



# Montana State Parks and Recreation Board

## Agenda Item Cover Sheet

THE **OUTSIDE** IS IN US ALL.

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**Meeting Date:** December 9, 2021

**Agenda Item:** Somers Beach BNSF Railway Lease (“North Forty”)

**Division:** Parks and Outdoor Recreation

**Time Needed on Agenda for this Presentation:** 15 Minutes

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**Background:** FWP proposes to enter into a zero-cost lease with the Burlington Northern Santa Fe Railway (BNSF) to use a 4.2-acre portion of BNSF property located adjacent to Somers Beach State Park to locate basic interim amenities for public safety and sanitation while a long-term vision for this new state park is developed. Proposed interim amenities include parking, pedestrian trails, fencing, trash receptacles, and a portable public restroom. The proposed lease has an indefinite term with the option to be cancelled by either party at any time. FWP would be responsible for the development and maintenance of amenities placed on BNSF property. BNSF seeks indemnification from exposure to risk associated with public use of these amenities.

**Public Involvement Process & Results:** The use of BNSF property under this lease was publicly vetted via the Somers Beach State Park Interim Development Proposal Environmental Assessment. Public comment was received for 30 days during October and November. Comment received indicated support for developing interim amenities at this location.

**Alternatives and Analysis:**

**Alternative A: No Action**

Under the no action alternative, FWP would not develop any interim visitor amenities until a formal, long-term vision and development plan for the park is completed. Under this scenario, parking would likely occur along Somers Road and pedestrian access would occur randomly along the road. FWP staff would patrol the park for litter, but a pack-in, pack-out policy would be in place during the interim. FWP staff would be routinely present to inform visitors of user regulations.

**Preferred Alternative B: Proposed Action**

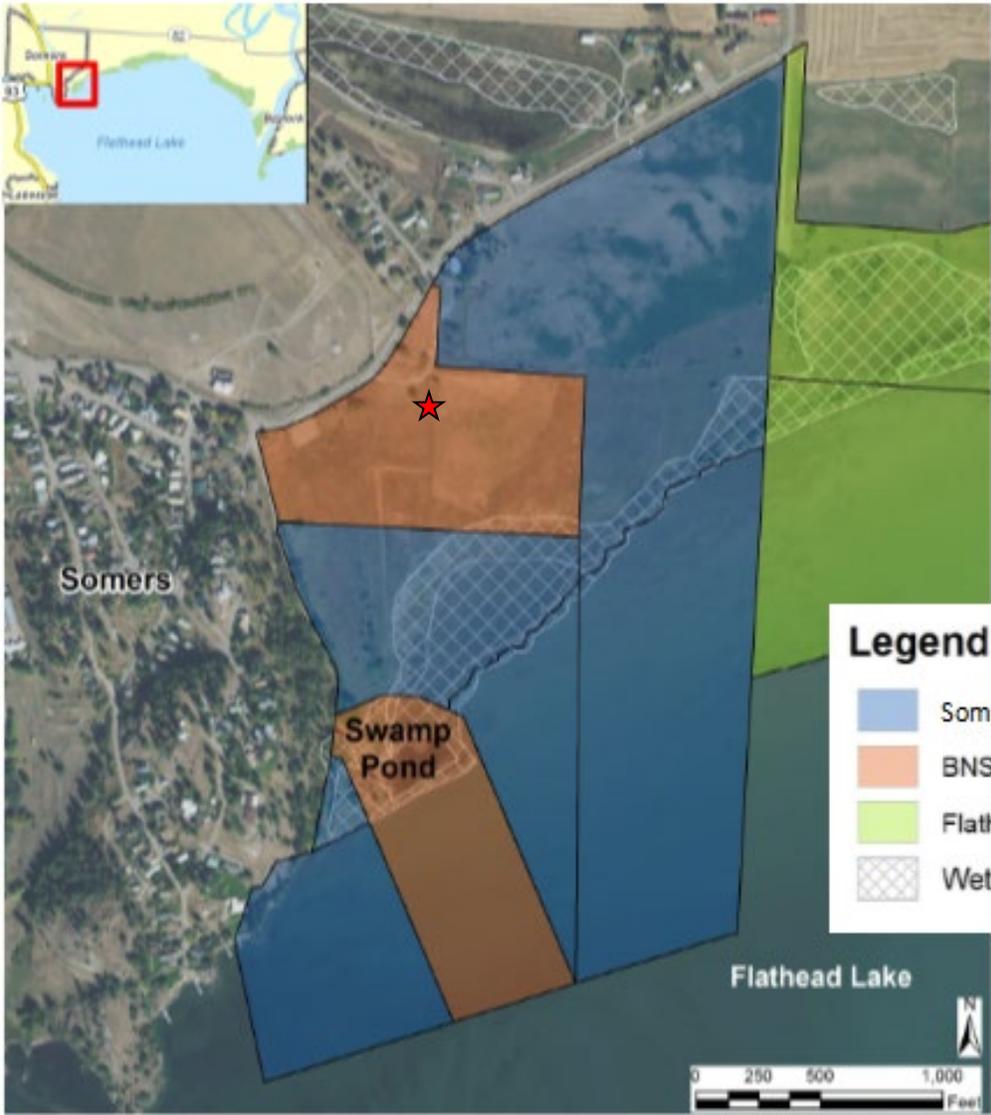
In the preferred alternative, FWP would enter into an indefinite, no-cost lease agreement with BNSF to locate and develop basic interim amenities on this BNSF parcel to accommodate public use at the park while FWP develops a long-term vision and development plan for the park. Interim amenities include a gravel access road and parking lot of approximately 1.2 acres. Additional improvements and amenities would include road and parking perimeter fencing, portable toilets, waste receptacles, and signage. The access road and parking lot would be developed using a geotextile fabric and crushed gravel that could be removed or relocated, and vegetation reestablished, once a final location is determined. A pedestrian trail would be provided to direct park visitors from the parking lot to parklands. This alternative would utilize portions of pre-existing roadways, thus reducing construction costs. This alternative also provides better visual screening from Somers Road and residential areas.

