underground municipal sanitary sewer, water and storm drain mains and services will be replaced as part of the project, in advance of surface improvements. Upsizing is not anticipated for the sanitary sewer mains, so there should be no increase in discharge from this utility and its related permits. Some water mains may be upsized to better serve the municipal system. Some storm drain mains may be upsized to better accommodate 10-year design storm runoff flows.

Mitigation: Any utility relocation will be addressed per MDT's cost-share policy for federal funds, in accordance with state law, with any relocations performed by the utility. Owners and/or tenants whose service will be disrupted due to utility work will be notified in advance of service loss.

12. Wild and Scenic Rivers

No wild or scenic rivers exist in the project area.

Impacts: No impacts.

Mitigation: No mitigation is required or proposed.

13. Air Quality

The Whitefish City-County Air Pollution Control District is an air quality non-attainment area for particulate matter less than or equal to ten microns in diameter (PM-10), as designated by the EPA. The 1994 FEIS included a regional PM-10 emissions analysis for the years 2005 and 2015; the analysis concluded that emissions from Build Alternatives would be higher than the No-Build Alternative for the Whitefish non-attainment area. Thus, the 1994 FEIS concluded that a hot spot analysis would eventually be required for the project corridor but wasn't conducted at that time because the EPA had not yet issued guidance for a hot spot analysis.

Following the publication of the 1994 FEIS, guidance has been issued pertaining to Mobile Source Air Toxics (MSATs) and NEPA documentation. Based on FHWA-issued *Interim Guidance Update on Mobile Source Air Toxic Analysis in NEPA Documents* in 2009, the Clean Air Act identified 188 air toxics and the EPA identified 93 of these air toxics as MSATs, seven of which are among the national and regional-scale cancer risk drivers from their 1999 National Air Toxics Assessment. The FHWA guidance states that EPA controls will dramatically decrease MSAT emissions via cleaner fuels and engines, with modeling showing that even if vehicle activity increases by 145%, MSAT's would be reduced by 72%, looking at the model years of 1999 to 2050.

Impacts: The project will not result in any meaningful changes in traffic volumes, vehicle mix, or any other factor that would cause an increase in emissions impacts than would happen in absence of the project. Consequently, per FHWA interim guidance, the project is exempt from MSAT analysis. Further, this project seeks to alleviate traffic congestion, which would correspond to a decrease in vehicle emissions.

Mitigation: No mitigation is required or proposed with respect to permanent conditions. Further discussion of local air quality regulations during construction is discussed in the Construction section of this document.

14. Noise

The FHWA Noise Abatement Criteria (NAC) specifies categories for noise sensitivity. The residences, churches and parks near the project corridor fall under Category B and should not receive exterior noise of greater than 67 decibels (dBA) at equivalent steady-state (Leq). The businesses in the project corridor fall under Category C and should not receive exterior noise of greater than 72 dBA Leq. Noise monitoring was conducted in September and October 1993 during peak traffic periods in support of the Somers to Whitefish FEIS issued in 1994. Monitoring at three of four residences near the project corridor exceeded the Category B criteria, with results ranging from 59-70 dBA Leq.

A predictive noise model for 2015 conditions was also created at this time as part of the 1994 FEIS, showing insubstantial increases in noise levels. Due to the 1993 monitoring results showing noise levels exceeding FHWA NAC criteria, noise abatement measures must be considered for this project per 23 CFR 772. Such abatement measures can include noise barriers or horizontal/vertical alignment modificatons. Neither of these measures was deemed feasible due to access issues, visual concerns, and limited right-of-way.

Although the noise model dates to 1994, it is assumed that its predictive results are still valid and useful due to the lack of major changes to traffic patterns and alternate routes for traffic feeding into the project corridor.

Impacts: Negligible increases in noise levels were predicted in noise models for the project corridor.

Mitigation: No mitigation is proposed.

15. Water Resources and Water Quality
Montana Groundwater Information Center (GWIC) well data suggest that ten groundwater monitoring wells are present on the north side of 2nd Street between Central and Baker Avenues. The project is located within the City of Whitefish's storm drainage system boundary and will result in modifications to the City's storm drainage system, including replacement of buried mains and additional inlets to the piped system to drain the surface improvements. Replacement of sanitary sewer mains in the project right-of-way will also occur prior to surface improvements; however, no increase in capacity is anticipated as part of this utility replacement, so there should be no increase in wastewater due to this project.

Impacts: Given the proximity of logged wells to the project, any fuel or solvent spills, or other hazardous material accidents could adversely impact water quality. Stormwater runoff may enter the City of Whitefish system at new locations due to this project.

Mitigation: Project specifications require temporary water pollution control measures with respect to containment and fuel/solvent/hazardous material storage to minimize potential effects of construction activities. Mitigation of water quality impacts caused by stormwater runoff and erosion would be achieved through engineering controls such as grading, revegetation, and the use of Best Management Practices (BMPs). The permit associated with the City of Whitefish storm drain system will need to be reviewed should additional inlet points to the system be constructed.

16. Wetlands
There are no wetlands in the project corridor.

Impacts: No impacts.

Mitigation: No mitigation required or proposed.

17. Vegetation, Wildlife, and Aquatic Resources
Due to the urban nature of the project location, there is very little, if any, natural habitat in the project area. Wildlife typically found in the project area includes the eastern fox squirrel and common birds that are adapted to urban areas. Fish and other aquatic species are not found in the project area, but do inhabit the Whitefish River, which is west of the project area, greater than 500 feet from the project boundaries.

Impacts: There will be no impacts to the identified species of concern because 1) none of those species are known to exist in the project area, 2) no suitable habitat for these species exists in the project area and 3) more suitable habitat for species of concern exists in other locations along the Whitefish River and Whitefish Lake riparian corridor near the project site that would make the choice of the project site as habitat unlikely.

Mitigation: No mitigation is required or proposed for wildlife resources. Aquatic resources outside the project limits will be protected through project specifications requiring adherence to any required Section 402/MPDES Permit and/or SWPPP.

18. Threatened/Endangered Species

The Montana Natural Heritage Program (MNHP) maintains an extensive Species of Concern database on plant and animal species of concern to multiple state and federal agencies. This database includes Montana State Species of Concern, U.S. Fish & Wildlife Service (USFWS) Threatened & Endangered Species, U.S. Forest Service (USFS) Sensitive Species and Bureau of Land Management (BLM) Special Status Species. A September 28, 2010 search of the MNHP database reported 13 species of concern, using a search area of the project corridor within Section 36, Township 31N and Range 22W. The report notes that the search results are based on basic locational information and should be a screening tool only. In many cases, the records are historic and therefore do not necessarily indicate the species currently has the potential to occur in the project area given site limitations, in this case the fact that the project is set in an urban setting.

The nine animal species listed in the September 2010 MNHP report (enclosed) include the Common Loon (Sensitive), Westslope Cutthroat Trout (Sensitive), Pygmy Whitefish (Natural Heritage Ranking), Lake Trout (Natural Heritage Ranking), Gray Wolf (Endangered/Sensitive), Fisher (Sensitive), Wolverine (Sensitive), Canada Lynx (Threatened) and Northern Alligator Lizard (Natural Heritage Ranking). The four plant species listed in the September 2010 MNHP report include the Watershield (Sensitive), Pygmy Water-lily (Natural Heritage Ranking), Water Bulrush (Sensitive) and Small Yellow Lady's-slipper (Sensitive).