**Alternative C: Alternate Parking Lot Placement**

Under alternative C, FWP would develop basic interim visitor amenities to accommodate public use on parkland north of the BNSF property. Interim visitor amenities would include a gravel access road and parking lot of approximately 0.9 acres. Additional improvements and amenities would include road and parking perimeter fencing, portable toilets, waste receptacles, and signage. The access road and parking lot would be developed using geotextile fabric and crushed gravel that could be removed or relocated, and vegetation reestablished, once a final location is determined.

**Agency Recommendation and Rationale:** FWP recommends approval of this proposal allowing FWP to lease 4.2 acres of BNSF property adjacent to Somers Beach State Park for the development of interim visitor amenities. The parcel is ideally located to Somers Road to provide convenient access to the park, while providing visual screening from neighboring private property.

**Proposed Motion:** I move the Parks and Recreation Board approve alternative B, the indefinite, no-cost lease for the use of BNSF property at Somers Beach State Park for the development of interim visitor amenities.



COORDINATE SYSTEM: MT

TRACKING NO. 2

**EXHIBIT "A"**  
ATTACHED TO CONTRACT BETWEEN  
**BNSF RAILWAY COMPANY**  
AND

**MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS**

SCALE: 1 IN = 100 FT  
MONTANA DIV.  
KALISPELL SUBDIV. L.S. 0388  
DATE: 6/11/2021

SECTION: 25  
TOWNSHIP & RANGE:  
27N 21W  
MERIDIAN: PRM

TRIM LINE



**LEGEND:**

- PREMISES
- RIGHT OF WAY LINE
- TRACK

**DESCRIPTION:**

1 PARCEL OF LAND CONTAINING A TOTAL OF 183,708 SQ. FT.  
(4.22 A.C.) MORE OR LESS SHOWN SHADED.

SOMERS  
COUNTY OF FLATHEAD

STATE OF MT

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

MAP REF. J53050

DRAWN BY: JPM DRAWING NO. 81896