Additional species known to occupy habitat in the general vicinity, though not specified in the MNHP report, are the Grizzly Bear and Bull Trout (both listed as Threatened). The Whitefish West Biological Resources Report (BRR) was also prepared for MDT prior to MDT's issuance of the *Re-Evaluation of the U.S. 93 Somers to Whitefish West FEIS and Section 4(f) Evaluation* in 2008. This BRR suggested that the only area of concern for wildlife was the area around proposed bridge work; since the bridge work is outside the scope of the U.S. Highway 93/2nd Street Improvements Project, these concerns are negligible.

Impacts: There will be no impacts to the identified species of concern because 1) none of those species are known to exist in the project area, 2) no suitable habitat for these species exists in the project area and 3) more suitable habitat for species of concern exists in other locations along the Whitefish River and Whitefish Lake riparian corridor near the project site that would make the choice of the project site as habitat unlikely.

Mitigation: No mitigation is required or proposed for threatened/endangered species.

19. Floodplains

There are no delineated floodplains within the project limits. A floodplain permit will not be required for this proposed project.

Impacts: Potential flood impacts within the project area will be unchanged or maintained with the proposed project.

Mitigation: No mitigation is required or proposed.

20. Railroads
No railroad right of way is located within the project area.

Impacts: The project will require no railroad involvement.

Mitigation: No mitigation is required or proposed.

21. Pedestrian/Americans with Disabilities Act (ADA)/Bicycle Facilities
The project area is highly traveled by pedestrian users due to its proximity to Whitefish's downtown business district. Inclusion of project elements such as improved pedestrian crosswalks, bulb-out intersection designs for traffic calming and improved pedestrian safety, enhanced pavement markings, and curb ramps meeting ADA requirements at all intersections serve pedestrian interests.

Impacts: Positive impacts include enhanced accessibility to pedestrians. On the converse, negative impacts include increased opportunity for conflict between motorized and non-motorized users at crossings within a relatively high-volume corridor.

Mitigation: No mitigation is required or proposed.

22. Hazardous Materials
Maxim Technologies (currently dba Tetra Tech, Inc.) evaluated the project corridor as part of the *Phase II Hazardous Material Assessments U.S. Highway 93 Reconstruction Project Whitefish Urban and West* Segments in 2006. This report was based upon reviews of the Natural Resource Information System (NRIS) Underground Storage Tank (UST) Facilities database; historic directories owned by the Stumptown (City of Whitefish) Historical Society; site visits to locate researched properties; contact with the Department of Environmental Quality (DEQ) Petroleum Release Section; and groundwater well monitoring. The report revealed seven properties of concern in the current 2nd Street Improvements Project corridor: the former Town Pump #1 Gas Station at 541 E. 2nd Street; Mum's Flowers at 205B Spokane Avenue (former service station); the current Central School at 600 E. 2nd Street (2004 heating oil release); the current Big Mountain Tire at 540 E. 2nd Street (current gasoline UST's); a former Gas Station at 403 E. 2nd Street (active gasoline UST's); the property at 204 Central Avenue (heating oil tank removed in 1993); and Whitefish Credit Union 418 at E. 2nd Street (current City Public Works office, former/inactive heating oil site). None of these sites were identified in the report results as being recommended for further study to more completely define concerns related to hazardous materials.

A current records search was conducted on September 7, 2010, for the Natural Resource Information System (NRIS) and Environmental Protection Agency (EPA) Envirofacts databases.

The NRIS UST database, maintained by DEQ, revealed seven UST facilities in the project corridor. Five of those seven were also addressed in Maxim Technology's 2006 Phase II summarized above. Notes on the characterization (i.e. whether or not a site assessment was completed, and if so, what it revealed) are included, per DEQ records. It should be noted that

DEQ's definition of a 'site assessment' as cited below does not meet ASTM standards for site assessments for environmental due diligence.

- Whitefish Furniture, Inc, 326 E. 2nd Street (between Baker and Lupfer Avenues), 2 tanks removed in 1994 with both site assessment showing evidence of a leak detected, status = permanently out of use.
- Frank's Conoco, 403 E. 2nd Street (between Baker and Central Avenues - noted in Phase II described above), 4 tanks removed in 2003 with all site assessments showing evidence of a leak detected, status = permanently out of use.
- American Bank Whitefish, 140 Baker Avenue (intersection of 2nd Street and Baker Avenue), 1 tank removed in 2002 with the site assessment showing NO evidence of a leak detected, status = permanently out of use.
- Whitefish Credit Union, 418 E. 2nd Street (between Baker and Central Avenues - noted in Phase II described above), 1 tank removed in 1994 with the site assessment showing NO evidence of a leak detected, status = permanently out of use.
- Whitefish School District Central School, 600 E. 2nd Street (intersection of 2nd Street and Spokane Avenue - noted in Phase II described above), 1 tank found with no site assessment completed, status = permanently out of use.
- Big Mountain Tire formerly Bob's Tire, 540 E. 2nd Street (between Central and Spokane Avenues - noted in Phase II described above), 1 tank closed in place in 1990 with no site assessment completed, 3 tanks removed in 2003 with all site assessments showing evidence of a leak detected, status = permanently out of use.
- Town Pump, Inc, 541 E. 2nd Street (between Central and Spokane Avenues - noted in Phase II described above), 1 tank removed in 1991, 1 tank removed in 1992 with both site assessments showing evidence of a leak detected, status = permanently out of use.

The NRIS Leaking UST database, maintained by DEQ, revealed eight reports of leaking UST's at six facilities in the project corridor. Five of these facilities were also listed in the UST database, one wasn't. Further, four of the facilities were also addressed in Maxim Technology's 2006 Phase II. Notes on the DEQ's priority classification system (e.g. '1.4 High Priority Characterization,' '2.0 Medium Priority Characterization,' and '5.0 Pending Closure,' when listed) are included, per DEQ records.

- Whitefish Furniture, Inc, 326 E. 2nd Street (between Baker and Lupfer Avenues), confirmed release of heating oil in 1994, resolved in 2007, no priority listed.
- Frank's Conoco, 403 E. 2nd Street (between Baker and Central Avenues - noted in Phase II described above), gasoline and diesel contaminated soil confirmed in 2003, no resolution date, priority = 1.4 High Priority Characterization.
- Stumps Pumps – same address as above-listed Frank's Conoco, 403 E. 2nd Street (between Baker and Central Avenues – confirmed release of diesel and gasoline spills in 1993, resolved in 2010, priority = 2.0 Medium Priority Characterization.
- Stumps Pumps – same address as above-listed Frank's Conoco, 403 E. 2nd Street (between Baker and Central Avenues – confirmed release of gasoline overfill in 1989, resolved in 1991, no priority listed.

- Whitefish School District Central School, 600 E. 2nd Street (intersection of 2nd Street and Spokane Avenue - noted in Phase II described above), confirmed release of heating oil in 2004, resolved in 2008, priority = 5.0 Pending Closure.
- Big Mountain Tire formerly Bob's Tire, 540 E. 2nd Street (between Central and Spokane Avenues - noted in Phase II described above), confirmed release of gasoline and heating oil in 2002, no resolution date, priority = 2.0 Medium Priority Characterization.
- Town Pump, Inc., 541 E. 2nd Street (between Central and Spokane Avenues - noted in Phase II described above), confirmed release of gasoline in 2007, resolved in 1996 (note discrepancy of resolution date after release date), priority = 1.4 High Priority Characterization.
- Duncan Sampson Building, 301 E. 2nd Street (between Baker and Lupfer Avenues), confirmed release of heating oil in 1995, resolved in 1996, discovered during repair of nearby water line, no priority listed.

No Remediation Response Sites, Abandoned Mine Sites or Hazardous Waste Handlers were listed in the NRIS database, based on DEQ records.

The EPA Envirofacts database revealed one EPA-regulated facility in the project corridor:

- Anderson Cleaners Whitefish, 306 E. 2nd Street (between Baker and Lupfer Avenues), listed as a hazardous waste handler due to their drycleaning operations, shown as being in compliance with hazardous waste (RCRA) regulations for the last three years, with no formal enforcement actions or penalties in the last five years.

No CERCLIS (Superfund) or Toxic Release Inventory sites were listed in the EPA Envirofacts database.

Impacts: All resources suggest that contaminated soil will be encountered by the Contractor within the project limits that will need to be addressed during construction.

Mitigation: Project specifications will detail procedures concerning testing for and special handling, removal and disposal of contaminated soil. The Contractor will need to identify clean fill sources prior to construction for any import material needed to backfill excavations involving removal of contaminated soils.

23. Visual Resources

Visual impacts of the proposed project were determined by comparing conceptual design plans and the existing visual character features with field visits.

Impacts: The project proposes reconstruction of an urban corridor that is already paved. While the sub-surface foundations of the covered sidewalk arcades are proposed to be replaced, the existing columns will be retained. Impacts to the visual quality of the proposed project area are expected to be negligible or improved in cases where cracked sidewalk is replaced.

Mitigation: No mitigation is required or proposed.

24. Construction
After final construction plans are completed and the project awarded, the Contractor would determine specific construction methods to achieve project specifications and goals. In general, road construction could likely involve excavation and grading, and removal and placement of pavement and concrete. Utility replacement would include excavation of the utility trench, removal and replacement of project elements, and backfill and compaction of material up to road subgrade. Construction is currently anticipated to begin in Fall 2011.

Impacts: Temporary construction impacts fall into multiple categories, as follows:

- **Traffic Impacts:** Construction activities would cause minor, short-term temporary inconveniences to the traveling public including occasional increased travel times, detours, and temporary closures. Traffic will be maintained during project construction through the use of appropriate signing, flagging, lane closures, etc. Short duration closures of streets, if required, will be scheduled during low traffic periods. Reasonable access will be provided.

- **Economic Impacts:** The proposed project is expected to have minor, short-term beneficial effects on the local and regional economies due to construction activities. However, adjacent businesses may experience minor, short-term negative impacts due to perceived reduced access during construction.

- **Utilities Impacts:** A number of utilities are located in close proximity to the project, including aerial power and telephone, and buried gas, fiber optic, water, sanitary sewer and storm sewer lines. The project is expected to have some conflicts with above-ground utilities, with all utility relocations completed by the utility before the project begins. Further, buried wet utility replacement will be performed by the Contractor as part of the project. Temporary, short-term interruption to utility services may result.

- **Social Impacts:** Whitefish residents, tourists and employees of local businesses may encounter detours in their commutes/travels via vehicles and bicycles.

- **Air Quality Impacts:** Construction activities may cause minor, short-term, localized adverse air quality impacts due to fugitive dust emissions from utility construction and combustion emissions from construction equipment.

- **Noise Impacts:** Construction activities may cause minor, short-term, localized adverse noise iinpacts due to construction equipment.

- **Water Resources and Water Quality Impacts:** Construction activity may modify or add existing inlets to the City of Whitefish storm drainage system. Construction activities near storm drain system inlets have potential to have a short-term adverse impact on water quality due to potential for erosion and sediment. These short-term impacts will need to be addressed via a Storm Water Discharge Permit, described in the Permits/Notifications/Authorizations Section, #25 below.

- **Vegetation, Wildlife, and Aquatic Resources Impacts:** Disturbed areas, especially removal and/or disturbance of any existing landscaping in the project corridor, created during construction could create conditions that may create temporary habitat and vegetation loss for small mammal wildlife (e.g. ground squirrels and mice) and migratory birds. Permanent displacement of populations or increased habitat fragmentation would be unlikely to result from this project given the urban nature of the project, in both its current and proposed state.

- **Threatened/Endangered Species Impacts:** No effects to threatened and endangered species are expected.

- **Historical/Cultural Resources Impacts:** Previously unknown historical or cultural materials may be unearthed during construction.

- **Hazardous Materials Impacts:** Previously unknown hazardous materials may be encountered during construction.

- **Visual Resources Impacts:** Construction activities may cause minor, short-term, localized adverse visual impacts. Visual impacts will include removal of existing visual resources like sidewalk, curb and asphalt prior to replacement; temporary removal and/or shoring of covered sidewalk arcades during foundation replacement; temporary fencing;; construction signing; and heavy equipment.

Mitigation: Mitigation for temporary construction impacts also falls into multiple categories, as follows:

- **Traffic Mitigation:** A traffic control plan will be developed prior to construction. The Manual on Uniform Traffic Control Devices (MUTCD) will be utilized to guide the application of the traffic control plan.

- **Economic Impacts Mitigation:** Traffic control planning will ensure safe vehicular and pedestrian access to businesses during construction.

- **Utilities Mitigation:** Any utility relocation will be addressed per MDT's cost-share policy for federal funds, in accordance with state law. The Contractor will be responsible for notification of service interruptions for replacement of buried utilities.

- **Social Impacts Mitigation:** Traffic control planning will seek to make re-routing clear and safe to the travelling public.

- **Air Quality Mitigation:** Project specification require that the Contractor shall apply to the Flathead City-County Health Department for a permit, which includes a dust control plan describing reasonably available control technology (RACT) to prevent the emission and/or airborne transport of dust and dirt from the construction site. This will be

completed in accordance with the Flathead County Air Pollution Control Program, which includes regulations serving the Whitefish City-County Air Pollution Control District. Further, project specifications require that the Contractor comply with applicable state and federal air quality rules, which may require use of dust suppression and emission control measures to minimize short-term impacts related to construction dust and equipment usage.

- **Noise Mitigation:** Project specifications require compliance with applicable laws, regulations, and requirements contained in the contract regarding noise pollution, including City of Whitefish Noise Control/Disturbing the Peace ordinances that forbid construction activities that produce noise between 10:00 PM and 7:00 AM, unless the work is previously authorized by a public agency.

- **Water Resources and Water Quality Mitigation:** Project design and construction specifications require temporary water pollution control measures to minimize potential effects of construction activities, per the SWPPP. The City of Whitefish and its Contractor will adhere to applicable conditions including Section 402/MPDES Permit.

- **Vegetation, Wildlife, and Aquatic Resources Mitigation:** The Contractor will be required to restore disturbed areas.

- **Threatened/Endangered Species Mitigation:** No mitigation required or proposed.

- **Historical/Cultural Resources Mitigation:** In the unlikely event that archeological or historical artifacts are encountered during construction, project specifications require the Contractor to immediately stop work and notify the Project Manager of the find. The Project Manager is required to stake the area to remain undisturbed until the significance of the site has been determined and appropriate measures are carried out.

- **Hazardous Materials Mitigation:** Project specifications require any hazardous materials discovered, generated, or used during implementation of the Preferred Alternative to be handled and disposed in accordance with applicable local, State, and Federal regulations.

- **Visual Resources Mitigation:** The Contractor will be required to restore disturbed areas, including hard surfacing and covered sidewalk arcades.

25. Permits/Notifications/Authorizations

The following permits/authorizations may be required prior to any relevant disturbance:

- A Storm Water Discharge Permit will be required, which will include the development of a Storm Water Pollution Prevention Plan and submittal of a Notice of Intent to DEQ, to be completed by the Contractor. This permit authorization is typically obtained under an MPDES General Permit from DEQ's Permitting and Compliance Division.
- DEQ and City of Whitefish Public Works will need to review and approve the municipal sewer, water and storm drainage designs.

- The Contractor will need to comply with applicable local, state and federal air quality rules for fugitive dust, paving and/or the State Conformity (air quality) process.
- Temporary construction permits may need to be obtained for minor activities on private property/outside of right-of-way, including utility work and connecting existing sidewalks and driveways to proposed improvements.

26. Public Involvement

Public involvement activities already conducted and intended to be conducted are briefly described below:

- During the design process, public open houses and stakeholder meetings will be held to obtain input on the project. The first was held in the City Council Chambers on October 14, 2010, with 22 people in attendance, where the project was presented and the public had an opportunity to ask questions. Stakeholder meetings were also held on October 14, 2010, with the Heart of Whitefish downtown organization, and local business owners. Further stakeholder meetings will be held to assure good public understanding and consent for the project. Further, a public project website has been prepared and will be updated/maintained with current project information.
- Construction notifications and information during construction will be provided via signing, mailings, radio ads and newspaper articles as appropriate.

The public involvement plan may be adjusted as necessary.

27. Cumulative Impacts

Cumulative impacts are effects on the environment that result from the incremental effect of an action when added to past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative effects can result from individually minor, but collectively significant, actions taking place over a period of time. The following projects may be among those that emerge as the project construction date nears:

- *MDT Projects:* Segment 1 of the Whitefish West project (one block east of Lupfer Avenue to Karrow Avenue) is currently in the right-of-way acquisition phase, anticipated construction spring 2012, depending on availability of funding.
- *City of Whitefish Projects:* Central Avenue/Downtown streets project is currently in the final phase of construction with completion anticipated by fall 2011.
- *Burlington Northern Santa Fe Railway/Environmental Protection Agency Projects:* Phase 3 of ongoing Whitefish River cleanup work is currently anticipated for 2011 from the 2nd Street bridge to the JP Road bridge.

Impacts: The above projects would have positive cumulative effects on safety for the travelling public, but may pose some challenges in business access with multiple traffic control plans in place.

Mitigation: Effort will be made to coordinate traffic control planning where possible to minimize economic and social impacts.

28. Conclusion

This action would neither individually nor cumulatively have any significant adverse social, economic, or environmental impacts in accordance with the provisions of 23 CFR 771.117(a). The City of Whitefish recommends that this project is properly classified as a Categorical Exclusion.

Date: 12/8/10

City of Whitefish Public Works
John Wilson, P.E.
Public Works Director

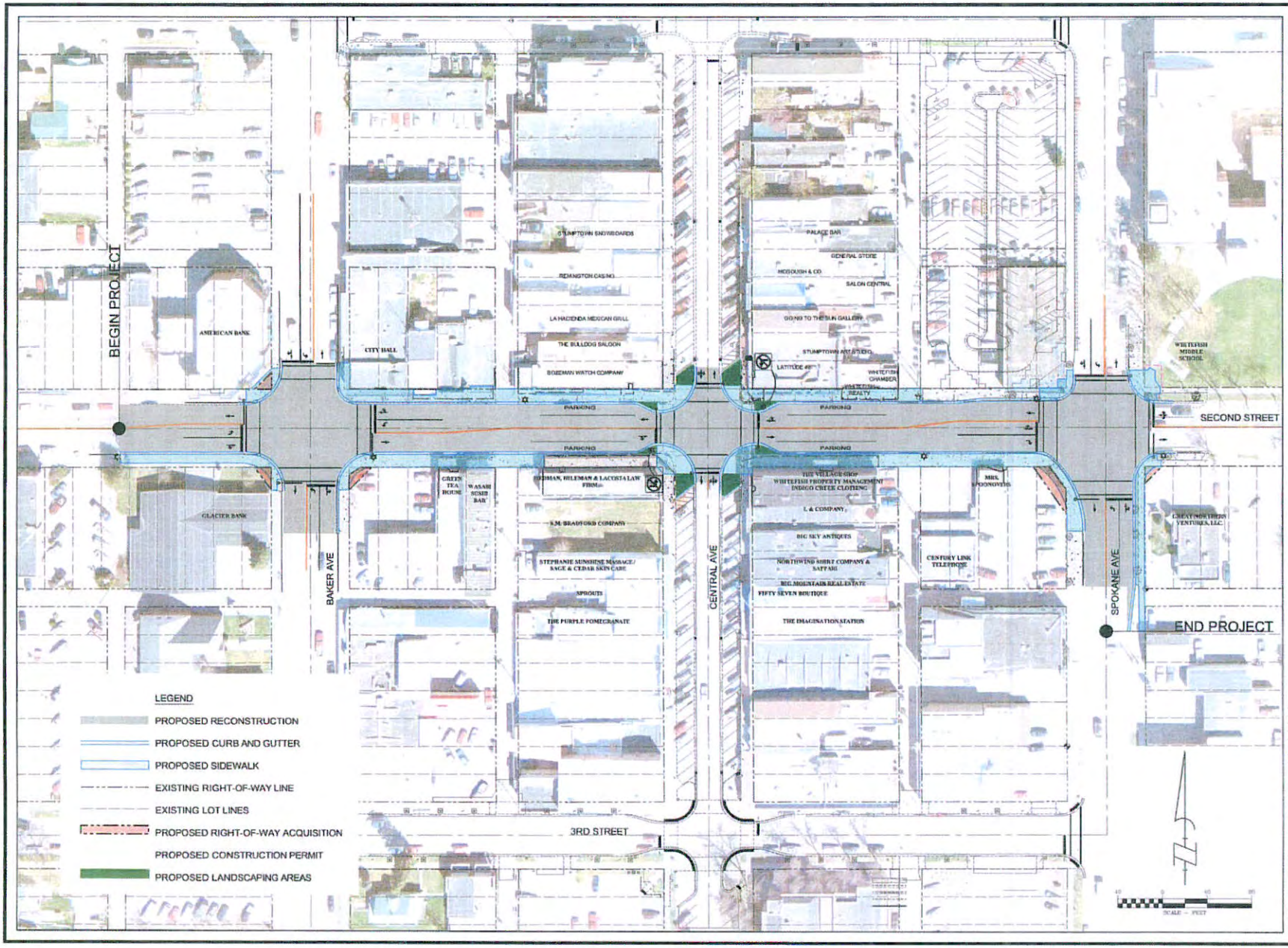
Concur _____ Date: 12-8-2010
Federal Highway Administration

Attachments

copies (with attachments):

Dan J. Smith, P.E.	Recovery Act Coordinator, FHWA (Montana Division)
Michael J. Duman	Asst. Division Administrator, FHWA (Montana Division)
Brian Hasselbach	ROW & Environmental Specialist, FHWA (Montana Division)
Gene Kaufman	Operations Engineer, FHWA (Montana Division)
Jim Skinner	Planning Division, MDT
Tom Martin	Environmental Services Bureau Chief, MDT
Karin Hilding	Senior Project Engineer, City of Whitefish
Stephen Herzog	Project Contract Admin. Consultant, CTA
Jeremy Keene, P.E.	Principal Engineer, WGM Group, Inc.
file	

Alternative accessible formats of this information will be provided upon request.



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CONCEPTUAL DESIGN OVERVIEW
U.S. HIGHWAY 93 / 2ND STREET IMPROVEMENTS
WHITEFISH, MONTANA

REVISIONS:
NO. DESCRIPTION DATE

PROJECT: 08-08-11
FILE No: 0808118ASE-P.dwg
FILE PATH:
LAYOUT: 2ND-SPOKANE
SURVEYED: ETO
DESIGN: BI
DRAFT: TL/CDI
APPROVE: JWK
DATE:

NOVEMBER 2010

SHEET 1 OF 1

PROJECT LOCATION MAP

2nd Street Improvements
Whitefish, Montana

N

0 500 1,000

1 inch = 1,000 feet

November 2010

WGM GROUP

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